ment to residences, costs of pollution control, as well as police and fireman tax deductions, and deductions for cost of tuition for education and graduate teacher study. I have also introduced legislation to aid our elderly, veterans, retired, and blind, as well as special legislation to remove tax-exempt status from foundations engaged in propaganda and politics.

If enacted, these bills would give a measure of tax relief. However, they do not provide the answer to the grave situation in which America finds herself today. If you haven't heard of these bills, remember they are unpopular with those who want to fool the people rather than help them. The solution to our predicament is to repeal the personal income tax and require the federal government to obey the Constitution by assuming only those functions authorized by the Constitution, leaving all other functions to the discretion of State and local governments. To this end, I have re-introduced H.J. Res. 23 known as the Liberty Amendment. This proposed amendment to the U.S. Constitution which has passed our Louisiana legislature would repeal the 16th Amendment and abolish federal income taxes as well as take the federal government out of competition with free enterprise.

The adoption of this bill would strengthen and enlarge the free enterprise sector, restore power to the people at the State and local levels, and would greatly reduce the size and scope of the federal government. In summary, it would take off the handcuffs and allow the Constitution to function as intended.

I began this telecast with a remark that taxpayers are getting fed up with high taxes. They have had enough of the waste and corruption in government—the use of their tax dollars to build political patronage and party loyalty instead of improving the country. Most people realize that they can have anything they want if they are willing to pay the price. They also realize that the government can do nothing for them that they cannot do better for themselves.

Taxpayer groups throughout America continue to organize as taxpayer dissatisfaction mounts. Taxation without representation has developed into a new cause celebre as taxpayers suffer government representation of those who pay no taxes. If taxation without representation is tyranny, then representation without taxation is anarchy.

HOUSE OF REPRESENTATIVES—*Monday, March 6, 1972*

The House met at 12 o'clock noon.

Rev. Charles H. Carpenter, national chaplain, Veterans of Foreign Wars, Shawboro, N.C., offered the following prayer:

O God in heaven, bring us to a halt for a moment with Thee. In the quiet of this moment, direct us to Thy spirit. Help us to turn away from those who would keep us from our duty and set our minds and hearts on Thee in whom alone is hope for peace and growth. Guided by Thy spirit, help us to see beyond the coldness of mankind and nation, and with clearer vision glimpse the warm eyes of children, the anxious faces of fathers, and the quiet concern of mothers. Help us to know that we affect these, for these are our Nation. They breathe and care and hurt.

May we deliberate—and decide—with them in mind, continually pricked by Thy spirit. Through Christ our Lord. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12067) entitled "An act making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1972, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to amendments of the Senate numbered 5, 23, 27, and 40, to the foregoing bill.

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

S. 907. An act to consent to the interstate environment compact;

S. 2094. An act for the relief of Col. Charles V. Greffet;

S. 2713. An act to amend title 18 of the United States Code to authorize the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released;

S. 3160. An act to provide for a modification in the par value of the dollar, and for other purposes;

S. 3248. An act to consolidate, simplify, and improve laws relative to housing and housing assistance, to provide Federal assistance to local governments in support of community development activities, and for other purposes; and

S.J. Res. 117. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day."

REV. CHARLES H. CARPENTER

(Mr. JONES of North Carolina asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. JONES of North Carolina. Mr. Speaker, on behalf of the membership of this House, I would like to express my deep appreciation to the Reverend Charles H. Carpenter, presently national chaplain of the Veterans of Foreign Wars, for offering the prayer today in the House of Representatives.

In addition to his religious activities, he is involved in other public services which include serving as eastern area membership chairman for the VFW department in North Carolina. Also, he is employed by the North Carolina Employment Security Commission, and for over a year has served as veterans employment representative for the Elizabeth City, N.C., area.

Mr. Speaker, I am pleased that Reverend Carpenter consented to be with us today, and I am sure that all who heard him were most impressed with his sincerity, and I only hope that he will be able to visit us again sometime in the near future.

UNITED STATES OF AMERICA AGAINST W. A. BOYLE, JOHN OWENS, AND JAMES KMETZ—COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
March 3, 1972.

The Honorable the SPEAKER,
House of Representatives.

DEAR SIR: On this date, I have been served with a subpoena duces tecum that was issued by the United States District Court for the District of Columbia. This subpoena is in connection with the case of the United States of America v. W. A. Boyle, John Owens and James Kmetz (No. 1741–71).

The subpoena commands the Clerk of the House to appear in the said United States District Court for the District of Columbia, on the 6th day of March, 1972 for the purpose of testifying, bringing and explaining certain House records that are outlined in the subpoena itself, which is attached hereto.

The rules and practices of the House of Representatives indicate that no official of the House may attend either voluntarily or in obedience to a subpoena without the consent of the House being first obtained.

The subpoena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

SUBPOENA TO PRODUCE DOCUMENT OR OBJECT

[In the U.S. District Court for the District of the District of Columbia]

United States of America v. W. A. Boyle, John Owens and James Kmetz, No. 1741–71

To Honorable Pat Jennings, Clerk, or his authorized representative, U.S. House of Representatives, Washington, D.C.

You are hereby commanded to appear in the United States District Court for the District of the District of Columbia at 3rd & Constitution Avenue in the city of Washington, D.C. on the 6th day of March 1972 at ——— o'clock A.M. to testify in the case of United States v. Boyle, Owens and Kmetz and bring with you all records reflecting reports filed with the Clerk of the House by the following named committees for the designated time period:

1. D. C. Humphrey for President Club—1968
2. National Republican Congressional Committee—1967, 1968, 1969, 1970
3. National Republican Senatorial Committee—1967, 1968, 1969, 1970
4. Republican National Finance Operations Committee—1967
5. Citizens for Humphrey and Muskie—1968

This subpoena is issued upon application of the United States.

MARCH 3, 1972.

JAMES F. DAVEY,
Clerk.

By WILLIAM BROWN,
Deputy Clerk.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. BOGGS. Mr. Speaker, I offer a privileged Resolution (H. Res. 864) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 864

Whereas in the case of the United States of America against W. A. Boyle, John Owens, and James Kmetz (criminal action numbered 1741–71) pending in the United States District Court for the District of Columbia, a subpena duces tecum was issued by the said Court and addressed to W. Pat Jennings, Clerk of the House of Representatives, directing him or his authorized representative to appear as a witness before the said court on the 6th day of March, 1972, and to bring with him certain documents in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That W. Pat Jennings, Clerk of the House, or any officer or employee in his office whom he may designate, be authorized to appear at the place and before the court in the subpena duces tecum beforementioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when the said court determines upon the materiality and relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, be authorized to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House, and take copies of those requested papers and documents which are in possession or control of the said Clerk; and the Clerk is authorized to supply certified copies of such documents or papers in his possession or control that the court has found to be material and relevant and which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Clerk shall not be disturbed, or the same shall not be removed from their place of file or custody under the said Clerk; and be it further

Resolved, That as a respectful answer to the subpena duces tecum a copy of these resolutions be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION FROM THE COMMISSION ON GOVERNMENT PROCUREMENT

The SPEAKER laid before the House the following resignation from the Commission on Government Procurement:

AMERICAN SECURITY & TRUST CO.,
Washington, D.C., March 3, 1972.

Hon. CARL ALBERT,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: With great reluctance I feel that I must tender to you my resignation as a member of the Federal Procurement Commission. I feel that the Commission is doing an outstanding job, but it has many, many days of extremely difficult work ahead of it. My personal position has changed and I simply cannot devote to the Commission the time that it requires.

I am in the process of taking over as Chief Executive Officer of this bank, and these transitions are always difficult and demanding.

I do hope that you will understand my personal situation. Also, I want to thank you for the confidence that you have reposed in me and I hope that you will turn to me again for any assistance that I can give to you or to the Congress.

Sincerely,

JOSEPH W. BARR.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

APPOINTMENT AS MEMBER OF THE COMMISSION ON GOVERNMENT PROCUREMENT

The SPEAKER. Pursuant to the provisions of section 3(a), Public Law 91–129, the Chair appoints as a member from outside the Federal Government of the Commission on Government Procurement the Honorable James E. Webb, of the District of Columbia, to fill an existing vacancy thereon.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first measure on the Consent Calendar.

DISASTER LOANS

The Clerk called the joint resolution (H.J. Res. 893) to amend the Disaster Relief Act of 1970 to authorize disaster loans with respect to certain losses arising as the result of recent natural disasters, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that House Joint Resolution 893, Consent Calendar No. 100, be stricken from the Consent Calendar and laid on the table.

I make this request since the enactment of Senate Joint Resolution 176, now Public Law 92–213, accomplished the purpose of the House joint resolution, thus removing the necessity for its passage.

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

Mr. HALL. Mr. Speaker, reserving the right to object, and I shall not object, because this is in complete and final compliance with what I have requested from the first time that this particular joint resolution was presented. It is even more apropo inasmuch as one of the proponents has recently objected seriously to the lack of due process and the rights of individual Members on the floor of the House re: unanimous consent request bills from our Committee on Ways and Means.

So, because it does not meet the criteria of the Consent Calendar and for all these other reasons, I compliment the gentleman from Wyoming for his action, and withdraw my reservation of objection.

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

There was no objection.

AMENDING THE REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

The Clerk called the bill (H.R. 9545) to amend the Revised Organic Act of the Virgin Islands to provide that the Legislature of the Virgin Islands shall prescribe the minimum age for membership in the legislature.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask a question or two concerning this bill.

Does this mean that it is proposed to lower the voting age of Members of the Virgin Islands Legislature to 18 years?

Mr. ASPINALL. Mr. Speaker, if my colleague, the gentleman from Iowa (Mr. GROSS) will yield to me——

Mr. GROSS. Of course I yield to the gentleman from Colorado.

Mr. ASPINALL. This has nothing to do with the voting age. This has to do with the lowering of the age of those who may serve as legislators in the territorial assembly providing that the territorial assembly and the Governor see fit to pass and approve an act to establish the minimum age of 21 for legislators in the assembly.

Mr. GROSS. Mr. Speaker, I misspoke myself when I said to lower the voting age. I mean to lower the age for service in the Legislature of the Virgin Islands.

Mr. ASPINALL. The gentleman is correct.

Mr. GROSS. And if the government of the Virgin Islands does decide to lower the legislative age to 18, would that then permit the 18-year-olds to join in the cocktail parties, if any, in connection with the operation of the Virgin Islands Legislature?

Mr. ASPINALL. If my colleague will yield again, I doubt if it has anything to do with cocktail parties, as far as that is concerned, but it does have to do with giving the people of the Virgin Islands the same authority that I find has been given to the legislature in my friend's State of Iowa, that of lowering the age of those who wish to serve in the legislature to 21. And that is all it does.

Mr. GROSS. It would permit the age to be lowered to 18, would it not?

Mr. ASPINALL. It permits the age to be lowered to 21. If the territorial assemble tried to go below the age of 21 there they would immediately be in trouble with one committee.

Mr. GROSS. But not to 18?

Mr. ASPINALL. But not to 18. The case was made before one committee, to lower the age of 21 which prevails in 39 of our States.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There being no objection, the Clerk read the bill as follows:

H.R. 9545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(b) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1572(b)) is amended—

(1) by striking out "who has not attained the age of twenty-five years,"; and

(2) by inserting immediately after the first sentence thereof the following new sentence: "The legislature shall prescribe by law the minimum age for membership in the legislature.".

Mr. BURTON. Mr. Speaker, the Legislature of the Virgin Islands petitioned the Congress to allow it to reduce the age for membership in the legislature. In response to their petition, I introduced the bill H.R. 9545.

The Revised Organic Act of the Virgin Islands provides for a minimum of 25 years of age for the 15 members who serve 2-year terms in the unicameral legislature. The Subcommittee on Territorial and Insular Affairs heard testimony that in 39 States at least one house of the legislature has a minimum age for membership of 21. The desire of the Virgin Islands Legislature that younger persons be permitted to run for public office appeared to the committee to be a worthwhile objective and the full committee adopted the bill by voice vote without dissent.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise in support of this bill. The purpose of the legislation is very simple. The bill amends the Revised Organic Act of the Virgin Islands to permit the Legislature of the Virgin Islands to set the minimum age for membership in that body.

At the present time, section 6(b) of the Revised Organic Act of the Virgin Islands prescribes that a person to be eligible for membership in the legislature must have attained the age of 25 years. This age requirement is higher than the minimum age limit for membership in most, if not all, State legislatures. As we Members of this House know, the trend among the States now is to lower the minimum age requirements for voting, and in other areas having a minimum age limit which we have come to recognize as 21 years old—or—the "age of majority."

As the ranking Republican member of the Subcommittee on Territorial and Insular Affairs, I support the request of the Virgin Islands Legislature to reduce the age for membership in its own legislative body. This is in keeping with the prerogatives of our State legislatures and is responsive to the desires and wishes of the people of the Virgin Islands.

Mr. Speaker. I urge the passage of H.R. 9545. Governor Evans, Mr. De Lugo, and members of the Virgin Islands administration and the legislature have asked for passage of the bill. I believe we should accede to their request, thereby permitting them to have the same privileges granted to our States in matters pertaining to age requirements for elected members to their legislature.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOWERING QUALIFYING AGE FOR JURY SERVICE TO 18

The Clerk called the bill (S. 1975) to change the minimum age qualification for serving as a juror in Federal courts from 21 years of age to 18 years of age.

Mr. HALL. Mr. Speaker, inasmuch as this bill is listed under suspension of the rules for today, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

JUROR QUALIFICATION FORMS

The Clerk called the bill (H.R. 2589) to amend section 1869 of title 28, United States Code, with respect to the information required by a jury qualification form.

Mr. HALL. Mr. Speaker, inasmuch as this is also listed under the suspension of the rules today, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

VILLAGE OF RIVER FOREST, ILL.

The Clerk called the bill (H.R. 631) for the relief of the village of River Forest, Ill.

There being no objection, the Clerk read the bill as follows:

H.R. 631

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the village of River Forest, Illinois, the sum of $5,096.50. The payment of such sum shall be in full settlement of all claims of the village of River Forest against the United States for reimbursement for one-half of the cost of certain civil defense communications equipment purchased by the village in November of 1962 at the urging of civil defense officials and in the belief that such reimbursement would be made. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 2, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VILLAGE OF RIVER FOREST, ILL.

The Clerk called the bill (H.R. 632) for the relief of the village of River Forest, Ill.

There being no objection, the Clerk read the bill as follows:

H.R. 632

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the village of River Forest, Illinois, the sum of $3,228.12. The payment of such sum shall be in full settlement of all claims of the village of River Forest against the United States for payment of civil defense matching funds for an emergency generator for the village of River Forest. Through administrative error the payment of civil defense matching funds has not been made and cannot now be made because of regulations which prohibit the retroactive payment of such funds: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARTICIPATION BY THE UNITED STATES IN THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW AND THE INTERNATIONAL (ROME) INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW

The Clerk called the bill (H.R. 11948) to amend the joint resolution authorizing appropriations for participation by the United States in the Hague Conference on Private International Law and the International (Rome) Institute for the Unification of Private Law.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

U.S. PARTICIPATION IN THE INTERNATIONAL BUREAU FOR THE PROTECTION OF INDUSTRIAL PROPERTY

The Clerk called the joint resolution (H.J. Res. 984) to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to

the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. This concludes the call of the Consent Calendar.

GIRL SCOUTS OF THE UNITED STATES OF AMERICA, 60TH ANNIVERSARY

Mr. HANSEN of Idaho. Mr. Speaker, I offer a resolution (H. Res. 865) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 865

Whereas, Girl Scouts of the United States of America, chartered by the Congress of the United States, is today celebrating the sixtieth anniversary of its founding; and

Whereas, Girl Scouts of the United States of America, begun as a movement to liberate girls from narrow, confining life-roles, has since taken the lead in advancing what are today such universal concerns as protection of the environment, youth participation in self-government, strengthened roles for the volunteer worker, and international understanding through friendship; and

Whereas, Girl Scouts of the United States of America is quietly and effectively helping to unite young Americans of all races, creeds, ethnic and economic backgrounds and is providing to millions of girls and adults unlimited opportunities for self-development and responsible service to their communities and to the nation; and

Whereas, Girl Scouts of the United States of America, true to its pioneering tradition, continues to anticipate the changing needs of girls and of the society and to encourage its nearly four-million members to be doers, rather than talkers, leaders, not followers, and givers, not takers: Now, therefore, be it

Resolved, That the House of Representatives of the United States of America hereby commends Girl Scouts of the United States of America on its sixtieth birthday for its progressive spirit and for its firm commitment to the values that have made this a great nation.

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

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Idaho.

Mr. HANSEN of Idaho. Mr. Speaker, the great scouting movement has become a way of life in Idaho and had the first in a series of high points in July of 1965 when the Girl Scouts of the United States of America held a senior roundup at Farragut State Park on the shores of Lake Pend Oreille in northern Idaho. Using as their theme, "On the Trail to Tomorrow," they were truly prophetic in that the Boy Scouts of America held the first American World Jamboree at Farragut in 1967 and a National Jamboree in 1969. A third jamboree is now set for Farragut in 1973.

But it is to the Girl Scouts of the United States of America that credit is given as cofounders, along with the State of Idaho, of Farragut State Park. As a member of the Idaho State Legislature, it was then a privilege to work with the legislation which designated Farragut as a State park and to support all the activities attendant to the roundup. I attended the roundup and was tremendously impressed and thrilled with the programing for the thousands of senior Girl Scouts in attendance.

It is good to know that the story of Girl Scouting is just as exciting to the rest of the United States and to many parts of the world as it is to Idaho. Chiefly because Girl Scouting is such a fine character-building organization it is a signal pleasure for me to introduce a resolution for me and 79 cosponsors to commemorate the 60th anniversary of the Girl Scouts of the United States of America which will officially be recognized the week of March 12 through 18.

It was on March 12, 1912, that Juliette Low, first national president, founded this now-international movement for better citizenship. The Girl Scouts have for all these years offered informal education and training in the arts and science of warm and meaningful relationships with millions of girls throughout the world. Girl Scouts of the United States of America currently serves a total of 3.9 million members—3.2 million of whom are girls between the ages of 7 and 17—and serves as a vital force in the leadership development of our Nation's young girls. Our country owes much to the heritage of the Girl Scouts of the United States of America and it is proper that we honor them and their programs at this time.

By deed and word the Girl Scouts have demonstrated their desire to eliminate prejudice, concern for the environment, service to the disadvantaged and the aged, involvement of the minorities, international friendships and exchange, career development, and youth decision making.

In my own family, my wife and my daughters are engaged in Scouting activities and the younger girls are eagerly awaiting the necessary age to become active in the Brownies. Once each year our dining room is stacked from floor to ceiling with Girl Scout cookies as the point of delivery from our home in Arlington. Mrs. Hansen and I realize that any time devoted to Scouting is repaid a thousandfold to our own family and to the world.

This anniversary is a memorable occasion, and it is good that Congress recognize the rich contribution of this organization to the future of our country and to the world. I am confident that their program and membership will continue to grow for many more sixties of years.

As a part of my remarks, Mr. Speaker, I would like to include the body of the resolution which my 79 colleagues and I are introducing, along with the names of the resolution's cosponsors:

Mrs. MINK. Mr. Speaker, the Girl Scouts of the United States is indeed a most noteworthy organization that deserves our recognition today. For 60 years the Girl Scouts have provided an outstanding program of self development for millions of girls across the country.

By providing these opportunities to girls, Scouting has broadened its reach to all our youth, boys and girls. During these especially formative years of growing up, Scouting is a valuable experience in helping to develop a child's interest, sense of fairness, as well as individual social responsibility.

As a Brownie, she may paint a picture to cheer a sick person. As a Junior Scout, she can be a hospital aide. As a Cadette Scout, she can organize her troop to clean a littered park. And as a Senior Scout, she can tutor a ghetto child in reading. In all these activities and in all she undertakes, a Girl Scout is continuously guided and encouraged to offer herself as a concerned citizen and human being.

The Girl Scouts have helped to build our youth into effective citizens interested in promoting a better country and world, through human kindness and cooperation.

I join my colleagues in offering the Girl Scouts of America my warmest congratulations on its 60th anniversary.

Mr. ROE. Mr. Speaker, I am especially honored this year to have been selected by the Lenni-Lenape Girl Scouts to serve as honorary chairman of their "Support a Scout Fund" program. I am also indeed most pleased and privileged to join with a host of my colleagues here in the House today in introducing a resolution to commemorate the 60th anniversary of the Girl Scouts of America which will be celebrated during their official birthday week March 12–18. The text of the resolution is as follows:

RESOLUTION

Whereas, Girl Scouts of the United States of America, chartered by the Congress of the United States, is today celebrating the 60th anniversary of its founding; and

Whereas, Girl Scouts of the United States of America, begun as a movement to liberate girls from narrow, confining life-roles, has since taken the lead in advancing what are today such universal concerns as protection of the environment, youth participation in self-government, strengthened roles for the volunteer worker, and international understanding through friendship; and

Whereas, Girl Scouts of the United States of America is quietly and effectively helping to unite young Americans of all races, creeds, ethnic and economic backgrounds and is providing to millions of girls and adults unlimited opportunities for self-development and responsible service to their communities and to the nation; and

Whereas, Girl Scouts of the United States of America, true to its pioneering tradition, continues to anticipate the changing needs of girls and of the society and to encourage its nearly four million members to be doers, rather than talkers, leaders, not followers, and givers, not takers: Now, Therefore, be it

Resolved, That the House of Representatives of the United States of America hereby commend Girl Scouts of the United States of America on its sixtieth birthday for its progressive spirit and for its firm commitment to the values that have made this a great nation.

In our Eighth Congressional District of New Jersey we are deeply appreciative and gratefully ackowledge the outstanding good works of the Lenni-Lenape Girl Scout Council, Inc., which, with the assistance of more than 2,500 adult volunteers, serves over 15,000 girls in the New Jersey counties of Passaic, Sussex, and portions of Warren, Bergen, and Morris. The Council Service Center is located at 555 Preakness Avenue, Paterson, N.J. and they maintain out-of-door program centers at Camp Clipawaga, Sparta, N.J.,; Camp Meyer, Hewitt, N.J.; Camp Sunowa, Sussex, N.J.; Camp Te-Ata, Central Valley, N.Y.; Camp Wulitaki, Schooley Mt., Hackettstown, N.J.

Since March 12, 1912, the date of the

founding of the Girl Scouts of America, this prestigious youth organization has grown from an eight-member group to a 3.9 million membership of young ladies. Through their leadership qualities of self-reliance, self-control, international friendships and exchange, kindness, courtesies, and eagerness to serve others, their contribution as citizens of their community has helped eliminate prejudicies; provided pleasure to young and adults alike, and particularly our disadvantaged and senior citizens; achieved a greater communion and understanding among the peoples of the world; and encouraged public concern as well as action programs for the preservation, protection and enhancement of our environment—all a significant investment in the enrichment and excellence of the quality of our way of life here in America.

Girl Scouting began in Savannah, Ga., under the direction of Mrs. Juliette Low, who, while living in England, became interested in the work of her friend, Lord Baden-Powell, founder of the scouting movement. Mrs. Low was determined to have American girls share in the excitement of scouting and, upon her return to the United States, established the first American Girl Scout troop. In June 1913, the first national headquarters of the Girl Scouts was opened. In June 1915, the Girl Scout organization was incorporated, and on March 16, 1950, the congressional charter was granted.

Today, Girl Scouting presents a single, continuing program of activities for girls as they progress through the four age levels of scouting: The Brownie Girl Scouts, the Junior Girl Scouts, the Cadette Girl Scouts, and the Senior Girl Scouts. These activities are based on six elements that form the foundation of the Girl Scout program—the meaning of the promise and laws, service to others, troop management by the girls themselves, citizenship, international friendship, health, and safety.

In commemorating the 60th anniversary of the Girl Scouts of America, I respectfully request my colleagues here in the Congress to join with me in applauding the community leaders who have so generously and unselfishly given their time and personal efforts to the youth of our Nation through scouting. I especially commend to you the following officers and members of the Board of Directors of the Lenni-Lenape Girl Scout Council, Inc., for their dedication, direction, and personal commitment in achieving the goals and purposes of the Girl Scouts of America:

Officers: Mrs. Frank Ash, president; Mrs. Frank Volpe, first vice president; Mrs. Peter H. Bird, second vice president; Mrs. Henry Shanley, third vice president; Mrs. A. Richard Thorp, secretary; Mr. Nelson Lawrence, treasurer; Miss Mary Potorff, executive director; and Mrs. Daniel Mearns, associate director.

Members-at-large: Mrs. Herbert Bost, Mr. Bert A. Collison, Mrs. James Cosgrove, Mrs. Frank Engle, Miss Mary Frances Evans, Mrs. Edwin Farber, Mr. William C. Fenners, Miss Gladys Herrschaft, Miss Edith Lewis, Mrs. Herman R. Maier, Mrs. James Matheis, Miss Patricia Miskewicz, Mr. Mervyn Montgomery, Mr. Robert Olsen, Mrs. John Puleo, Miss Nancy R. Saville, Mrs. Arthur Scott, Mrs. Robert Shipp, Mrs. Douglas Steinbauer, Miss Ethel Watterston, and Mrs. Hans Wend.

Our heartiest congratulations and best wishes are extended to the Girl Scouts of America as we observe and celebrate their 60th anniversary.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

UNEMPLOYMENT RATE DROPS

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

Mr. ARENDS. Mr. Speaker, the Nation's unemployment rate dropped by 0.2 percent during February of this year—from 5.9 percent in January to 5.7 percent in February. This is the lowest unemployment rate in 17 months. While the conclusions to be drawn from a change in the unemployment rate from month to month must be limited, comparison of 1971's fourth quarter to this February reveals that there has been a substantial seasonally adjusted increase in employment—over 300,000. Viewed in this context the decrease in the unemployment rate is encouraging.

Total employment remained essentially stable in February and average weekly hours of work rose. This rise was especially large in the manufacturing sector, where hours worked were at their highest level since December 1969.

An important factor in analyzing any employment statistics is the rate for married males and I was pleased to note that this indicator also dropped 0.2 percentage points, from 3 percent to 2.8 percent, which for this key category is the lowest rate since July 1970. In fact, decreases in the number of persons without jobs from January to February were common for most of the major employment categories, the primary exception being the teenage jobless rate, which unfortunately rose.

Mr. Speaker, this information is encouraging and provides the basis for confidence that the administration's economic policies are working to increase jobs and income for the American people.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 61]

Addabbo	Galifianakis	Pepper
Alexander	Gallagher	Pickle
Anderson, Tenn.	Gaydos	Poage
Annunzio	Gettys	Powell
Badillo	Giaimo	Pryor, Ark.
Baring	Goldwater	Riegle
Bell	Grasso	Roberts
Biaggi	Halpern	Robinson, Va.
Blanton	Hanley	Robison, N.Y.
Blatnik	Hanna	Rogers
Bolling	Hébert	Rostenkowski
Bow	Holifield	St Germain
Broomfield	Hull	Sandman
Brown, Mich.	Kluczynski	Scherle
Burke, Fla.	Kyros	Scheuer
Cabell	Leggett	Sebelius
Camp	Lennon	Shipley
Cederberg	Long, La.	Spence
Chamberlain	McCloskey	Springer
Chisholm	McCulloch	Stanton, J. William
Clark	McKinney	Steed
Clay	McMillan	Steele
Collins, Ill.	Macdonald, Mass.	Stubblefield
Curlin	Mann	Sullivan
Davis, S.C.	Mathias, Calif.	Symington
de la Garza	Meeds	Thompson, Ga.
Diggs	Metcalfe	Thone
Dorn	Mikva	Udall
Dowdy	Mills, Ark.	Vander Jagt
Dwyer	Mollohan	Veysey
Eckhardt	Moss	Whalley
Edmondson	Murphy, N.Y.	White
Edwards, La.	Nix	Whitehurst
Foley	O'Hara	Young, Fla.
Fountain	Pelly	
Fraser		

The SPEAKER. On this rollcall 326 Members have answered to their names, a quorum.

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

CHANGE OF LEGISLATIVE PROGRAM

(Mr. BOGGS asked and was given permission to address the House for 1 minute.)

Mr. BOGGS. Mr. Speaker, I take this time to announce that the motion to send to conference the bill, S. 659, the Omnibus Education Amendments of 1972, with a Senate amendment to the House amendment, will be made on Wednesday rather than on Tuesday. It will be the first order of business.

MOSCOW AND WARSAW TREATIES

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

Mr. CRANE. Mr. Speaker, I view with growing concern the highly erroneous notion being put about lately that defeat of the Moscow and Warsaw Treaties under consideration in the West German Bundestag would do irreparable harm to relations between the United States and Germany. Nothing could be further from the truth.

When one considers the content of these treaties and the concessions which would be made by the West Germans to the U.S.S.R. and the other Communist regimes of the East, it is clear that the groundwork is here being laid for the next step in the Soviet plan, the European Security Conference.

If the treaties are ratified, such a con-

ference will almost surely take place and its results will be to shift the orientation, not alone of West Germany, but of all Western Europe, away from the United States and toward the East.

The ratification of these treaties, contrary to popular opinion, presages the disintegration of our relations with West Germany. It presages strong demands here in Washington for withdrawal of all our troops from West Germany and ultimately from Europe. It suggests an escalation of the neoisolationism presently gripping large sectors of our country.

The final irony is the suggestion heard here that a failure to ratify the treaties will undermine President Nixon's Moscow visit. Again, nothing could be further from the truth. The President will be in a far better bargaining position, if bargain he must, if there is a display of strength and solidarity among Western allies. If concessions have already been made by Bonn, the President not only negotiates from a position of weakness, but in the Soviet mind will be expected to make similar concessions. If his visit to Moscow has not already been jeopardized by what occurred in Peking, it can be rendered a disaster by West German ratification of these treaties.

NATIONAL HERITAGE WEEK

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

Mr. THOMSON of Wisconsin. Mr. Speaker, for the past 6 years the West Salem Wis., Elementary School has set aside the first week in March as National Heritage Week. Around a central theme the students, kindergarten through eighth grade, focus their studies and activities on their Nation's past. The culmination of American Heritage Week is a pageant presented for as many as 800 people depicting various aspects of the theme chosen.

All students participate. Each grade has a topic and stresses it through the week in bulletin board displays, stories, and teacher-led presentations. In producing the pageant, the art, music, physical education, English, and social studies departments combine their particular talents.

Mr. Speaker, I heartily congratulate the students and faculty of West Salem Elementary School. American Heritage Week gives all persons in the West Salem area an opportunity to reflect on our past and our predecessors. It allows all to view this Nation's strengths and weaknesses, our successes and failures, our work and our sacrifices. But more important, it allows the opportunity to pause for a moment to appreciate the America our ancestors gave us. Americans have a great heritage and one in which we can take just pride. I am hopeful when we become part of that heritage, future citizens will be able to look back equally proud.

The West Salem Elementary School has set an example that would be well for others to follow.

MINIMUM AGE FOR FEDERAL COURT JURORS

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1975) to change the minimum age qualification for serving as a juror in Federal courts from 21 years of age to 18 years of age, as amended.

The Clerk read the bill as follows:

S. 1975

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That section 1865(b)(1) of title 28, United States Code, is amended by striking out "twenty-one years" and inserting in lieu thereof "eighteen years".

SEC. 2. Section 1863(b)(4) of title 28, United States Code, is amended by inserting before the period at the end thereof ", the interval for which shall not exceed four years".

SEC. 3. (a) Each judicial district and each division or combination of divisions within a judicial distrct, for which a separate plan for random selection of jurors has been adopted pursuant to section 1863 of title 28, United States Code, other than the District of Columbia and the districts of Puerto Rico and the Canal Zone, shall not later than September 1, 1973, refill its master jury wheel with names obtained from the voter registration lists for, or the lists of actual voters in, the 1972 general election.

(b) The District of Columbia and the judicial districts of Puerto Rico and the Canal Zone shall not later than Setpember 1, 1973, refill their master jury wheels from sources which include the names of persons eighteen years of age or older.

(c) The qualified jury wheel in each judicial district, and in each division or combination of divisions in a judicial district for which a separate plan for random selection of jurors has been adopted, shall be refilled from the master jury wheel not later than October 1, 1973.

SEC. 4 (a) Nothing in this Act shall affect the composition of any master jury wheel or qualified jury wheel prior to the date on which it is first refilled in compliance with the terms of section 3.

(b) Nothing in this Act shall affect the composition or preclude the service of any jury empaneled on or before the date on which the qualified jury wheel from which the jurors' names were drawn is refilled in compliance with the provisions of section 3.

The SPEAKER. Is a second demanded?

Mr. POFF. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from New York (Mr. CELLER) is recognized.

Mr. CELLER. Mr. Speaker, in 1968, improved judicial machinery for the selection of Federal juries was created by the Congress as the Jury Selection and Service Act of 1968.

One section of that act requires that a person must be 21 years of age or older to serve on a Federal jury.

S. 1975, as amended and approved without objection by the Committee on the Judiciary, would lower the qualifying age to 18.

At a hearing held by a judiciary subcommittee on November 10, 1971, on a companion House bill, the Administrative Office of the U.S. Courts, the Department of Justice, and the Civil Rights Commission strongly supported the legislation. In addition, numerous written statements in support were filed with the subcommittee by various Members of the House. Not one negative recommendation was received.

A variety of reasons were urged upon the committee for promptly reporting the legislation. The Justice Department, for example, urged that if the 18- to 21-year-olds "are mature enough to vote in the selection of Members of the Congress who enact Federal laws and a Chief Executive who has authority to enforce such laws, they are mature enough to participate as jurors, as do other citizens."

Although the stated reasons in support of this legislation varied, all of the proponents were agreed that the obligation and privilege of serving as a Federal juror should be borne and shared by young adults between the ages of 18 and 21.

Two of the most important aspects of our representative form of government are the ballot and the jury trial. We have given these young people the right to vote; we should now afford them the opportunity to perform jury duty in our courts.

S. 1975 was sponsored by 21 Members of the Senate; companion legislation was sponsored by 53 Members of this House. S. 1975 passed the Senate on December 1, without a single objection. As I indicated earlier, S. 1975 was reported by the Judiciary Committee without a single objection.

As reported by our committee S. 1975 would provide that the 18-, 19-, and 20-year-olds would be a part of our jury system by no later than October 1, 1973. Their names would, for the most part, be obtained from the voter records of the 1972 general election.

You may be interested to know that the amendments made by the Committee on the Judiciary did not change the basic thrust of the legislation and have since been examined with approval by the sponsor of the bill and by the chairman of the Senate Judiciary Subcommittee which considered it.

Finally, one particularly refreshing fact—this is a bill which will effect a savings of about $263,000 a year in the operation of our Federal courts. The Administrative Office of the U.S. Courts estimates such a saving will result from not having to cull from voter lists, which nationally contain the names of 18- to 21-year-olds, the names of those who are under 21.

House approval of this legislation should be overwhelming.

Mr. POFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join my distinguished Chairman in support of S. 1975 which lowers the qualifying age for Federal jury service to 18. This legislation was reported by the Judiciary Committee without a dissenting vote. The Department of Justice, the Civil Rights Commission, and the Administrative Office of the U.S. Courts all support this legislation.

Without exhaustive explanation I would like to discuss the three reasons

why I support lowering the juror qualification age from 21 to 18.

First, I believe it is important and advisable to involve more young people, more intensively, in the proper process of government. Trial by jury is basic to the American system of jurisprudence. Article III, section 2, of the U.S. Constitution provides that the trial of all crimes, except in cases of impeachment, shall be by jury. Article VI of the amendments to the Constitution guarantees that in "all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury." Article VII provides that:

In Suits at common law, * * * the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law." Article V provides for grand juries "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, . . .

Second, I believe it is important to lower the juror qualification from 21 to 18, to comport with the requirements of the present jury selection statute. Failure to reduce the age of jurors may seriously hinder the administration of the 1968 act. The present law specifies that voter lists be used as the basic source of juror names. With the enactment of the 26th amendment, all voter lists used in future general elections will include 18-, 19-, and 20-year-olds. The jury commission or clerk of the court in each of the 93 judicial districts will have the task of ferreting out 18-, 19-, and 20-year-olds. Enactment of this bill will have the effect of saving the taxpayer approximately $263,000 in operating the Federal Judiciary.

Mr. Speaker, my third reason for supporting this legislation and in my opinion, a most important and persuasive consideration is that I believe there is a substantial constitutional law question raised by the continued exclusion of this large segment of our citizenry from jury service.

In 1970, nearly 18 percent of the persons convicted of crime in the Federal courts were under 22 years of age. In *Glasser* v. *United States,* 315 U.S. 60 (1942) the U.S. Supreme Court held that:

The proper functioning of the jury system . . . requires that the jury be a "body truly representative of the community" and not the organ of any special group or class . . . In 1967, Congress enacted the jury Selection and Service Act. Congressional policy was clearly stated in that Act "that all litigants in Federal courts entitled to trial by jury shall have the right to grand and petit juries *selected at random from a fair cross section of the community.*

Is it constitutionally possible to select a jury from a fair cross section of the community and not include 18-, 19-, and 20-year-olds? More specifically, can an 18-year-old who is being tried as an adult, attack the selection of the jury panel as a violation of the equal protection clause of the 14th amendment because of the systematic exclusion of persons by reason of their age? Permit me to cite a U.S. Supreme Court holding which I believe is a close parallel. In *Pierre* v. *Louisiana,* 306 U.S. 554 (1939), the Supreme Court held that:

When the jury commissioners of a State Court intentionally and systematically exclude negroes from among the persons summoned and listed for jury service, an indictment for murder, returned against a negro by a grand jury drawn or selected from such lists, is void under the equal protection clause of the Fourteenth Amendment.

Mr. Speaker, that is good law. It was when it was pronounced and it is today.

The American tradition of trial by jury necessarily contemplates an impartial jury drawn from a cross section of the community—*Smith* v. *Texas,* 311 U.S. 128. Our system of public trial by an impartial jury has been referred to as the "impregnable bulwark of civil liberty," and in my opinion it is. I believe the late Justice Hugo Black may have described the jury systems best in his dissenting opinion in *Green* v. *United States,* 356 U.S. 165 (1958), when he said:

The jury injects a democratic element into the law. This element is vital to the effective administration of criminal justice, not only in safeguarding the rights of the accused, but in encouraging popular acceptance of the laws and the necessary general acquiescence in their application. It can hardly be denied that trial by jury removes a great burden from the shoulder of the judiciary. Martyrdom does not come easily to a man who has been found guilty as charged by twelve of his neighbors and fellow citizens.

With the jury playing such an important role in our system of justice, it is quite clear then how important, if not absolutely critical, it is that the selection of that body of 12 people be made from a fair cross section of the community and with as much scrutiny, care, and consideration as our system can muster.

I urge the adoption of S. 1975.

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

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

Mr. GROSS. I thank the gentleman for yielding. Is the Judiciary Committee considering legislation to lower the age at which one may be President of the United States, a Member of the U.S. Senate, or a Member of the House of Representatives?

Mr. POFF. Not to my knowledge.

Mr. GROSS. Does that not follow in the course of things? If we are going to drop the age for jury service to 18, does it not follow that those ages ought to be reduced similarly?

Mr. POFF. The gentleman may be able to conceive that as the next stage of the game.

Mr. GROSS. Perhaps something more apropos would be this: Is there a legal age for Federal judges?

Mr. POFF. No. There is no age qualification.

Mr. GROSS. Other than that there are no qualifications as to age or anything else?

Mr. POFF. Not to my knowledge.

Mr. GROSS. Legal training or anything else?

Mr. POFF. Not to my knowledge.

Mr. GROSS. So may we expect next a bill to provide that 18-year-olds may become Federal judges?

Mr. POFF. I am sure if we do, the gentleman from Iowa will be the first on his feet to object.

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

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

Mr. CELLER. I want to point out that already there are some 20 States that allow their 18-year-olds to serve on juries. They are: Arizona, Arkansas, Connecticut, Delaware, Georgia, Hawaii, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Pennsylvania, South Dakota, and Wisconsin.

Mr. GROSS. Mr. Speaker, will the gentleman from Virginia yield again, so I may ask the gentleman from New York a question?

Mr. POFF. I will be glad to yield to the gentleman for that purpose.

Mr. GROSS. Mr. Speaker, would the distinguished gentleman from New York, the chairman of the Judiciary Committee, be opposed to a bill which would provide that 18-year-olds be qualified for appointment to the Federal bench in this country—in other words, to Federal judgeships?

Mr. CELLER. The gentleman places the question before me before I have given it my mature deliberation. That is a very difficult question to answer on the spur of the moment. I just do not know how to answer that at this juncture, but I can assure the gentleman that there are a number of bills before the committee which reduce the qualifying ages for President, Senator, and Congressman, and we have those bills under advisement.

Mr. POFF. Mr. Speaker, I yield to the gentleman from Minnesota such time as he may consume.

Mr. FRENZEL. Mr. Speaker, I support this legislation as another important step to bringing a significant sector of our population into the structure of our National Government.

By tradition, by precedent, and most recently by constitutional amendment, the age of 18 has been determined as the age when young people are able to accept the responsibilities of citizenship and some of its privileges as well.

Eighteen-year-olds are asked to serve in the Armed Forces, can enjoy the privilege of voting in our national elections, and then more importantly for this legislation, are asked to stand trial before the same Federal courts that we are now granting them the privilege of serving upon.

I firmly believe that this age group should have both the privileges and responsibilities contained in this legislation S. 1975.

Mr. MIKVA. Mr. Speaker, I rise in support of S. 1975, which would lower the minimum age for Federal jury service from 21 to 18.

In 1971, 53 cosponsors joined me in introducing a bill to permit 18-year-olds

to serve on Federal juries. The list includes Republicans and Democrats, from districts which are urban, suburban, and rural. This is not an issue of partisan politics or of ideology—it is a matter of simple justice.

I am hopeful that the States will follow suit and will take whatever administrative or legislative steps are necessary to extend this important duty and privilege of citizenship to 18-year-olds. Illinois has already done so. In December 1971 the attorney general of Illinois issued an order interpreting the State's jury service statute so as to make 18-year-olds eligible to serve on juries in State courts since they are eligible to vote in all elections.

The young people of America have amply demonstrated their mature concern for the pressing issues which face our society. They are entitled to bear the full measure of citizenship, including the duty to share the job of making our criminal justice system work. We do our part to make them whole citizens by passing S. 1975.

Mr. MATSUNAGA. Mr. Speaker, as a cosponsor of similar legislation, I urge the House to approve today S. 1975, which would lower from 21 years to 18 the minimum age qualification for serving as a juror in Federal courts.

This measure represents another significant step which Congress must take to end the exclusion of 18- to 21-year-olds from important duties of citizenship and leadership in our society. Young men and women serve in the armed forces at age 18. They are now permitted to vote in all elections, Federal, State, and local, and consequently help to choose members of the legislative and executive branches of Government. S. 1975 would provide the 18- to 21-year-olds the opportunity to participate also in our judicial branch of Government.

For those young people fortunate enough to be selected to serve on a jury, Congress can provide, by enacting S. 1975, an opportunity to observe from actual participation just how our system of justice operates. We cannot expect support for our system of justice from persons whose only direct participation in it is as criminal defendants, and not as participants in the decisionmaking process. This firsthand experience, which is one of the fundamental responsibilities of citizenship, will stimulate a new generation of supporters of our judicial institutions.

It should also be noted, Mr. Speaker, that by lowering the minimum age for jurors, we would greatly increase the number of persons available to fill the growing need for qualified jurors. By so doing, we would relieve many of our citizens who are established in careers, and for whom the call to jury service is more burdensome than challenging.

Congress must also act to include all registered voters in the pool from which jurors are selected. The Supreme Court has repeatedly held that the right to a jury trial carries with it the right to be judged by a panel composed of a cross-section of the people within a community. Congress has attempted to enforce these guidelines, most recently by enactment of the Jury Selection and Service Act of 1968 (Public Law 90–274). This act, which S. 1975 would amend, declares it to be a national policy of the United States that—

All litigants in Federal courts entitled to trial by jury shall have the right to grand and petit juries selected at random from a fair cross section of the community in the district or division wherein the court convenes. It is further the policy of the United States that all citizens shall have the opportunity to be considered for service on grand and petit juries in the district courts of the United States, and shall have an obligation to serve as jurors when summoned for that purpose.

Clearly, Mr. Speaker, enactment of S. 1975 would be in keeping with, perhaps even essential to, that policy.

If the present law is left unchanged, the lists of registered voters which Congress has required the courts to use in making up lists of prospective jurors will have to be culled to purge them of all persons under 21 years of age. It is estimated, therefore, that enactment of S. 1975 would effect an annual saving of more than a quarter of a million dollars.

Mr. Speaker, the benefits which will accrue to our society from opening new roles in our system of justice to bright and idealistic young people will far outweigh any dangers from an immature juror who may occasionally pass through the rigid paneling process. I urge the House to move toward that goal today by passing S. 1975.

Mr. POFF. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from New York that the House suspend the rules and pass the bill S. 1975, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

JUROR QUALIFICATION FORMS

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2589) to amend section 1869 of title 28, United States Code, with respect to the information required by a jury qualification form, as amended.

The Clerk read as follows:

H.R. 2589

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (h) of section 1869 of title 28, United States Code, is amended to read as follows:

"(h) 'juror qualification form' shall mean a form prescribed by the Administrative Office of the United States Courts and approved by the Judicial Conference of the United States, which shall elicit the name, address, age, race, occupation, education, length of residence within the judicial district, distance from residence to place of holding court, prior jury service, and citizenship of a potential juror, and whether he should be excused or exempted from jury service, has any physical or mental infirmity impairing his capacity to serve as juror, is able to read, write, speak, and understand the English language, has pending against him any charge for the commission of a State or Federal criminal offense punishable by imprisonment for more than one year, or has been convicted in any State or Federal court of record of a crime punishable by imprisonment for more than one year and has not had his civil rights restored by pardon or amnesty. The form shall request, but not require, any other information not inconsistent with the provisions of this title and required by the district court plan in the interests of the sound administration of justice. The form shall also elicit the sworn statement that his responses are true to the best of his knowledge. Notarization shall not be required. The form shall contain words clearly informing the person that the furnishing of any information with respect to his religion, national origin, or economic status is not a prerequisite to his qualification for jury service, that such information need not be furnished if the person finds it objectionable to do so, and that information concerning race is required solely to enforce nondiscrimination in jury selection and has no bearing on an individual's qualification for jury service."

SEC. 2. This Act shall take effect on the sixtieth day after the date of its enactment.

The SPEAKER. Is a second demanded?

Mr. POFF. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, in enacting the Jury Selection and Service Act of 1968, Congress stated it to be the policy of the United States that juries would be selected at random from fair cross sections of their communities and without discrimination on the basis of color and other factors.

To protect against the possibility of color discrimination, Congress provided that although prospective jurors are required to answer most of the questions on a juror qualification form which is sent to them as a part of the jury selection process, they need not answer a question as to their race.

Information submitted by the Administrative Office of the U.S. Courts, and information developed by the American University has made it clear that, since 1968, so many people have failed to respond as to their race that it is impossible to monitor and determine whether racial discrimination is practiced in any judicial district. Even apart from the discriminaton question, it is impossible to determine whether the jury panels represent a fair cross section of their communities.

For these reasons, the Judicial Conference of the United States, the Department of Justice, and the Civil Rights Commission have all recommended that a response to the race question should be mandatory.

Furthermore, all three agencies have recommended prospective jurors be required to respond to questions as to their occupation. Certain occupational groups, such as military personnel on active duty, police and firemen, and certain public officials, are exempt from jury duty while other classes of persons may be exempted. Still others may be excused from service. To assure the expeditious determination of whether a prospective juror falls in an exempt or excused

category, it is essential that he be required to respond as to his occupation.

I urge the approval of this legislation.

Mr. POFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2589, the purpose and effect of which would be to strengthen the ability of jury officials to determine compliance with the requirements of nondiscrimination.

The legislation amends the provision in the Jury Selection and Service Act of 1968 prescribing the contents of the jury qualification form. H.R. 2589 would remove race and occupation from the category of questions whch need not be answered and provide that such question shall be answered.

It is well documented that a substantial percentage of persons who respond to the juror qualification forms do not respond to the questions of race. In other areas of civil rights enforcement, such as employment and public education, the availability of racial statistics has proved to be invaluable. I believe the same will hold true in the area of jury selection.

Mr. Speaker, it is the legal opinion of the Department of Justice and the Civil Rights Commission that the proposed change of making the response to the question of race mandatory does not present any substantial constitutional law question. See *Hamm* v. *Virginia Board of Election,* 230 F. Supp. 156, (E.D.Va.), aff'd. per curiam sub nom., *Tancil* v. *Woolls,* 379 U.S. 19 (1964). In Hamm against Virginia, the Court pointed out that—

> The securing and chronicling of racial data for . . . statistical use violates no constitutional privilege. If the purpose is legitimate, the reason justifiable, then no infringement results.

Mr. Speaker, I urge the adoption of H.R. 2589.

Mr. Speaker, I yield 3 minutes to the author of the bill, the gentleman from Illinois (Mr. McCLORY).

Mr. McCLORY. Mr. Speaker, I join our distinguished chairman, the gentleman from New York (Mr. CELLER) in support of H.R. 2589 which would require prospective jurors to whom juror qualification forms are sent to respond to questions as to their race and occupation. This legislation has the support of the Department of Justice, the Civil Rights Commission, and the Judicial Conference of the United States.

The major purpose of the Jury Selection and Service Act of 1968 is to guarantee that persons considered for Federal jury service represent a fair cross section of the community of the district or division in which court is held. The act, in fact, provides that selection procedures will not be so administered as to exclude any person or group because of race, color, religion, sex, national origin, or economic status.

In 1968, when Congress enacted the Jury Selection Act we discussed at great length what type of information was needed to secure a fair cross section of the community and to eliminate discrimination in the selection process. When it came to the subject of disclosing information concerning a citizen's race or occupation, it was decided to permit this information to be supplied on an optional basis. I contended at that time, that by permitting the optional disclosure of such information, the opportunity for determining accurately and promptly the issue of discrimination would be difficult, if not virtually impossible.

It was the reasoned judgment of Congress in 1968 not to make mandatory the disclosure of a potential juror's race or occupation. After the enactment of the Jury Selection Act, I had occasion to secure an in-depth study to help determine the extent of discrimination which would result from permitting such information to be provided or withheld at the option of the citizen involved. This scientific analytical study, which was prepared by American University experts was entitled "Federal Jury Selection Act of 1968—The Effects of Optional Information on Juror Selection." I introduced into the CONGRESSIONAL RECORD this study in its entirety in volume 115, part 9, page 11564. This study conclusively supports the position which I took on the occasion of the House consideration of jury selection procedure in 1968.

The American University study concluded that cross sectional representation cannot be determined with reasonable accuracy unless a very high percentage—95 percent—of information regarding race is disclosed. The report stated:

> If less than 80 percent of the prospective jurors fail to provide complete information a litigant has almost no chance statistically to prove that discrimination exists, even though in fact it does exist. [Cong. Rec., vol. 115, pt. 9, p. 11565.

In another survey conducted on behalf of the Judicial Conference of the United States on the operation of the jury system—report of Circuit Judge Walter P. Gewin, March 1969—it was found that in the Fifth Circuit from 10- to 30-percent of all recipients of junior qualification forms opted not to answer the race question.

As it exists under present law, a defendant who believes that a particular jury selection procedure does not comply with the requirements of the Jury Selection Act of 1968, and the judge who ultimately must pass on the question, have no accurate, available statistics through which to resolve the question. Today, it is possible that there may be a serious imbalance in jury selection, without a fair opportunity for a minority group litigant to either detect such imbalance or even have the question adjudicated.

Mr. Speaker, H.R. 2589 would remedy this situation so that the recipient of a juror qualification form would be required to answer the race question. I believe it is important to note that the same recipient will also be informed "that information concerning race is required solely to enforce nondiscrimination in jury selection and has no bearing on an individual's qualifications for jury service." It is also important to note that this information would be kept by the court under the provisions of 28 U.S.C. 1867(f) and disclosed only to a party preparing a motion.

Mr. Speaker, only with this type of information can a litigant and the court intelligently determine whether the selection process is fairly administered.

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

Mr. McCLORY. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. What about other agencies and departments of Government? I am not sure about the present, but in the past they have been prohibited from asking the question, "What is your race?"

Mr. McCLORY. I am not sure about other agencies and departments of Government. But I believe it provides extremely useful information to provide the fact with regard to the subject of race. I believe information with regard to race should be provided with pride and not with any trepidation or any fear of prejudice.

Mr. GROSS. In the past in certain if not all areas of the Government there have been stern injunctions issued against the ascertaining of race.

Mr. McCLORY. I agree with the gentleman. I believe that was a mistake. It has put tremendous burdens on people to try to find out what race people belong to, especially when they are charged with discriminating on the basis of race, with no information having been furnished because inquiries concerning race were prohibited by law.

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

Mr. McCLORY. I yield to the chairman of the committee.

Mr. CELLER. Is it not true also the Civil Rights Commission approves wholeheartedly of this bill?

Mr. McCLORY. That is correct, yes.

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

Mr. McCLORY. Certainly.

Mr. GROSS. It could mean something or nothing, that the Civil Rights Commission approved something.

Mr. McCLORY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is on the motion offered by the gentleman from New York that the House suspend the rules and pass the bill, H.R. 2589, as amended.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 317, nays 27, answered "present" 1, not voting 86, as follows:

[Roll No. 62]

YEAS—317

Abbitt	Andrews	Barrett
Abourezk	Archer	Begich
Abzug	Arends	Belcher
Adams	Ashley	Bergland
Anderson, Calif.	Aspin	Betts
Anderson, Ill.	Aspinall	Bevill
	Baker	Biester

Bingham	Gude	Patman
Boggs	Hagan	Patten
Boland	Halpern	Pelly
Bow	Hamilton	Perkins
Brademas	Hammer-schmidt	Pettis
Brasco	Hansen, Idaho	Peyser
Bray	Hansen, Wash.	Pike
Brinkley	Harrington	Pirnie
Brooks	Harsha	Podell
Broomfield	Harvey	Poff
Brotzman	Hastings	Preyer, N.C.
Brown, Ohio	Hathaway	Price, Ill.
Broyhill, N.C.	Hawkins	Price, Tex.
Broyhill, Va.	Hays	Pucinski
Buchanan	Hechler, W. Va.	Purcell
Burke, Mass.	Heckler, Mass.	Quie
Burleson, Tex.	Helstoski	Quillen
Burlison, Mo.	Henderson	Railsback
Burton	Hicks, Mass.	Randall
Byrne, Pa.	Hillis	Rangel
Byrnes, Wis.	Holifield	Rees
Byron	Horton	Reid
Carey, N.Y.	Hosmer	Reuss
Carney	Howard	Rhodes
Carter	Hungate	Roberts
Casey, Tex.	Hunt	Robinson, Va.
Cederberg	Hutchinson	Rodino
Celler	Ichord	Roe
Chamberlain	Jacobs	Roncalio
Clancy	Jarman	Rooney, N.Y.
Clark	Johnson, Calif.	Rooney, Pa.
Clausen, Don H.	Johnson, Pa.	Rosenthal
Clawson, Del	Jonas	Rostenkowski
Clay	Jones, Ala.	Roush
Cleveland	Jones, N.C.	Roy
Collier	Jones, Tenn.	Roybal
Collins, Ill.	Karth	Runnels
Conable	Kastenmeier	Ruppe
Conte	Kazen	Ryan
Conyers	Keating	Sandman
Corman	Kee	Sarbanes
Cotter	Keith	Scherle
Coughlin	Kemp	Schneebeli
Culver	King	Schwengel
Daniel, Va.	Koch	Scott
Daniels, N.J.	Kuykendall	Sebelius
Danielson	Kyl	Seiberling
Davis, Ga.	Landrum	Shoup
Davis, Wis.	Leggett	Shriver
Delaney	Lent	Sikes
Dellenback	Link	Sisk
Dellums	Lloyd	Skubitz
Denholm	Long, Md.	Smith, Iowa
Dennis	Lujan	Smith, N.Y.
Dent	McClory	Snyder
Derwinski	McClure	Springer
Devine	McCollister	Staggers
Dingell	McCormack	Stanton, James V.
Donohue	McCulloch	Steiger, Wis.
Dow	McDade	Stephens
Downing	McDonald, Mich.	Stokes
Drinan	McEwen	Stratton
Dulski	McFall	Stuckey
Duncan	McKay	Talcott
du Pont	McKevitt	Taylor
Dwyer	Madden	Teague, Calif.
Edwards, Ala.	Mahon	Teague, Tex.
Edwards, Calif.	Mallary	Terry
Eilberg	Martin	Thompson, N.J.
Erlenborn	Matsunaga	Thomson, Wis.
Esch	Mayne	Thone
Eshleman	Mazzoli	Tiernan
Evans, Colo.	Melcher	Ullman
Fascell	Michel	Van Deerlin
Findley	Miller, Calif.	Vanik
Fish	Miller, Ohio	Vigorito
Fisher	Minish	Waggonner
Flood	Mink	Waldie
Flowers	Minshall	Wampler
Ford, Gerald R.	Mitchell	Ware
Ford, William D.	Mizell	Whalen
Forsythe	Mollohan	Widnall
Frelinghuysen	Monagan	Wiggins
Frenzel	Moorhead	Williams
Frey	Morgan	Wilson, Bob
Fulton	Morse	Wilson, Charles H.
Fuqua	Mosher	Winn
Gallagher	Murphy, Ill.	Wolff
Garmatz	Murphy, N.Y.	Wright
Gibbons	Myers	Wyatt
Gonzalez	Natcher	Wydler
Goodling	Nedzi	Wylie
Gray	Nelsen	Wyman
Green, Oreg.	Nichols	Yates
Green, Pa.	Obey	Yatron
Griffin	O'Hara	Young, Tex.
Griffiths	O'Konski	Zablocki
Grover	O'Neill	Zion
Gubser	Passman	Zwach

NAYS—27

Abernethy	Dickinson	Mills, Md.
Ashbrook	Flynt	Montgomery
Bennett	Gross	Rarick
Blackburn	Haley	Rousselot
Camp	Hall	Satterfield
Chappell	Hicks, Wash.	Saylor
Collins, Tex.	Landgrebe	Schmitz
Colmer	Latta	Steiger, Ariz.
Crane	Mathis, Ga.	Whitten

ANSWERED "PRESENT"—1

Hogan

NOT VOTING—86

Addabbo	Galifianakis	Pickle
Alexander	Gaydos	Poage
Anderson, Tenn.	Gettys	Powell
Annunzio	Giaimo	Pryor, Ark.
Badillo	Goldwater	Riegle
Baring	Grasso	Robison, N.Y.
Bell	Hanley	Rogers
Biaggi	Hanna	Ruth
Blanton	Hébert	St Germain
Blatnik	Heinz	Scheuer
Bolling	Hull	Shipley
Brown, Mich.	Kluczynski	Slack
Burke, Fla.	Kyros	Smith, Calif.
Cabell	Lennon	Spence
Caffery	Long, La.	Stanton, J. William
Chisholm	McCloskey	Steed
Curlin	McKinney	Steele
Davis, S.C.	McMillan	Stubblefield
de la Garza	Macdonald, Mass.	Sullivan
Diggs	Mailliard	Symington
Dorn	Mann	Thompson, Ga.
Dowdy	Mathias, Calif.	Udall
Eckhardt	Meeds	Vander Jagt
Edmondson	Metcalfe	Veysey
Edwards, La.	Mikva	Whalley
Evins, Tenn.	Mills, Ark.	White
Foley	Moss	Whitehurst
Fountain	Nix	Young, Fla.
Fraser	Pepper	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Bell.
Mr. Hébert with Mr. Brown of Michigan.
Mr. Shipley with Mr. Burke of Florida.
Mr. Addabbo with Mr. Metcalfe.
Mr. Blatnik with Mr. Goldwater.
Mr. Macdonald of Massachusetts with Mr. Nix.
Mr. Stubblefield with Mr. Heinz.
Mr. Cabell with Mr. Lloyd.
Mr. Moss with Mr. Young of Florida.
Mr. Rogers with Mr. Smith of New York.
Mr. Giaimo with Mr. Powell.
Mr. St Germain with Mr. Badillo.
Mr. Fountain with Mr. Whitehurst.
Mr. Evins of Tennessee with Mr. Ruth.
Mr. Davis of South Carolina with Mr. McKinney.
Mr. Biaggi with Mr. Spence.
Mr. Alexander with Mr. Steele.
Mr. Hanley with Mr. Diggs.
Mr. Kluczynski with Mr. McCloskey.
Mr. Mikva with Mr. Mailliard.
Mr. Lennon with Mr. Thompson of Georgia.
Mrs. Sullivan with Mr. Vander Jagt.
Mr. Slack with Mr. Mathias of California.
Mr. Foley with Mr. Robison of New York.
Mr. Gaydos with Mr. Whalley.
Mr. Gettys with Mr. Riegle.
Mr. Pickle with Mr. J. William Stanton.
Mrs. Grasso with Mr. Veysey.
Mr. Meeds with Mr. Caffery.
Mr. Hanna with Mr. Hull.
Mr. Anderson of Tennessee with Mr. Long of Louisiana.
Mr. Baring with Mrs. Chisholm.
Mr. Blanton with Mr. Symington.
Mr. Mann with Mr. Pryor of Arkansas.
Mr. Steed with Mr. Edmondson.
Mr. Kyros with Mr. Galifianakis.
Mr. Curlin with Mr. de la Garza.
Mr. Mills of Arkansas with Mr. Dowdy.
Mr. Pepper with Mr. Dorn.
Mr. Fraser with Mr. White.
Mr. Udall with Mr. Scheuer.
Mr. Eckhardt with Mr. McMillan.

Mr. NICHOLS changed his vote from "nay" to "yea."

Mr. GROSS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend section 1869 of title 28, United States Code, with respect to the information required by a juror qualification form."

A motion to reconsider was laid on the table.

COMMISSION ON THE BANKRUPTCY LAWS

Mr. EDWARDS of California. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 190) to provide for an extension of the term of the Commission on the Bankruptcy Laws of the United States, and for other purposes.

The Clerk read as follows:

S.J. RES. 190

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution to create a commission to study the bankruptcy laws of the United States", approved July 24, 1970 (84 Stat. 468), is amended—

(1) in subsection (c) of the first section, by striking out "within two years after the date of enactment of the joint resolution" and inserting in lieu thereof the following: "prior to June 30, 1973"; and

(2) in section 6, by striking out $600,000" and inserting in lieu thereof "$826,000".

The SPEAKER. Is a second demanded?

Mr. WIGGINS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from California (Mr. EDWARDS) is recognized.

Mr. EDWARDS of California. Mr. Speaker, the Commission on the Bankruptcy Laws of the United States was established by Public Law 91–354, to "study, analyze, evaluate and recommend changes" in the Bankruptcy Act.

Under Public Law 91–354, the Commission is required to submit its report by July 24, 1972, and is authorized $600,000 in funds. Of these funds, $400,000 has already been appropriated. Senate Joint Resolution 190 would extend the reporting date to June 30, 1973, and increase the authorization to $826,000.

The need for an extension in the life of the Commission has arisen primarily out of the fact that all of the public and judicial members of the Commission were not appointed until 10 months after the act went into effect. Thus the extension provided for in Senate Joint Resolution 190 simply affords the Commission the same 2-year period to complete its work that was originally intended by Congress.

At hearings held before Subcommittee No. 4 it was made clear that recent devel-

opments not only vindicate the judgment of Congress in establishing the Commission, but also serve to support the request in Senate Joint Resolution 190 for additional time and money to complete the studies the Commission believes to be necessary to carry out the mandate given to it by Congress. Some of these recent developments are as follows:

First. The recent bankruptcy of the Penn Central, and of other firms such as stock brokerage companies and electronics manufacturers have all exposed needs for studies not previously anticipated.

Second. The continued ascalation of personal bankruptcy filings has aggravated the deficit that has been characterizing the formerly self-supporting system of bankruptcy.

Third. The Committee on Rules of Practice and Procedure of the Judicial Conference of the United States has published proposed new rules which will result in the supersession of a substantial portion of the present Bankruptcy Act.

Fourth. Recent studies of bankruptcy by the Brookings Institution and by a Canadian study committee have raised a number of controversial questions and will require intensive critical examination by the Commission.

Mr. Speaker, the Judiciary Committee has considered these and other developments in the bankruptcy area carefully. We have concluded that the Commission's request is justified—that the budget of the Commission is a conservative one and that the funds requested will, indeed, be put to good use. Therefore, I urge that the House also give its approval to Senate Joint Resolution 190.

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

Mr. EDWARDS of California. I yield to the gentleman.

Mr. GROSS. I am in doubt as to how much money has already been spent on this Commission. Have they expended the first $400,000?

Mr. EDWARDS of California. By the end of June 1972, the Commission will have expended $360,000.

Mr. GROSS. $360,000 of the original $400,000?

Mr. EDWARDS of California. That is correct.

Mr. GROSS. Authorized and appropriated, I take it.

Mr. EDWARDS of California. That is correct.

Mr. GROSS. Now you are asking for $826,000 more, or for a total of what?

Mr. EDWARDS of California. No. A total of that.

Mr. GROSS. It is $826,000?

Mr. EDWARDS of California. That is the total for the entire term of the Commission.

Mr. GROSS. Does the gentleman have any idea that this is going to be sufficient?

Mr. EDWARDS of California. I assure the gentleman from Iowa that this will be sufficient, and I certainly speak for this side of the aisle in saying that I do not think we would support any additional funds.

I think that this is the appropriate amount and that it will be adequate.

Mr. GROSS. When did this Commission go to work?

Mr. EDWARDS of California. This Commission was delayed 10 months because the members were not appointed. It began its work in June of 1971.

Mr. GROSS. But your so-called actual table shows January 1, 1971.

Mr. EDWARDS of California. On that date the Commission was authorized to spend money, but the Commission actually did not get to work until nearly 10 months after it was anticipated that it would.

Mr. GROSS. If the gentleman will yield further, what did they operate on between—well, January 1, 1971, and June 1, 1971——

Mr. EDWARDS of California. There were no employees and no funds were expended during that period of time.

Mr. GROSS. Well, now, there were no funds expended between January 1 and June 1; is that correct?

Mr. EDWARDS of California. I believe that is correct. Between June and January.

Mr. GROSS. So, then, it was all expended in the last half of last year; is that correct?

Mr. EDWARDS of California. No. In the 1-year period from January 1, 1971, to December 31, 1971, $144,000 was expended, and the Commission projects from January 1, 1972, to June 30, 1972, $216,000, a considerable amount of which has already been spent, making a total for the 18 months of the Commission's life of $360,000.

Mr. GROSS. Well, now, from January 1, 1972, to June 30, 1972, there was an expenditure for services and contracts of $109,000. This, apparently, is going to jump to $248,000 in the next year; is that correct—from July 1, 1972, to July 1, 1973?

Mr. EDWARDS of California. That is correct. It was anticipated and it was actually a guess that the authorized amount of $600,000 would be so adequate.

However, once the Commission became a reality and all of the members were appointed—the members, including the gentleman from California (Mr. WIGGINS) and myself—it was found that an additional $226,000 would be a more reasonable sum.

I will point out to the gentleman from Iowa that for a study of this magnitude it is not an excessive amount when you compare it to the other commissions that have been authorized and funded by Congress for subjects not as complicated and as exhausting as this particular subject.

Mr. GROSS. If the gentleman will yield further, why all of the money for travel? You propose to double the travel or practically double the amount for travel. Where do you propose to go?

Mr. EDWARDS of California. I would advise the gentleman from Iowa that there is travel involved with some of the members from outside this area coming to Washington and would advise him, incidentally, that the public members of the Commission are entitled to $100 a day. All of the public members of the Commission have waived this payment. The Commission, however, decided, and rightly so, I think, that there should be public hearings in various parts of the United States so that the people involved in bankruptcy at the local level can come to the Commission and give their ideas as to what changes in the bankruptcy laws should be made. That is the reason for the additional expenditures planned for travel.

Mr. GROSS. Well, but it is a single item for travel. It says nothing about per diem. The item I am talking about, which is practically doubled, or will be in the next year, is for travel alone. It says nothing about per diem. Per diem must be in one of the other items in this table on page 2 of the report.

Mr. EDWARDS of California. That is correct. I mentioned the item on per diem only to indicate to the gentleman from Iowa that the members of the Commission are not the least bit interested in spending the public's money excessively. The amounts for travel as listed on page 2 of the report are rather modest sums for the travel of the out-of-town members of the Commission who are from New York and Chicago, and elsewhere, to Washington. And also for the necessary travel involved in investigations and in the public hearings in various cities including such places as Los Angeles, Chicago, and other cities.

Mr. GROSS. Let me ask you this about this whole proposition, what is being prepared? Are you preparing to get tooled up for a land office business in bankruptcies? If so, this may make some sense. Is that the motive for this Commission and its study of the bankruptcy laws?

Mr. EDWARDS of California. The reason for this study of the bankruptcy laws is that there has been a widespread interest from the legal profession, and from the judiciary, for a study of the Bankruptcy Act, and for new legislation to make the act operate more fairly and more efficiently. And out of the Commission's work, I believe, will come legislation that will be assigned to the Committee on the Judiciary. As a result there will eventually be substantial improvements in this important segment of the law as a result of the Commission's work.

Mr. GROSS. Is not the Justice Department capable, and are there not allied agencies of Government that are capable of studying the bankruptcy laws and recommending changes in them, and getting tooled up for the wave of bankruptcies that is bound to engulf us unless something is done in this body, as well as the one across the way, to put a stop to the extravagant spending that is going on?

In other words, do we not have in being already as a part of this Government sufficient means to study the bankruptcy laws?

Mr. EDWARDS of California. I believe that it was the feeling of the Congress in enacting the legislation providing for

the Commission initially that there was need for a study and is need for this particular Commission. Subsequently the Department of Justice in its letter to the chairman of the Committee on the Judiciary, the gentleman from New York (Mr. CELLER) on February 1, 1972, endorsed the need for an extension of the Commission.

Although there have been quite a number of studies made of the bankruptcy laws of the United States, but there has not been any official agency such as this Commission that would bring all the relevant information together and suggest appropriate changes in the Bankruptcy Act.

Mr. GROSS. What about the House and Senate Committees on the Judiciary? Why should we spend approximately $1 million on a Commission to do something that seems to me to be well within the purview of the House and Senate Committees on the Judiciary?

Mr. EDWARDS of California. It was decided in the last Congress to do this.

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

Mr. EDWARDS of California. I yield to the gentleman from New York, the chairman of the Committee on the Judiciary of the House (Mr. CELLER).

Mr. CELLER. There is no doubt but that the Committees on the Judiciary on both sides have expertise on this matter. But the situation in business and in science has developed to such a degree that most expertise and more exact knowledge is needed with reference to bankruptcy. Therefore the Judicial Conference of the United States, composed of the senior judges of the courts and the Department of Justice, all recommended that this Bankruptcy Commission be inaugurated so that we might get and draw from that reservoir of great strength, better types of laws.

It is impossible for the Committee on the Judiciary of both Houses to go into all these questions with complete exactitude and precision. We need help, we need every possible help that we can get in fashioning the bankruptcy statutes and for that reason the Bankruptcy Commission was inaugurated.

Mr. GROSS. Well, if the gentleman will yield, when the lawyers on the Committee on the Judiciary and the lawyers in the House of Representatives get in gear, I am led to believe that we have all the expertise necessary to get a job like this done without spending another $1 million. If someone does not start to save a million dollars around here, no headway is ever going to be made toward saving a few billion dollars and saving this country from insolvency.

Perhaps legislation has some virtue, because we are going right down the road to bankruptcy in this country.

Mr. EDWARDS of California. I assure the gentleman from Iowa that the Committee on the Judiciary will hold extensive hearings on the work of the Bankruptcy Commission.

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

Mr. EDWARDS of California. I yield to the gentleman from California.

Mr. ROUSSELOT. I am a little bit surprised, as my friend the gentleman from Iowa is, that our Committee on the Judiciary is not capable of handling this problem. If the problem is additional staff for the Committee on the Judiciary in the House, why do we not hire the additional expertise and staff that is needed on the Committee on the Judiciary to do this job? Why finance a whole new other commission? We have been led to believe and I have felt so that our two committees, both in the Senate and the House, are more than adequate and are all made up mostly of attorneys or they are all attorneys—why can we not get the job done there? Why do we have to delegate another whole commission? We often complain about the great number of commissions in this Government. Why do we not get the Committee on the Judiciary to perform this task?

Mr. EDWARDS of California. I assure the gentleman from California that the Committee on the Judiciary is perfectly well qualified to handle the legislation that will be proposed as a result of this nationwide study made by the foremost experts in bankruptcy law.

From time to time there is a need for special commissions in our country. I would refer to the excellent work done or being done by the present Commission on the Reform of Federal Criminal Law.

It would have taken the Committee on the Judiciary perhaps 4 or 5 days a week for many, many months to hold hearings even to begin to do the kind of job that can be done by a Presidential commission.

I am not here to defend the practice, but it is a common practice, to have these commissions from time to time. In my view this commission is doing a good job and should be supported.

Mr. ROUSSELOT. But is it not true that the Committee on the Judiciary has a great portion of its budget utilized for contracting out to special experts for this kind of thing?

Why cannot you go through that route rather than go through the setting up of a whole new commission? Is it not true that a good portion of the Judiciary Committee budget now goes to hire to the hiring of various consultants for this type of thing? Why could we just not expand that type of activity?

Mr. EDWARDS of California. I assure the gentleman that the Committee on the Judiciary does not use a substantial portion of its funds, not even a small amount, of its appropriation to do what the gentleman suggests.

Mr. ROUSSELOT. One more question.

Is it not true that most State governments have very extensive research in this field of bankruptcy about which they too are concerned?

Could we not draw on those resources and bring them in to participate in the development of an idea of what is needed in the field of bankruptcy rather than going in and setting up a whole new commission and financing and expanding the committee's budget?

Mr. EDWARDS of California. Yes. the commission is calling upon appropriatenical subject, and although the Judiciary agencies for assistance. In addition when we on the Committee on the Judiciary comence our extended series of hearings on any new bankruptcy legislation we will call upon experts from all over the country.

Mr. ROUSSELOT. Would not the combined experience of the 50 States and the various agencies within those States responsible for revealing the bankruptcy laws—would not that total of resources and/or combination of them be more than adequate? Why set up another commission to review all this when, in fact, the Committee on the Judiciary could do that?

Mr. EDWARDS of California. It was not the judgment of the Congress 2 years ago, in authorizing and funding the Bankruptcy Commission, that what the gentleman said is correct. It was felt that——

Mr. ROUSSELOT. Of course, as I am sure the gentleman from California knows full well, many times Congress, in its effort to try to do something, makes mistakes. We all remember the Gulf of Tonkin resolution; I am sure the gentleman himself remembers it very clearly. We now feel that powers were too broadly given to the President. So it does not mean that when we find that we have made a mistake, we cannot go back and correct it. I find it difficult to support an effort to expand this budget when we actually have the expertise within the Judiciary Committee itself. I thank the gentleman for yielding.

Mr. WIGGINS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, very frankly, I am somewhat surprised to hear this fresh opposition to the Bankruptcy Commission which was authorized by this very House not long ago. It is a surprise to me, Mr. Speaker, because there was no opposition certainly on the Commission itself to the extension of its term. There was no opposition testimony offered before the hearings conducted by the House Judiciary Subcommittee. There was no opposition voiced in the full committee, which heard the results of those subcommittee deliberations. And I would hope that when the vote is taken, there will be little opposition demonstrated here on the floor of the House.

Mr. Speaker, it is good to remember that the basic bankruptcy statute was enacted in this country in 1898, and it has not been subjected to a major revision in several decades, a time in which there has been a revolution in credit in the United States, a time in which consumer bankruptcies have deluged the bankruptcy courts. If there ever was a need for a fresh look at the bankruptcy statutes, now is the time for that look to be made.

Also, Mr. Speaker, we should all remember that bankruptcy is uniquely a Federal responsibility, delegated expressly by the Constitution to Congress to regulate. It is also a very highly tech-

Committee has much competence in the field, I think it would be overgenerous to say that there are genuine bankruptcy experts on the Judiciary Committee. Accordingly, it is most appropriate to draw in experts from around the country to offer testimony and to make suggestions in this highly technical field.

Mr. Speaker, the joint resolution for which I am now urging the support of the House is identical to House Joint Resolution 1006, which was introduced in the first session of this Congress by my good friend and colleague from California who chairs Subcommittee No. 4 of the Committee on the Judiciary (Mr. EDWARDS) on his own and my behalf.

This joint resolution must pass if the Commission on the Bankruptcy Laws of the United States is to be able to carry out its congressional mandate: to "study, analyze, evaluate, and recommend changes" in the Bankruptcy Act and to "submit a comprehensive report" of the Commission's activities to the President, the Chief Justice of the United States, and the Congress.

In mid-1970, when the legislation creating the Commission was enacted (Public Law 91–354), it was simply not envisioned that 10 months of the Commission's authorized life of 2 years would pass even before all of the members of the Commission were appointed. Being thus unable to begin its work until June 1, 1971, the Commission has from the outset been faced with an utterly unrealistic deadline for the completion of such a challenging and far-reaching undertaking.

It should be noted that, by extending the authorized life of the Commission from July 24, 1972, until June 30, 1973, the enactment of Senate Joint Resolution 190 will essentially serve to restore to the "useful life" of the Commission the time lost in the period of its coming into being—a period unduly protracted for reasons, of course, entirely beyond the control of the Commission itself.

Additionally, Senate Joint Resolution 190 would increase the overall authorization for appropriations for the Commission's work from $600,000 to $826,000. A breakdown by category of both actual and projected expenditures over the entire—extended—life of the Commission is set out on page 2 of House Report No. 92–853 accompanying this joint resolution.

The hearings held by Subcommittee No. 4 on House Joint Resolution 1006 in January established the superior reliability and realism of these revised and studied budget estimates in comparison with the "guesstimate" incorporated in the legislation enacted nearly 2 years ago.

The degree to which this Commission is indeed mindful of its responsibility to accomplish its task in an economical manner is, I believe, amply demonstrated by the fact that the public members have graciously consented to waive altogether their statutory entitlement to stipends of $100 per diem in excess of actual expenses for service on the Commission.

Mr. Speaker, my own participation in the Commission's activities convinces me that Congress' action in establishing the Commission on the Bankruptcy Laws of the United States was very responsible, worthwhile, and timely. Both the scope and depth of the study contemplated by the Commission provide good cause to anticipate a final report which will materially foster and improve the health of the American economy through the resolution of large numbers of individual and corporate financial crises with enhanced insight, efficiency, and equity.

I urge the House to pass Senate Joint Resolution 190.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The question is on the motion of the gentleman from California that the House suspend the rules and pass the Senate Joint Resolution 190.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

A motion to reconsider was laid on the table.

VETERANS' EDUCATION AND TRAINING AMENDMENTS OF 1972

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12828) to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and persons; to provide for advance educational assistance payments to certain veterans; to make improvements in educational assistance programs; and for other purposes, as amended.

The Clerk read as follows:

H.R. 12828

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 "Veterans' Education and Training Amendments of 1972".

TITLE I—VOCATIONAL REHABILITATION-EDUCATIONAL ASSISTANCE RATE ADJUSTMENTS

SEC. 101. Chapter 31 of title 38, United States Code, is amended as follows:

(a) by amending section 1504(b) to read as follows:

"(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

Col. I—Type of training	Col. II—No dependents	Col. III—1 dependent	Col. IV—2 or more dependents
Institutional:			
Full time	$154	$207	$240
Three quarter time	112	152	178
Half time	76	104	116
Institutional on-farm, apprentice, or other on-job training: Full time	135	175	207

Where any full-time trainee has more than two dependents and is not eligible to receive additional compensation as provided by section 315 or section 335 (whichever is applicable) of this title, the subsistence allowance prescribed in column IV of the foregoing table shall be increased by an additional $7 per month for each dependent in excess of two.";

and

(b) by deleting in section 1507 "$100" and inserting in lieu thereof "$200".

SEC. 102. Chapter 34 of title 38, United States Code, is amended as follows:

(a) by deleting in the last sentence of section 1677(b) "$175" and inserting in lieu thereof "$200",

(b) the table contained in paragraph (1) of section 1682(a) is amended to read as follows:

Col. I—Type of program	Col. II—No dependents	Col. III—1 dependent	Col. IV—2 dependents	Col. V—More than 2 dependents
				The amount in col. IV, plus the following for each dependent in excess of 2:
Institutional:				
Fulltime	$200	$234	$262	$15.
Three quarter time	146	173	202	11.
Half time	92	114	130	8.
Cooperative	161	191	219	11.

(c) by deleting in section 1682(b) "$175" and inserting in lieu thereof $200";

(d) the table contained in section 1682(d)(2) is amended to read as follows:

Col. I—Basis	Col. II—No dependents	Col. III—1 dependent	Col. IV—2 dependents	Col. V—More than 2 dependents
				The amount in col. IV, plus the following for each dependent in excess of 2:
Full time	$161	$188	$217	$11.
Three quarter time	115	136	157	8.
Half time	76	90	105	5.

(e) the table contained in section 1863(b) is amended to read as follows:

Periods of training	No dependents	1 dependent	2 or more dependents
1st 6 months	$160	$178	$197
2d 6 months	120	136	156
3d 6 months	80	98	117
4th and any succeeding 6-month periods	40	58	77

and

(f) by deleting in section 1696(b) "$175" and inserting in lieu thereof "$200".

SEC. 103. Chapter 35 of title 38, United States Code, is amended as follows:

(a) by amending section 1732(a)(1) to read as follows:

"(a)(1) The educational assistance allowance on behalf of an eligible person who is pursuing a program of education consisting of institutional courses shall be computed at the rate of (A) $200 per month if pursued on a full-time basis, (B) $146 per month if pursued on a three-quarter-time basis, and

(C) $92 per month if pursued on a half-time basis.";

(b) by deleting in section 1732(a)(2) "$175" and inserting in lieu thereof "$200";

(c) by deleting in section 1732(b) "$141" and inserting in lieu thereof "$161"; and

(d) by amending section 1742(a) to read as follows:

"(a) While the eligible person is enrolled in and pursuing a full-time course of special restorative training, the parent or guardian shall be entitled to receive on his behalf a special training allowance computed at the basic rate of $200 per month. If the charges for tuition and fees applicable to any such course are more than $63 per calendar month the basic monthly allowance may be increased by the amount that such charges exceed $63 a month, upon election by the parent or guardian of the eligible person to have such person's period of entitlement reduced by one day for each $6.80 that the special training allowance paid exceeds the basic monthly allowance."

TITLE II—ADVANCE VOCATIONAL REHABILITATION SUBSISTENCE AND EDUCATIONAL ASSISTANCE ALLOWANCE PAYMENTS

SEC. 201. Subsection (a) of section 1504 of title 38, United States Code, is amended by adding at the end thereof the following: "The Administrator shall pay the initial subsistence allowance of a course of vocational rehabilitation training to any eligible veteran in an amount not to exceed the subsistence allowance for the month or fraction thereof in which pursuit of the course will commence, plus the subsistence allowance for one full month, upon receipt of proof that the veteran has been enrolled in an approved educational institution on a half-time or more basis. Such payment shall not be made earlier than the first day of the month in which pursuit of the course is to commence. Subsequent payments of subsistence allowance shall be made each month in advance, subject to such reports and proof of satisfactory pursuit of such program as the Administrator may require. The Administrator may withhold the final payment of subsistence allowance payable to such veteran until such proof is received and the amount appropriately adjusted. If the eligible veteran fails to pursue the course after receiving the initial payment of the subsistence allowance, the amount of such payment may be recovered from any benefit otherwise due the veteran under any law administered by the Veterans' Administration or such overpayment shall constitute a liability of such eligible veteran and may be recovered in the same manner as any other debt due to the United States."

SEC. 202. Subsections (d) and (e) of section 1681 of title 38, United States Code, are amended to read as follows:

"(d) The Administrator shall, except as provided in subsection (e) of this section, pay the initial educational assistance allowance of an enrollment period to an eligible veteran in an amount not to exceed the educational assistance allowance for the month or fraction thereof in which pursuit of the program will commence, plus the educational assistance allowance for one full month, upon receipt of proof that the eligible veteran has been enrolled in an approved educational institution on a half-time or more basis. Such payment shall not be made earlier than the first day of the month in which pursuit of the program is to commence. Subsequent payments of educational assistance allowance shall be made each month in advance, subject to such reports and proof of satisfactory pursuit of such program as the Administrator may require. The Administrator may withhold the final payment of an enrollment period until such proof is received and the amount appropriately adjusted. If the eligible veteran fails to pursue the course after receiving the initial payment of the educational assistance allowance, the amount of such advance payment may be recovered from any benefit otherwise due the veteran under any law administered by the Veterans' Administration or such overpayment shall constitute a liability of such eligible veteran and may be recovered in the same manner as any other debt due the United States.

"(e) No educational assistance allowance shall be paid to an eligible veteran enrolled in a program of education consisting exclusively of flight training or exclusively by correspondence for any period until the Administrator shall have received—

"(1) from the eligible veteran a certification as to his actual attendance during such period or, where the program is pursued by correspondence, a certificate as to the number of lessons actually completed by the veteran and serviced by the institution, and

"(2) from the educational institution a certification or an endorsement on the veteran's certificate that such veteran was enrolled in and pursuing a course of education during such period and, in the case of an institution furnishing education to a veteran exclusively by correspondence, a certificate, or an endorsement on the veteran's certificate, as to the number of lessons completed by the veteran and serviced by the institution."

SEC. 203. Subsection (d) of section 1731 of title 38, United States Code, is amended to read as follows:

"(d) The Administrator shall pay the initial educational assistance allowance of an enrollment period on behalf of an eligible person in an amount not to exceed the educational assistance allowance for the month or fraction thereof in which pursuit of the program will commence, plus the educational assistance allowance for one full month, upon receipt of proof that the eligible person has been enrolled in an approved educational institution on a half-time or more basis. Such payment shall not be made earlier than the first day of the month in which pursuit of the program is to commence. Subsequent payments of educational assistance allowance shall be made each month in advance, subject to such reports and proof of satisfactory pursuit of such program as the Administrator may require. The Administrator may withhold the final payment of an enrollment period until such proof is received and the amount appropriately adjusted. If the eligible person fails to pursue the course after receiving the initial payment of the educational assistance allowance, the amount of such advance payment may be recovered from any benefit otherwise due the eligible person under any law administered by the Veterans' Administration or such overpayment shall constitute a liability of such eligible person and may be recovered in the same manner as any other debt due the United States."

SEC. 204. Subchapter IV of chapter 34 of title 38, United States Code, is amended by inserting immediately after section 1687 the following new section:

"§ 1688. Veteran-student employment

"(a) Notwithstanding any other provision of law, the Administrator is authorized to utilize on an intermittent basis the services of veteran-students who are pursuing full-time programs of education or training under chapters 31 and 34 of this title. Such veteran-students may be utilized to perform such services for the Veterans' Administration at such times and places as the Administrator deems advisable.

"(b) Veteran-students utilized under the authority of subsection (a) of this section shall be paid an hourly rate equivalent to the minimum rate for a grade in the General Schedule contained in section 5332 of title 5, determined by the Administrator to be appropriate for the services rendered. Such grade determination may, at the Administrator's discretion, be based upon, but shall not be subject to, position classification standards issued by the Civil Service Commission pursuant to section 5105 of title 5.

"(c) While performing the services authorized by subsection (a) of this section, such veteran-students shall not be deemed to be employees of the United States for the purposes of laws administered by the Civil Service Commission. They shall, however, be considered to be employees of the United States for the purposes of the benefits of chapter 81 of title 5."

TITLE III—EDUCATIONAL ASSISTANCE PROGRAM ADJUSTMENTS

SEC. 301. Section 1671 of title 38, United States Code, is amended to read as follows:

"Any eligble veterans, or individual on active duty, who desires to initiate a program of education under this chapter shall submit an application to the Administrator which shall be in such form, and contain such information, as the Administrator shall prescribe. The application of an individual on active duty must be approved by a service education officer prior to its submission. The Administrator shall approve such application unless he finds that such veteran or individual is not eligible for or entitled to the educational assistance applied for, or that his program of education fails to meet any of the requirements of this chapter, or that he is already qualified. The Administrator shall notify the eligible veteran or individual of the approval or disapproval of his application."

SEC. 302. Clause (3) of subsection (b) of section 1675 of title 38, United States Code, is amended by inserting after the words "general locality" the following: "or where the school has made a complete move with substantially the same faculty, curricula, and students, without a change in ownership".

SEC. 303. Subchapter III of chapter 34 of title 38, United States Code, is amended by inserting immediately after section 1677 the following new section:

"§ 1678. Correspondence courses

"(a) Each eligible veteran who is pursuing a program of education exclusively by correspondence shall be paid an educational assistance allowance computed at the rate of 90 per centum of the established charge which the institution requires nonveterans to pay for the course or courses pursued by the eligible veteran. The term 'established charge' as used herein means the charge for the course or courses determined on the basis of the lowest extended time payment plan offered by the institution and approved by the appropriate State approving agency or the actual cost to the veteran, whichever is the lesser. Such allowance shall be paid quarterly on a pro rata basis for the lessons completed by the veteran and serviced by the institution.

"(b) The period of entitlement of any veteran who is pursuing any program of education exclusively by correspondence shall be charged with one month for each $200 which is paid to the veteran as an educational assistance allowance for such course.

SEC. 304. Section 1682 of title 38, United States Code is amended by—

(a) repealing subsection (c) thereof in its entirety; and

(b) redesignating subsection (d), as amended by section 102(d) of title I of this Act, as subsection (c) and, as redesignated, further amending such subsection (1) by adding the following within the parentheses contained in subsection (d)(1)(A): "or five hundred twenty-eight clock hours in such year prescheduled to provide not less than eighty clock hours in any three-month period" and (2) to add the following sentence at the end of paragraph (1): "In computing

the foregoing clock hour requirements there shall be included the time involved in field trips and individual and group instruction sponsored and conducted by the educational institution through a duly authorized instructor of such institution in which the veteran is enrolled".

SEC. 305. (a) The heading for subchapter VI of chapter 34 of title 38, United States Code, is amended by striking out "Predischarge" and inserting in lieu thereof "Preparatory".

(c) Subsection (a) of section 1695 of title 38, United States Code, is amended to read as follows:

"(a) The purpose of this subchapter is to encourage and assist veterans in preparing for their future education, training, or vocation by providing them with an opportunity to enroll in and pursue a program of education or training prior to their discharge or release from active duty with the Armed Forces. The program provided for under this subchapter shall be known as the Preparatory Education Program (PREP)."

(c) Subsection (a) of section 1696 of title 38, United States Code, is amended by inserting immediately after "secondary school diploma, or" the following: "needed to obtain an equivalency certificate, or".

SEC. 306. Subsection (a) of section 1701 of title 38, United States Code, is amended as follows:

(1) by amending paragraph (6) to read as follows:

"(6) The term 'educational institution' means any public or private secondary school, vocational school, correspondence school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or any other institution if it furnishes education at the secondary school level or above."; and

(2) by adding at the end thereof the following new paragraph:

"(9) For the purposes of this chapter and chapter 36 of this title, the term 'training establishment' means any establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprenticeship committee, or the Bureau of Apprenticeship and Training established pursuant to chapter 4C of title 29, or any agency of the Federal Government authorized to supervise such training."

SEC. 307. Section 1720 of title 38, United States Code, is amended by inserting after the first sentence in subsection (a) thereof a new sentence as follows: "Such counseling shall not be required where the eligible person has been accepted for, or is pursuing, courses which lead to a standard college degree, at an approved institution."

SEC. 308. The first sentence of subsection (c) of section 1723 of title 38, United States Code, is amended to read as follows:

"The Administrator shall not approve the enrollment of an eligible person in any course of institutional on-farm training, any course to be pursued by correspondence (except as provided in section 1727 of this chapter), open circuit television (except as herein provided), or a radio, or any course to be pursued at an educational institution not located in a State or in the Republic of the Philippines."

SEC. 309. Clause (3) of subsection (b) of section 1725 of title 38, United States Code, is amended by inserting after the words "general locality" the following: "or where the school has made a complete move with substantially the same faculty, curricula, and students, without a change in ownership."

SEC. 310. Subchapter III of chapter 35 of title 38, United States Code, is amended by inserting immediately after section 1725 the following new sections:

"§ 1726. Special training for the educationally disadvantaged

"(a) In the case of any eligible widow or wife who—

"(1) has not received a secondary school diploma (or equivalency certificate), and

"(2) in order to pursue a program of education for which she would otherwise be eligible, needs additional secondary school training, either refresher courses or dificiency courses, to qualify for admission to an appropriate educational institution,

the Administrator may, without regard to the provisions of section 1723(d), approve the enrollment of such widows or wives in an appropriate course or courses to be pursued in a State.

"(b) The Administrator shall pay eligible widows or wives pursuing a course or courses pursuant to subsection (a) of this section an educational assistance allowance as provided in sections 1731 and 1732 of this chapter; except that no enrollment in adult evening secondary school courses shall be approved in excess of half-time training as defined in section 1733 of this title.

"(c) The educational assistance allowance authorized by this section shall be paid without charge to any period of entitlement the widow or wife may have pursuant to sections 1710 and 1711 of this chapter.

"§ 1727. Correspondence courses

"(a) Each eligible wife or widows (as defined in section 1701(a)(1)(B), (C), or (D) of this chapter) who is pursuing a program of education exclusively by correspondence shall be paid an educational assistance allowance computed at the rate of 90 per centum of the established charge which the institution requires other individuals enrolled in the same program to pay. The term 'established charge' as used herein means the charge for the course or courses determined on the basis of the lowest extended time payment plan offered by the institution and approved by the appropriate State approving agency or the actual cost to such eligible person, whichever is the lesser. Such allowance shall be paid quarterly on a pro rata basis for the lessons completed by the eligible person and serviced by the institution.

"(b) The period of entitlement of any eligible person who is pursuing any program of education exclusively by correspondence shall be charged with one month for each $200 which is paid to the eligible person as an educational assistance allowance for such course."

SEC. 311. Section 1731 of title 38, United States Code, is amended by—

(a) inserting in clause (2) of subsection (b) immediately after the words "standard college degree" the following: "(excluding programs of apprenticeship and programs of other on-job training authorized by section 1738 of this title)"; and

(b) amending subsection (e) to read as follows:

"(e) No educational assistance allowance shall be paid to an eligible person enrolled in a program of education consisting exclusively of correspondence courses for any period until the Administrator shall have received (1) from the eligible person a certificate as to the number of lessons actually completed by the eligible person and serviced by the institution, and (2) from the educational institution, a certification, or an endorsement on the eligible person's certificate, as to the number of lessons completed by the eligible person and serviced by the institution."

SEC. 312. Clause (2) of subsection (a) of section 1732 of title 38, United States Code, is amended by adding at the end thereof the following: "Notwithstanding provisions of section 1731 of this title, payment of the educational assistance allowance provided by this clause may be made to an eligible person in an amount computed for the entire quarter, semester, or term during the month immediately following the month in which certification is received from the educational institution that the person has enrolled in and is pursuing a program at such institution."

SEC. 313. Subsection (a) of section 1733 of title 38, United States Code, is amended to read as follows:

"(a) For the purposes of this chapter—

"(1) an institutional trade or technical course offered on a clock-hour basis below the college level involving shop practice as an integral part thereof, shall be considered a full-time course when a minimum of thirty hours per week of attendance is required with no more than two and one-half hours of rest periods per week allowed;

"(2) an institutional course offered on a clock-hour basis below the college level in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of twenty-five hours per week net instruction (which may include customary intervals not to exceed ten minutes between hours of instruction) is required;

"(3) an academic high school course requiring sixteen units for a full course shall be considered a full-time course when a minimum of four units per year is required. For the purpose of this clause, a unit is defined to be not less than one hundred and twenty sixty-minute hours or their equivalent of study in any subject in one academic year;

"(4) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of fourteen semester hours or the equivalent thereof, for which credit is granted toward a standard college degree (including those for which no credit is granted but which are required to be taken to correct an educational deficiency), is required, except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such college or university with such minimum number of such semester hours shall be considered a full-time course, but in the event such minimum number of semester hours is less than twelve semester hours or the equivalent thereof shall be considered a full-time course; and

"(5) a program of apprenticeship or a program of other on-job training shall be considered a full-time program when the eligible person is required to work the number of hours constituting the standard workweek of the training establishment, but a workweek of less than thirty hours shall not be considered to constitute full-time training unless a lesser number of hours has been established as the standard workweek for the particular establishment through bona fide collective bargaining."

SEC. 314. Subchapter IV of chapter 35 of title 38, United States Code, is amended by inserting immediately after section 1737 the following new section:

"§ 1738. Apprenticeship or other on-job training

"(a) An eligible person (as defined in section 1701(a) of this chapter) may receive the benefits of this chapter while pursuing, in a State, a full-time—

"(1) program of apprenticeship approved by a State approving agency as meeting the standards of apprenticeship published by the

Secretary of Labor pursuant to section 50a of title 29, or

"(2) program of other training on the job approved under the provisions of section 1777 of this title,

subject to the conditions and limitations of this chapter with respect to educational assistance.

"(b)(1) The monthly training assistance allowance of such eligible person pursuing a program described under subsection (a) shall be (A) $160 during the first six-month period, (B) $120 during the second six-month period, (C) $80 during the third six-month period, and (D) $40 during the fourth and any succeeding six-month periods.

"(2) In any month in which an eligible person pursuing a program of apprenticeship or a program of other on-job training fails to complete one hundred and twenty hours of training in such month, the monthly training assistance allowance set forth in subsection (b)(1) of this section shall be reduced proportionately in the proportion that the number of hours worked bears to one hundred and twenty hours rounded off to the nearest eight hours.

"(c) For purposes of this chapter and chapter 36 of this title, the terms 'program of apprenticeship' and 'program of other on-job training' shall have the same meaning as 'program of education'; and the term 'training assistance allowance' shall have the same meaning as 'educational assistance allowance'."

SEC. 315. Section 1777 of title 38, United States Code, is amended—

(a) by amending clauses (1) and (2) of subsection (b) to read as follows:

"(1) the wages to be paid the eligible veteran or eligible person (A) upon entrance into training are not less than the wages paid other nonveterans in the same training position and are at least 50 per centum of the wages paid for the job for which he is to be trained, and (B) such wages will be increased in regular periodic increments until, not later than the last full month of the training period, they will be at least 85 per centum of the wages paid for the jub for which such eligible veteran or eligible person is being trained; and

"(2) there is reasonable certainty that the job for which the eligible veteran or eligible person is to be trained will be available to him at the end of the training period."; and

(b) by inserting "or eligible person" immediately after "eligible veteran" each place it appears in subsection (c) and "or person" immediately after "provided to the veteran" in clause (8) of such subsection.

SEC. 316. The table of sections at the beginning of chapter 34 of title 38, United States Code, is amended by—

(a) inserting immediately after
"1677. Flight training."
the following:
"1678. Correspondence courses.";

(b) inserting immediately after
"1687. Discontinuance of allowances."
the following:
"1688. Veteran-student employment."; and

(c) striking out

"SUBCHAPTER VI—PREDISCHARGE EDUCATION PROGRAM"

and inserting in lieu thereof:

"SUBCHAPTER VI—PREPARATORY EDUCATION PROGRAM"

SEC. 317. The table of sections at the beginning of chapter 35 of title 38, United States Code, is amended by—

(a) inserting immediately after
"1725. Period of operation for approval."
the following:
"1726. Special training for the educationally disadvantaged.
"1727. Correspondence courses.",
and

(b) inserting immediately after
"1737. Specialized vocational training course."
the following:
"1738. Apprenticeship or other on-the-job training.".

SEC. 318. Section 102 of title 38, United States Code, is amended as follows:

(1) Subsection (b) thereof is amended to read as follows:

"(b) For the purposes of this title, (1) the term 'wife' includes the husband of any female veteran; and (2) the term 'widow' includes the widower of any female veteran."

(2) The heading of said section is amended to read as follows:

"§ 102. Dependent parents; husbands".

SEC. 319. The table of sections at the beginning of chapter 1 of title 38, United States Code, is amended by striking out

"102. Dependent parents and dependent husbands."
and inserting in lieu thereof
"102. Dependent parents; husbands."

SEC. 320. Section 3301 of title 38, United States Code, is amended by inserting after "Veterans' Administration" in the paragraph preceding item (1), the language: "and the names and addresses of present or former personnel of the armed services, and their dependents in the possession of the Veterans' Administration."

SEC. 321. Section 1774(b) of title 38, United States Code, is amended to read as follows:

"(b) The allowance for administrative expenses incurred pursuant to subsection (a) of this section shall be paid in accordance with the following formula:

Total salary cost reimbursable under this section	Allowance for administrative expense.
$5,000 or less	$300.
Over $5,000 but not exceeding $10,000.	$540.
Over $10,000 but not exceeding $35,000.	$540 for the first $10,000 plus $480 for each additional $5,000 or fraction thereof.
Over $35,000 but not exceeding $40,000.	$3,150.
Over $40,000 but not exceeding $75,000.	$3,150 for the first $40,000 plus $420 for each additional $5,000 or fraction thereof.
Over $75,000 but not exceeding $80,000.	$6,270.
Over $80,000	$6,270 for the first $80,000 plus $360 for each additional $5,000 or fractional thereof."

TITLE IV—EFFECTIVE DATES

SEC. 401. Titles I and II of this Act shall become effective on the first day of the second calendar month following the month in which enacted.

SEC. 402. Section 303 of this Act shall become effective upon the first enrollment of an eligible veteran which occurs on or after the first day of the second calendar month following the month in which enacted.

The SPEAKER pro tempore. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 20 minutes.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill, H.R. 12828, and to include extraneous matter.

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

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, H.R. 12828 is another major veterans' bill which our committee has considered this year and is recommending for the favorable consideration of the House. This bill is the result of hearings and major executive consideration on the part of the Subcommittee on Education and Training and, I believe, represents a much-needed and justifiable liberalization of the veterans' education programs. The Honoralbe HENRY HELSTOSKI is the chairman of the mentioned subcommittee and the Honorable WILLIAM LLOYD SCOTT is the ranking minority member of that subcommittee. The other members of the subcommittee are as follows: The Honorable THADDEUS J. DULSKI, the Honorable WALTER S. BARING, the Honorable W. J. BRYAN DORN, the Honorable ROMAN C. PUCINSKI, the Honorable DON EDWARDS, the Honorable GEORGE E. DANIELSON, the Honorable MARGARET M. HECKLER, the Honorable JOHN M. ZWACH, the Honorable CHALMERS P. WYLIE, the Honorable LARRY WINN, JR., and the Honorable EARL B. RUTH.

The current GI education program for veterans, and certain wives, widows, and children of veterans, was instituted in 1966 for veterans of the Vietnam era and others who served after January 1, 1955. The educational allowances provided thereunder are payable directly to the veteran or other beneficiary concerned. At the outset of the program the allowance for a single veteran was $100 per month. This has been increased twice in succeeding years and is now $175 per month. The administration has recommended an increase in such allowance to $190 per month, but the committee feels that a further increase to $200 can be fully justified. If the Congress approves the bill in its present form it will represent a 100-percent increase in this typical allowance approximately 6 years after the program was authorized. Comparable increases are, of course, provided for veterans with dependents.

The bill also makes a number of other improvements in the educational assistance programs, including an advance payment to the veteran upon initiation of his educational course, extension of on-job training and apprenticeship courses to certain widows, wives, and children, and providing eligibility for pursuing correspondence courses on the part of widows and wives.

Mr. Speaker, I yield such time as he may consume to the chairman of the subcommittee, the gentleman from New Jersey (Mr. HELSTOSKI), who will discuss in greater detail the major provisions I have mentioned, as well as the other

liberalizing provisions of this important piece of legislation.

Mr. HELSTOSKI. Mr. Speaker, this major veterans' bill, H.R. 12828, to which our chairman has just addressed his remarks, proposes a number of liberalizations in the veterans' education programs, the most important of which represents a 14-percent increase in the rates of educational allowances. These rates were originally established in the basic authorization act of 1966 and were last increased in February 1970. The Veterans' Administration, in an omnibus proposal submitted at the time of our subcommittee hearings, proposed, among other things, an increase of 8.6 percent in the basic rates. After careful consideration of all of the economic and other factors involved, our committee concluded that an increase in such rates of approximately 14 percent would be fully justified and the bill so provides. Some of us would have liked to have realized a greater percentage increase; however, the compromise of 14 percent was effected. I think it is significant to note, as pointed out by Chairman TEAGUE, that upon approval of the bill in this form it will represent, as an example, an increase of exactly 100 percent in the rate authorized for a single veteran attending full-time institutional training since the program was inaugurated in 1966.

Another major provision of the bill deals with the authorization for the VA to make advance payment of the rehabilitation subsistence, and educational assistance allowances. This provision will serve to effectively minimize the initial financal problem facing the veteran during the first month or two of his training period.

The bill contains a number of other liberalizations of the educational programs which, although quite minor in their fiscal impact, represent progressive improvements and refinements in various aspects of these programs.

Mr. Speaker, at the conclusion of my remarks I shall insert as a part of my remarks a more detailed explanation, title by title, of the major objectives of the bill, including pertinent cost data, followed by a complete section-by-section analysis of H.R. 12828.

Mr. Speaker, I urge approval of H.R. 12828. I believe it is an excellent bill which goes far toward alleviating the pressing problems facing veterans in their pursuit of education and training and at the same time serves to strengthen and improve various aspects of this major GI benefit for war veterans and certain wives, widows, and children of such veterans.

The material referred to follows:

PURPOSE OF THE BILL

TITLE I

The major purpose of this title is to increase the present basic allowances across the board by approximately 14%. The last general rate increase was effective February 1, 1970, and the Committee believes that in view of the lapse of time that has already occurred and the necessary time that will be involved before final congressional enactment, this higher rate of increase is justified. It is significant to observe that in the vast majority of cases the new allowances will probably not become fully available until the opening of the fall term at most schools in September, 1972. The present rate for a veteran alone is $175. The VA proposal would increase this to $190, whereas H.R. 12828 proposes a rate of $200. The rates for veterans with dependents would be increased proportionately.

H.R. 12828, like the VA proposal, provides substantial increases of about 48% in the rates for on-job and apprentice trainees. It was pointed out at the hearings that experience has shown that these are the areas where the greatest need occurs and the larger increases will provide incentives to stimulate job opportunities for veterans.

TITLE II

H.R. 12828, consistent with the VA's recommendation, also contains provisions for authorizing advance payment of the rehabilitation subsistence, and educational assistance allowances. Experience has shown that under the existing law there is an inevitable delay in the veteran's receipt of his allowance at the outset of his educational pursuit. This provision will give him an initial advance payment for the first month or partial month *plus* an allowance for one full month. As a safeguard against possible overpayments, it is required that proof be received that the eligible veteran has actually been enrolled in an approved institution.

This title of the bill also authorizes the VA to employ, as intermittent employees, veteran-students enrolled in full-time programs of education or training. Compensation would be at the going rate for the job classification of the work which would be performed. Wherever utilized, this authority will help many worthy veterans in meeting the additional financial demands caused by the education or training expenses.

TITLE III

The major thrust of this title is to extend to wives and widows the right to pursue correspondence courses, and authorize apprentice or other on-job training programs for wives, widows, and children. These types of courses are now available to the veteran himself. It has been demonstrated that in many cases these classes of dependents or survivors of veterans have the same need for such below-college training to fit them for a livelihood without having to pursue a college course of education. This title would also provide authority for eligible wives and widows to pursue secondary level training without charge to their basic entitlement. Similar authority is already extended to educationally disadvantaged veterans, and this would be a logical extension of such benefit.

The so-called "two year rule," under which a course must have been in existence for that period at a given school, has proved to be a hardship in certain meritorious cases where the school has made a complete move to a new location outside the general locality of its former site. This provision in the bill, which is recommended by the VA, would waive this requirement when a school moves if it is determined that the school has substantially retained the same faculty, curricula, and students without a change in ownership.

Certain changes are contained in the bill, which deal with the so-called PREP (Predischarge Education Program) the in-service education program. To more accurately reflect the purpose of the program, the bill would change its name to Preparatory Education Program. It would also authorize the payment of educational allowances in cases where the eligible person is pursuing a course "needed to obtain an equivalency certificate." At the present time, the only courses recognized in this program are those leading to a secondary school diploma. The GED (General Education Development) program currently provided by the military services offers servicemen the opportunity to pursue courses which will prepare them for taking the equivalency examination. Upon completion of the course work and successful passage of the equivalency examination, the serviceman is given an equivalency certificate rather than a secondary school diploma. The Department of Defense representatives have maintained that current law, which requires pursuit of the high school diploma courses, but does not permit pursuit of the equivalency certificate courses, is a fine distinction in form and is unjustified.

Section 304 of the bill contains a provision dealing with institutional farm training. It is designed to accomplish two purposes. First, it would permit an alternate method of measurement of courses in this program whereby the educational institution, which is now under a dual restriction of a minimum of 12 hours per week over a pre-scheduled 44 week school year, can also arrange class scheduling under which a program could be considered to be pursued on a full-time basis if it involved a minimum of 528 clock hours in a year pre-scheduled to provide not less than 80 clock hours in any three month period. This is designed to better permit the eligible veteran, who is engaged in agricultural occupation, to meet his job requirements which change seasonally as well as during each month based upon the type of employment. Through this greater flexibility, training can be intensified when needed to produce the greatest educational results. This section would also provide that in computing the foregoing clock hour requirements there shall be included the time involved in field trips and individual and group instruction sponsored and conducted by the educational institution through a duly authorized instructor of such institution in which the veteran is enrolled.

This title would also bring into one section the applicable law pertaining to correspondence courses. The new section provides for computation of the educational assistance allowance based upon 90 percent of the established charge which the institution requires nonveterans to pay for the pursuit of the same course or courses.

Current law (section 1682(c)(1)) provides for computation based on the full cost of the program. This is the only program which will return to the veteran the full cost of his tuition. It also is training which permits the trainee to train at any pace he chooses, thereby allowing him to pursue a vocation as he wills. In all other training programs authorized under chapter 34, the veteran has a stake in his own training by meeting himself a part of the cost of his own education. By requiring the eligible veteran to pay a minimal 10 percent of the cost of the course, he will have such a stake and will give greater thought to his choice of a training objective and the means of achieving this goal.

This change would have the effect of placing the correspondence training program on a par with flight training in that the veteran, under both programs, would be required to pay a minimal amount towards his own education. The benefit payable under the correspondence training program would be increased by providing that a veterans' entitlement would be charged with one month for each $200 paid to him as an educational assistance allowance instead of the current $175 figure. This is the same benefit which is provided a veteran under title I of the bill who is pursuing a flight training program.

A section has been included in this title which provides that for all VA purposes, a "wife" shall include the husband of a female veteran and the term "widow" shall include the widower of a female veteran. Under present law, in each case it must be shown that the husband or widower must be "incapable of self-maintenance and per-

manently incapable of self-support due to mental or physical disability." The objective of this liberalized definition has the favorable recommendation of the Veterans Administration.

The Committee has approved three amendments to the bill, one of which is purely technical in nature. The first Committee amendment is designed to insure that names and addresses of veterans and their dependents and survivors in the possession of the Veterans Administration will be treated as confidential. The second substantive amendment provides a 20 percent increase in the table of allowances for administrative expenses payable to State approving agencies. The present allowances were established in 1968 and have not been increased since then. The VA estimates the additional cost of this provision as follows:

Fiscal year:	
1973	$110,340
1974	119,200
1975	128,700
1976	139,000
1977	150,150
5-year additional cost	647,390

TITLE IV

This title deals with effective dates under which the rate increases and advance pay provisions shall become effective on the first day of the second calendar month following the month in which enacted.

COST DATA—INCREASED ALLOWANCES PROPOSED IN TITLE I OF H.R. 12828

[Dollars in millions]

Fiscal year	All chapters		Ch. 31		Ch. 34		Ch. 35	
	Individuals	Direct benefits cost	Individuals	Direct benefits cost	Individuals	Direct benefits cost	Individuals	Direct benefits cost
1st[1]	1,281,000	$127.5	32,000	$3.1	1,190,000	$119.0	59,000	$5.4
2d	1,326,000	266.2	33,000	6.4	1,232,000	248.6	61,000	11.2
3d	1,283,000	258.5	34,000	6.6	1,186,000	240.5	63,000	11.4
4th	1,077,000	217.5	35,000	6.8	979,000	199.2	63,000	11.5
5th	1,037,000	211.0	36,000	7.0	939,000	192.7	62,000	11.3
5-year total		1,080.7		29.9		1,000.0		50.8
6th	910,000	185.9	37,000	7.1	812,000	167.7	61,000	11.1

[1] For the 1st fiscal year, the data on individuals apply to the entire year while the cost figures are only ½ as great as they would have been for the entire year.

TOTAL COST OF H.R. 12828 FOR THE 1ST 5 FULL YEARS

	Section numbers	Fiscal year— 1973	1974	1975	1976	1977	5-year total
Rate increases	101, 102, 103	$266.2	$258.5	$217.5	$211.0	$185.9	$1,139.1
90 percent payment for ch. 34 correspondence	303	−8.0	−8.0	−6.0	−6.0	−5.0	−33.0
GED under PREP	305	24.0	24.0	24.0	24.0	24.0	120.0
Secondary education, ch. 35	310	2.6	2.9	2.8	2.2	2.0	12.5
Correspondence, ch. 35	310	.6	.7	.9	.9	1.0	4.1
OJT, ch. 35	314	7.1	7.9	7.2	6.9	6.0	35.1
Female veterans	318	.5	.5	.5	.5	.5	2.5
Total additional direct benefits cost		293.0	286.5	246.9	239.5	214.4	1,280.3
Eliminates some counseling, ch. 35 (reduction in administrative cost)	307	−1.0	−1.0	−1.0	−1.0	−1.0	−5.0
Total additional cost		292.0	285.5	245.9	238.5	213.4	1,275.3

Notes: Above table does not include the modest additional administrative expenses of State approving agencies. These costs are itemized above for the 1st 5 years. No cost is included for sec. 304 (farm training) which is believed to be minimal.

SECTION-BY-SECTION ANALYSIS OF H.R. 12828

TITLE I—VOCATIONAL REHABILITATION-EDUCATIONAL ASSISTANCE RATE ADJUSTMENTS

This title provides rate increases in all areas of educational benefits under chapters 31, 34 and 35 of title 38. With the exception of on-job and apprentice benefits, the rate changes, for the most part, approximate 14 percent. This percentage represents the increase in the cost of living which has occurred since the last general rate increase became effective on February 1, 1970 plus a reasonable estimate of the further increase that may occur prior to the final enactment and ultimate effectiveness of the bill. The rate increases provided for on-job and apprentice trainees approximate 48 percent. Experience has shown that these are the areas where the greatest need occurs and the larger increases will provide incentives to stimulate job opportunities for veterans.

Section 101

Subsection (a) of this section amends section 1504(b) to provide increases in the monthly subsistence allowance rates for veteran-trainees who are pursuing vocational rehabilitation training courses. The rate for a single veteran without dependents who is pursuing full-time institutional training would be increased from $135 per month to $154 per month. Comparable increases are provided for those trainees pursuing part-time training and for those pursuing institution on-farm apprentice, or other on-job training full time.

Subsection (b) amends section 1507 to increase the amount of the loan which may be made to trainees from $100 to $200.

Section 102

Subsection (a) of this section amends section 1677(b) to increase the monthly entitlement charge for flight training courses from $175 to $200 per month.

Subsection (b) amends the table contained in a paragraph (1) of section 1682(a) to increase the monthly educational assistance rates for veterans pursuing full-time, three-quarter-time and half-time institutional educational courses. The rates for cooperative training would also be increased. The single veteran without dependents who is pursuing a full-time institutional course would, for example, be increased from the current $175 monthly rate to $200 per month.

Subsection (c) amends section 1682(b) to increase the rates for educational pursuits by servicemen on active duty and for those pursuing less than half-time courses to $200 per month.

Subsection (d) amends section 1682(d)(2) to increase the rates for pursuit of agricultural cooperative programs. The single veteran without dependents pursuing a full-time course would, for example, be increased from $141 per month to $161 per month.

Subsection (e) amends section 1683(b) to increase the monthly training assistance rates for veterans pursuing apprentice and on-job training programs.

Subsection (f) amends section 1696(b) to increase the educational assistance allowance maximum for persons pursuing PREP courses from $175 to $200 per month.

Section 103

Subsection (a) of this section amends section 1732(a)(1) to increase the rate of educational assistance allowance payable to children, widows and wives pursuing educational programs under chapter 35. The rate increases apply to full-time, three-quarter-time and half-time training. The full-time rate, for example, would be increased from $175 to $200 per month.

Subsection (b) amends section 1732(a)(2) to increase the monthly educational assistance rate payable in the case of eligible persons pursuing programs of education on a less than half-time basis.

Subsection (c) amends section 1732(b) to increase the monthly educational assistance rate payable in the case of eligible persons pursuing cooperative education courses which consist of institutional courses and alternate phases of training in a business or industrial establishment.

Subsection (d) amends section 1742(a) to increase the special restorative training assistance allowance to those children who are in need of special restorative training.

It is estimated that cost of title I of H.R. 12828 would approximate $266.2 million for the first full year.

No change is made in title I of the bill to increase the benefit rate for correspondence course training. Section 303 of title III of the bill adds a new section 1678 to replace section 1682(c) of title 38 which currently authorizes such training. The current provisions are repealed by section 304. In enacting the new section, the benefit rate for such training is raised from $175 to $200 per month, a figure which is identical with the higher rate provided for flight training.

TITLE II—ADVANCE VOCATIONAL REHABILITATION SUBSISTENCE AND EDUCATIONAL ASSISTANCE ALLOWANCE PAYMENT

Section 201

This section would amend section 1504(a) to authorize the Administrator to make an initial advance payment of the subsistence allowance granted under chapter 31 to veterans enrolled in a vocational rehabilitation training program on a half-time or more basis, plus the allowance for one full month, upon receipt of proof that the eligible veteran has been enrolled in an approved educational institution. Such payment would be made not earlier than the first of the month in which pursuit of the program is to commence. Thereafter, payments would continue to be made in advance at the beginning of each month in which the veteran pursues his program of training. Administrative control over the propriety of such payment is provided for by authorizing the Administrator to withhold final payment to such veteran until proof of satisfactory pursuit of the program is furnished.

Section 202

This section would amend subsections (d) and (e) of section 1681 to authorize the Administrator to make an initial advance payment of the educational assistance allowance granted under chapter 34 to veterans enrolled in an educational institution on a half-time or more basis on the same premise as provided under section 201 of this title for vocational rehabilitation trainees. Certification requirements for the pursuit of flight training and correspondence courses pursued under chapter 34 would be retained. The bill does not provide for advance payment of the

training assistance allowance for persons pursuing apprenticeship or other on-job training programs.

Section 203

This section would amend subsection (d) of section 1731 to extend the advance pay principle to eligible wives, widows, and children who are pursuing educational programs on a half-time or more basis under chapter 35.

Section 204

This section would add a new section 1688 to chapter 34 setting forth new language which would give the Administrator authority to employ, as intermittment employees, veteran-students enrolled in full-time programs of education or training under chapters 31 and 34. This would diversify current Veterans Administration's authority to hire these veteran-students and utilize their services at such times and places as the Administrator deems advisable. This new section would also authorize the Administrator to pay the going rate for the job classification for the work which would be performed.

No cost would be incurred if title II were to be enacted, but additional outlays would be required in the first fiscal year (assuming enactment in fiscal year 1973) of approximately $101 million because of advances made in that year which would normally not be paid until the following fiscal year. This amount would, however, be recouped from subsequent payments made to these veterans or eligible persons.

The proposal incorporated in section 202 of this title is virtually identical with a proposal transmitted to the Congress on January 26, 1971 by the Veterans Administration. This advance pay principle has been expanded to include veterans training under chapter 31 and wives, widows and children training under chapter 35.

TITLE III—EDUCATIONAL ASSISTANCE PROGRAM ADJUSTMENTS

Section 301

This section amends section 1671 of title 38, United States Code, to require a serviceman's application for GI Bill education benefits be approved by a service education officer before it may be considered by the Administrator.

By requiring such approval, an opportunity would be available to discuss with the serviceman the various courses of training which he might pursue. This would acquaint him with the educational opportunities not only from commercial correspondence programs but from all sources. The service education officer could determine whether the program of education selected by the serviceman is suitable for his aptitudes and could be satisfactorily completed within the limits of his present environment.

It is estimated that this section would not result in any additional cost.

Section 302

This section would amend clause (3) of subsection (b) of section 1675 to add new language to the so-called two-year rule authorizing enrollment of veterans in courses where the school has made a complete move to a new location outside the general locality of its former site, where it is determined that the school has substantially retained the same faculty, curricula and students, without a change in ownership.

Under current law the Administrator may not approve the enrollment of veterans in any course offered by an educational institution where such course has been in operation for less than two years. Clause (3) of subsection (b) of section 1675 presently states that where a course has been offered for more than two years, veterans may be enrolled in such a course even though the school has moved to another location within the same general locality. By regulation (VAR 14251 (D)), the term "same general locality" has been defined to mean a move to a new location within normal commuting distance of the original location. This regulation also states that in such a case the faculty, student body and curricula must remain essentially the same.

Established schools may find it necessary to relocate as additional facilities are required to meet demands caused by increases in the number of students such as the need for library space and the need for additional classrooms. The application of VAR 1425 (D) with reference to a move within the "same general locality" may have different application where the school is in a city rather than a rural area.

Under the proposed change, the determination would be made based upon the individual facts as found in each case. Primary importance would be placed on such factors as (1) retention of faculty, (2) no change in ownership, (3) substantially the same student body, and (4) the same curriculum.

It is estimated that enactment of this section would not result in any additional cost.

Section 303

This section would add a new section 1678 to chapter 34 of title 38, United States Code, to bring into one section the applicable law pertaining to correspondence courses.

Subsection (a) of the new section provides for computation of the educational assistance allowance based upon 90 percent of the established charge which the institution requires nonveterans to pay for pursuit of the same course or courses.

Current law (section 1682(c)(1)) provides for computation based on the full cost of the program. This is the only program which will return to the veteran the full cost of his tuition. It also is training which permits the trainee to train at any pace he clooses, thereby allowing him to pursue vocation or avocation as he wills. In all other training programs authorized under chapter 34, the veteran has a stake in his own training by meeting himself a part of the cost of his own education. By requiring the eligible veteran to pay a minimal 10 percent of the cost of the course, he will have such a stake and will give greater thought to his choice of a training objective and the means of achieving his goal.

This change would have the effect of placing the correspondence training program on a par with flight training in that the veteran, under both programs, would be required to pay a minimal amount towards his own education. This subsection also increases the benefit payable under the correspondence training program by providing that a veteran's entitlement would be charged with one month for each $200 paid to him as an educational assistance allowance instead of the current $175 figure. This is the same benefit which is provided a veteran under title I of the bill who is pursuing a flight training program.

The remainder of this new subsection merely represents a duplication of language which is contained in current law.

It is estimated that enactment of this provision would result in direct benefit savings as follows:

Direct benefit savings

Year:	*Millions*
1st	$8
2d	8
3d	6
4th	6
5th	5
Total 5-year savings	33

Section 304

The first part of this section is technical in nature and merely reflects the shift of certain provisions concerning correspondence courses currently contained in section 1682 of title 38 to the new section 1678 proposed to be set up by section 303.

The second part of this section is designed to permit greater flexibility in the scheduling of the institutional portion of farm cooperative training programs.

As an alternative to the provision of existing law requiring 12 clock hours per week of institutional agricultural courses for 44 weeks in a year to qualify for the full-time educational assistance allowance, the new language authorizes an equivalent number of annual hours, 528, to be prescheduled at anytime, provided at least 80 hours of institutional training are pursued in any three month period. The added flexibility will permit a veteran's curriculum to be prescheduled to provide a minimum of classroom instruction during peak periods of farming activity, and conversely, a maximum class schedule during periods of minimal farming activity.

Additionally, the section permits the time utilized for field trips as well as individual and group instruction to be included in computing the institutional portion of a farm cooperative training program. It is not intended that this informal type of training will in any manner be a general substitute for classroom instruction required. Instead, it is contemplated that the informal instruction authorized by this amendment will be utilized only when the need for such field trips or instruction is indicated and it is directly related to problems encountered by the veteran in his agricultural employment.

Section 305

This section would amend the PREP program authorized by subchapter VI of chapter 34 of title 38.

Subsection (a) of this section amends the subchapter heading to change the name of the program from Predischarge Education Program to Preparatory Education Program.

Although eligibility for PREP assistance begins early in military service (after completion of 181 days of active service), many servicemen consider the program to be one designed for an individual who is about to leave military service. The present name of the program—Predischarge Education Program—accounts for a good deal of this confusion. Therefore, to help alleviate this misunderstanding the name would be changed to Preparatory Education Program.

Subsection (b) changes the purpose section (section 1695(a)) of the program to incorprate the change in the name of the program from Predischarge to Preparatory Education Program.

Subsection (c) amends section 1696(a) to permit payment of an educational assistance allowance to servicemen where they pursue courses needed by them to successfully pass the GED examination and receive a high school equivalency certificate.

Current law limits the objective of the PREP program, as far as secondary level training is concerned, to high school diploma courses. There is no authority for the pursuit of courses leading to the GED objective.

In conjunction with the program for educationally disadvantaged veterans (subchapter V of chapter 34 of title 38), authority is currently granted for the pursuit of courses needed to obtain the equivalency certificate. The change proposed by this subsection would extend this same opportunity to servicemen and thereby tend to equalize the benefits available to disadvantaged veterans and servicemen. This would avoid any discrimination between two categories of disadvantaged individuals.

It is estimated that this program would cost in the magnitude of $24 million a year.

Section 306

This section amends subsection (a) of section 1701 of title 38 to make two changes. The first revision amends paragraph (6) to include correspondence schools within the

definition of "educational institution." This change is made necessary by the addition, in section 310 of the bill, of a new section 1727 to chapter 35 permitting wives and widows to pursue correspondence courses. The rationale and cost estimate for this new section are set forth in the discussion of section 310 of this analysis.

The second change adds a new paragraph (9) adding the term "training establishment" to the definitions currently applicable to chapter 35.

Under current law, wives, widows and children are entitled to other educational benefits, but they are not eligible to pursue apprentice or other on-job training programs. The change made in this section (as well as those changes made in chapter 35 by sections 308, 311(a), 313, 314, and 315 of this bill) extend such training opportunities to them.

A college education may not be suitable for everyone. Offering these individuals the opportunity to pursue on-job and apprenticeship training programs would afford those desiring post high school training another way of entering an occupation. Such programs would also offer forms of training in which these individuals would be able to receive high financial reward upon completion.

It is estimated that enactment of this program, which is limited later in the bill by the proposed new section 1738(a) to pursuit of training in a State, would result in the following costs:

Fiscal year:	*Direct benefits cost (in millions)*
1st	$7.1
2d	7.9
3d	7.2
4th	6.9
5th	6.0
5-year total	35.1

Section 307

This section would amend section 1720 of title 38 to eliminate mandatory counseling for certain children training under the provisions of chapter 35.

Current law (section 1720) provides that the Administrator shall arrange for counseling for all children entering training under chapter 35 to assist the parent or guardian and the child in selecting an educational or vocational objective.

Under the chapter 35 program, the Government acts as a substitute parent standing in the place of the deceased or disabled parent in providing financial assistance to enable the child to pursue his education. The responsibility imposed by law calls for the furnishing of this counseling assistance in helping the child in making a reasonable choice of an objective.

There are, however, many cases where a child is already enrolled at or is attending a college and it can be assumed that in those cases a reasonable choice has been made and a suitable objective chosen. Mandatory counseling is an obvious duplication in such cases. While the mandatory requirement would be removed, any further counseling or guidance the child might need would still be available through the school or the Veterans Administration, if requested.

It is estimated that enactment of this section would result in savings in the program of approximately $1 million per year over the next five years.

Section 308

This section amends section 1723 of title 38 to eliminate the bar on pursuit of apprentice and other on-job training programs by chapter 35 beneficiaries. The rationale for this change is elaborated on in the analysis of section 306. This section also exempts widows and wives from the bar on pursuit of correspondence course training. The rationale for this change is elaborated on in the analysis of section 310.

Section 309

This section would amend clause (3) of subsection (b) of section 1725 of title 38 to add new language to the so-called two-year rule authorizing enrollment of chapter 35 individuals in courses where a school has made a complete move to a new location outside the general locality of its former site.

This provision is identical with the one contained in section 302 of the proposal and the discussion and rationale set forth in the discussion of that section apply equally to this section.

It is estimated that enactment of this section would not result in any additional cost.

Section 310

This section would add a new section 1726 to subchapter III of chapter 35 to provide authority for eligible wives and widows to pursue secondary level training without charge to their basic entitlement. Similar authority has already been given educationally disadvantaged veterans by section 1691 of chapter 34. The authority granted here would be a logical extension of similar benefits to educationally disadvantaged wives and widows. These individuals, due to the death or disability of their veteran-husbands, are required to assume the responsibility for support of themselves and their families. By permitting them to pursue secondary level training they would be given an opportunity to obtain the necessary training required for entrance into higher education without losing their follow-on eligibility for college training.

In extending this authority, pursuit would be limited to training within a State. This has the effect of eliminating secondary training for Philippine wives and widows. It should be pointed out that the majority of those individuals who would be made eligible are already over the age of 50 and the purpose of the program would be of little benefit to them. Further, most of them have already taken advantage of the vocational training benefits previously provided to them under chapter 35 and thus they have been trained for a vocation designed to help them support themselves and their families.

It is estimated that enactment of this proposal would result in the following costs:

Fiscal year:	*Direct benefits cost (in millions)*
1st	$2.6
2d	2.9
3d	2.8
4th	2.2
5th	2.0
Total 5-year cost	12.5

This section would also add a new section 1727 to subchapter III of chapter 35 to provide authority for eligible wives and widows to pursue correspondence courses. This would provide these wives and widows with still another means of obtaining an education which would aid them in helping to support themselves and their families in the manner in which the veteran, but for his death or disability, would have provided for them. The extension of correspondence school training to wives and widows would be subject to these same safeguards proposed for veterans under section 303 of the bill. In essence, this means that the entitlement of a widow or wife would be charged one month for each $200 paid to her in the form of an educational assistance allowance, and the educational assistance allowance would be computed based upon 90 percent of the established charge which the institution requires other individuals pursuing the same program to pay.

It is estimated that enactment of this new authority would result in costs ranging from about $600,000 in the first year to approximately $1 million in the fifth year. There is no experience in the chapter 35 program to use as an indicator of any precise figures.

Section 311

Subsection (a) of this section amends clause (2) of subsection (b) of section 1731 of title 38 to exempt programs of apprentice or other on-job training pursued by wives, widows and children under the authority of the new section 1738 added to chapter 35 by section 314 of this bill from the absence counting provisions for courses not leading to college degrees. This would equate such measurement with that presently applicable to apprentice and on-job training programs pursued by veterans under chapter 34. (The estimated cost of the apprentice, on-job programs is set forth in section 306 of the analysis.)

Subsection (b) has two purposes. First, it repeals the present language of subsection (e) of section 1731 which is no longer applicable in view of the advance payment proposal set forth in section 203 of this bill. Second, it would establish a requirement, comparable to that now applicable to correspondence courses pursued by veterans under chapter 34, that correspondence course benefits may not be paid to those wives and widows made eligible to pursue such training by the new section 1727 added by section 310 of the bill until the Administrator has received a certification from the eligible person and the institution as to the number of lessons completed by the eligible person and serviced by the institution. The same requirement is imposed in conjunction with the correspondence program pursued by veterans under chapter 34.

Section 312

This section amends clause (2) of subsection (a) of section 1732 to permit lump sum educational assistance allowance payments to be made eligible widows, wives and children who are pursuing educational programs on less than a half-time basis. Payment would be made for an entire term, semester or quarter in the month following the month in which certification is received from the educational institution that the person is enrolled in and is pursuing his program of education. This would equate the less than half-time payment system for chapter 35 with that already established for chapter 34. This would improve the administrative procedures for handling these payments.

It is estimated that enactment of this section would not result in any additional costs.

Section 313

This section amends subsection (a) of section 1733 to incorporate two revisions. The first inserts a new clause (3) which provides for the measurement of high school courses under chapter 35 so as to accommodate the authority granted by section 310 permitting eligible wives and widows to pursue secondary training. The second inserts a new clause (5) providing for the measurement of certain on-job and apprenticeship training programs which would be permitted under the authority of the new section 1738 added to chapter 35 by section 314 of this proposal.

Section 314

This section would amend subchapter IV of chapter 35 to insert a new section 1738 which contains the basic authority for the payment of a subsistence allowance to those wives, widows and children who would become eligible to pursue apprentice and other on-job training programs. The rationale for this program is set forth in the analysis of section 306.

Section 315

This section would amend section 1777 of chapter 36 of title 38 to incorporate references to wives, widows and children who

would be permitted to pursue programs of apprentice and other on-job training. The rationale for this program is set forth in the analysis of section 306.

Section 316

This section is technical in nature and merely reflects in the table of sections at the beginning of chapter 34 of title 38 the necessary heading changes required to be made because of the proposals made in sections 204, 303, and 305.

Section 317

This section is technical in nature and merely reflects in the table of sections at the beginning of chapter 35 of title 38 the new sections added to such chapter by sections 310 and 314 of this bill.

Section 318

This section has been included in the bill to provide that for all VA purposes, a "wife" shall include the husband of a female veteran and the term "widow" shall include the widower of a female veteran. Under present law, in each case it must be shown that her husband or widower must be "incapable of self-maintenance and is permanently incapable of self-support due to mental or physical disability." This provision is identical with H.R. 10130, and the objective has the favorable recommendation of the Veterans Administration. The cost is estimated to be about $.5 million the first full year.

Section 319

This is solely a technical amendment containing revised language for the table of sections of chapter 1, title 38, United States Code.

Section 320

This section is designed to insure that names and addresses of veterans and their dependents and survivors in the possession of the Veterans' Administration will be treated as confidential.

For many years, the law (38 USC 3301) has provided that all files, records, reports, and other papers and documents pertaining to any claim under any of the laws administered by the Veterans Administration shall be confidential and privileged, and no disclosure thereof shall be made except under certain specified conditions. The general policy of the Veterans Administration, consistent with the intent of this provision of law, has been to refuse to furnish addresses from its records to persons who desire such information for debt collection, canvassing, harassing, or propaganda purposes.

In light of recent court decisions, it is apparent that under the so-called Freedom of Information Act (5 USC 552) lists of names and addresses may no longer be regarded as confidential. The Veterans Administration has received some 30 requests for lists of veterans' names and addresses, including requests from various commercial organizations, direct mail advertising firms, and others.

The Committee has received considerable correspondence from veterans and veterans' groups protesting the release of their names and addresses pursuant to these court decisions and agrees with them that service to their country should not subject them to commercial solicitation and harassment. The amendment proposed by this section will insure that the names and addresses of those who are now serving, or have served, in the armed forces and their dependents will continue to be treated as confidential by the Veterans Administration.

Section 321

Chapter 36 of title 38, United States Code, contains provisions relating to the administration of the GI educational benefits. Among other things, it is provided that the courses of education offered by an educational institution must be approved by the State approving agency for the State where such educational institution is located. The statute authorizes the Administrator to enter into contracts or agreements with State and local agencies to reimburse them for proper and necessary administrative expenses involved in the approval procedure. The allowances provided for this purpose were authorized in 1968 and there has been no increase since then. Section 321 is designed to provide a 20 percent increase in the table of allowances now contained in Section 1774. The National Association of State Approving Agencies has urged this amendment, citing as justification the recognized increase in salary costs and other administrative expenses which have occurred in the period of almost four years since the allowances were provided. The Committee concurs as to the need for such an increase at this time. The estimated additional cost is approximately $110,000 the first year.

TITLE IV—EFFECTIVE DATES

Section 401

This section provides that the rate adjustments and advance pay provisions contained in titles I and II shall become effective on the first day of the second calendar month following the month in which enacted.

Section 402

This section provides that the provisions of section 303 relating to correspondence course training shall become effective upon the first enrollment of an eligible veteran which occurs on or after the first day of the second calendar month following the month in which enacted.

(Mr. HELSTOSKI asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. TEAGUE of California. Mr. Speaker, the Subcommittee on Education, under the able leadership of the gentleman from New Jersey (Mr. HELSTOSKI) and the gentlemen from Virginia (Mr. SCOTT) the ranking minority member, has labored long and hard to produce the outstanding measure before the House today. They are to be congratulated for their successful efforts to present a bill that will undoubtedly improve the veterans and dependents educational programs.

The bill contains a well-deserved increase in monthly educational allowances for veterans and dependents. It authorizes the payment of these allowances to advance. It permits greater flexibility in scheduling classes in the farm cooperative training program. Dependents will have greater choice in the selection of different types of training programs.

Mr. Speaker, this is good legislation and I shall support it.

I now yield such time as he desires to the ranking minority member of the subcommittee, the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I am a cosponsor of H.R. 12828 and rise in support of it. The bill will provide a much-needed increase in monthly allowances for veterans participating in education and training programs under the GI bill, disabled veterans receiving vocational rehabilitation training and certain wives, and children attending school under the so-called war orphans' educational program.

The rate of allowance, Mr. Speaker, for persons receiving institutional or classroom training is increased by 14 percent. For example, the unmarried veteran attending school on a full-time basis now receives $175 monthly. Under the provisions of this bill, he will receive $200 monthly. Proportionate increases are authorized for veterans with dependents and for part-time training.

Monthly allowances for veterans pursuing apprentice or job training programs are increased by 48 percent under the terms of the bill. This substantial increase recommended by the Veterans' Administration is designed to provide a greater incentive to prospective employers in establishing job training situations and to veterans interested in this type of training.

Mr. Speaker, the cost of education has spiraled to the point that the increases in monthly allowances authorized by this legislation are essential. I am pleased that the committee has increased the 8.6 percent authorized by the original bill to the 14 percent set forth in this measure.

The bill contains additional provisions, Mr. Speaker, all intended to improve the effectiveness of the veterans and dependents education programs.

Advance payment of up to 2 months' educational allowance is authorized upon the receipt of satisfactory proof of a veteran's enrollment. Thereafter, payments to veterans will be made monthly in advance. This feature will permit the Veterans' Administration to make timely payments, and reduce the long delay between the beginning of classes and the receipt of the initial payment from the Veterans' Administration.

Under existing law, wives, widows, and children eligible for education and training under chapter 35, title 38, United States Code, are limited to institutional training. This measure will extend to wives and widows the right to pursue correspondence courses and permit apprentice or job training for eligible wives, widows, and children. Experience has demonstrated that these classes of dependents may require programs other than institutional types to fulfill their educational needs, much in the same manner as veterans. This provision will expand the types of educational programs available to dependents.

The bill further provides that the spouse of a female veteran shall be classed as a dependent for veterans' benefits in the same manner as the wife or widow of a male veteran under current law.

Veterans pursuing farm cooperative training programs will have more flexibility in scheduling their classroom work under the terms of this proposal. Presently, a veteran must complete 12 hours of classroom work in each of 44 weeks in a 1-year period in addition to running his farm to qualify as a full-time student. Under this measure, he may elect to complete 528 hours in a 1-year period,

provided not less than 80 hours are prescheduled in any 3-month period. Thus, he is able to schedule a minimum of class instruction during periods of peak farming activity.

Finally, Mr. Speaker, the bill authorizes a 20-percent increase in the administrative expense allowance payable to State approval agencies. These State agencies perform a tremendously important function in assuring that schools and other training establishments are providing a high quality of education and training under the GI bill.

Mr. Speaker, I have discussed the most significant features of the bill under consideration. In all candor, I must confess that I am not entirely satisfied with all of the provisions of this measure. I do support the increase in monthly allowances, however. Since this increase is necessary at this time and since the desirable features of the bill far outweigh any objectionable provisions, I am supporting the bill and urge that it be passed.

Mr. TEAGUE of Texas. Mr. Speaker, I have no further requests for time.

Mr. TEAGUE of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Mr. Speaker, I believe H.R. 12828 is a good bill for several reasons, but mainly because it carries out the purpose of the Veterans Readjustment Benefits Act of 1966 in that it provides a much needed increase in the educational allowance rates, but keeps in mind that the allowance was designed for assistance to a veteran so that he could meet in part the cost of obtaining an education.

It provides for an overall increase of 14 percent for all eligible veterans, wives, widows, and children attending school, and an increase of 48 percent for on-job and apprentice trainees. The marked increase in this area should provide an incentive to veterans in learning a skill or trade, thus improving their chances of obtaining employment.

Enhancing employability is also the reason that this legislation would extend to eligible wives and widows the right to take up correspondence courses and to wives, widows, and children the right to enter into apprentice or other on-job training programs.

An existing hardship to schools will be removed by waiving the "2-year rule" when a school moves, providing the school retains substantially the same faculty, curriculums, and students without a change in ownership. Heretofore, if a school moved to a new location outside the general area of its former site, it would have to wait for 2 years before becoming an authorized educational institution. Many meritorious schools in expanding their facilities were penalized under this rule.

This bill also contains authorization permitting advance payments of rehabilitation subsistence and educational assistance allowances for the first month or partial month, plus an additional full month as soon as actual proof of enrollment in an educational institution is received by the Veterans' Administration. This should help to overcome the hardship encountered by some veterans due to a delay in receiving their first check after they enter school.

Recognizing that in today's society the maintenance of a home is the result of a joint economic effort by a husband and wife, this bill places female and male veterans on an equal basis in that a "wife" shall include the husband of a female veteran and the term "widow" shall include the widower of a female veteran. The present law requires that a husband or widower must be incapable of self-support because of a mental or physical infirmity before qualifying as dependents.

Another feature to this bill which will assist certain veterans is a provision, permitting the Veterans' Administration to employ veteran students on an intermittent basis at the minimum rate of pay for the grade in which they are employed.

In my opinion this is a meritorious bill and I support it.

Mr. HAMMERSCHMIDT. Mr. Speaker, I favor H.R. 12828 because this is much needed legislation. It has many facets but the one for which there is great need is an increase in the GI educational allowance dates to meet the ever-increasing costs of education. This bill will increase the existing rates by 14 percent. It will mean that the single veteran will receive an increase from $175 to $200 a month. In the average school year of 9 months, this will amount to $1,800, enough to defray the tuition costs in hundreds of fine schools of higher learning throughout the country. It will carry out the purpose of the original GI bill which was designed to provide an educational assistance allowance to meet, in part, the expenses of subsistance, tuition, fees, supplies, books, and equipment.

There is a provision for a 48-percent increase in the rates for on-job and apprentice trainees consonant with the administration proposal designed to provide incentives in stimulating job opportunities for veterans, an area where the greatest need occurs.

Many veterans have encountered a problem upon entering into an educational training program occasioned by the delay in receiving the first allowance check. This bill provides for an advance payment of the rehabilitation subsistence and educational assistance allowances. It permits an initial advance for the first month or partial month and an additional full month as soon as proof is received that the veteran actually is enrolled in an approved school.

This bill also extends to eligible wives and widows the right to pursue correspondence courses and to wives, widows, and children apprentice on on-job training. Secondary school level training is allowed also to eligible wives and widows without charge to entitlement. These features are very desirable in that a wider choice of occupational goals is opened up.

A feature of this bill supported by the Veterans' Administration concerns the definition of wife. Heretofore, a female veteran has had to provide proof that her husband was physically infirm in order to qualify as a veteran with a dependent. Bearing in mind that today a large segment of our population consists of two-income families upon the basis of which a husband and wife maintain a household, this legislation, in effect, acknowledges a mutual dependency and permits a female veteran to declare a husband as a dependent for Veterans' Administration purposes under the same acceptance that a male veteran receives in declaring a wife a dependent. This proviso also will apply to widowers.

In addition this legislation is designed to eliminate a hardship which has been created through the "2-year rule" which has required that courses at given schools must have existed for at least 2 years.

This bill will eliminate this requirement in those situations where a school moves, retaining essentially the same faculty, curriculums, and students without a change of ownership.

I support this legislation.

Mr. HILLIS. Mr. Speaker, as a member of the Veterans' Affairs Committee, I would like to add my full support to the Veterans Education and Training Amendments of 1972.

The main purpose of the bill is to increase veterans' education assistance allowances by almost 15 percent. Veterans now receive $175 per month under the present GI program. This bill would give them over $200 per month, with a sliding scale for veterans with dependents. It increases by almost 50 percent the assistance rates for on-job and apprentice trainees, where need is apparently greatest right now.

But the bill does much more also. It allows for an initial advance payment plus 1 month's subsistence allowance at the outset of the school year. This measure was deemed necessary by the committee to help out veterans who need money in the month before schools begins—to register for school, set up living quarters, and so forth.

The bill further extends to wives and widows the right to follow correspondence courses, and authorizes apprentice or on-the-job training programs for wives, widows, and children.

This will upgrade the education level of those veteran dependents who are now far behind in education or training, and help them keep up with the veteran as he progresses in his education. Other provisions in the bill are aimed at correcting inequities or plugging loopholes discovered through past experience in administering the veterans' education assistance program.

The overall intent of this legislation is to give several added educational benefits to Vietnam era veterans. To date, these Vietnam vets have qualified only for peacetime benefits provided by legislation to aid post-Korean conflict veterans. Many of us think they deserve more, because they have not served under peacetime conditions.

The GI bill for World War II veterans allowed a $65 per month subsistence allowance, plus tuition payments of up to $500 per school year, a payment which went directly to the school. One-half of all World War II veterans took advantage of the bill.

The tuition payment was dropped for veterans for the Korean conflict, and recipients since then have been paid only subsistence allowances for living expenses. I thought our Vietnam era veterans deserved tuition payments, and cosponsored legislation to provide a $1,000 tution payment in addition to the $175 subsistence allowance.

The Veterans Committee, however, decided in favor of solely increasing the allowance by 15 percent. I think we can do better, but I am pleased nonetheless with any increased benefits.

Why do I feel veterans educational assistance is a worthwhile program? Because I know a good investment when I see one.

At the current GI bill training allowance rate, the VA spends about $6,300 during the 36 months required for a veteran to earn his college degree. After 2 years of active service, a veteran is eligible for 36 months of educational assistance.

Armed with a college degree, a veteran can expect to earn about $213,000 more in his lifetime than he could if he were only a high school graduate, according to the Bureau of the Census.

The Bureau of Internal Revenue estimates it will collect roughly $40,000 in taxes on the extra income. Thus, the Federal Government stands to get back more than six times its original investment of $6,300 in training allowances for one GI. I wish more of my investments could be this profitable.

Some 12.4 million veterans have received training under the three major GI bills during the past 26 years. In addition to becoming bigger taxpayers through this educational upgrading, these veterans have increased our national education average considerably and have themselves become better informed citizens and community leaders. Surely these benefits far outweigh the costs involved.

That is why I fully support this program and why I ask for your support today on this important legislation.

Mr. McKEVITT. Mr. Speaker, the Veterans' Affairs Committee of the House has done a commendable job in increasing the basic educational assistance allowance by 14 percent and expanding other portions of the program.

I had earlier proposed that a cost-of-living subsistence allowance be initiated in the program and, while the committee did not adopt this proposal, I will continue to seek application of this concept by requesting the Office of Education and the Veterans' Administration to conduct a special study to determine whether a program of this type might be eventually phased into the program. This concept primarily is directed toward the educationally gifted veteran who might not be able to pursue his chosen field under the present program. The proposed subsistence allowance would be based on guidelines that would be promulgated by the Administrator of the VA.

But despite this, the committee should be complimented for acting to increase veterans' benefits.

Mrs. HICKS of Massachusetts. Mr. Speaker, I rise in support of H.R. 12828, The Veterans Education and Training Amendments of 1972. This bill, which I have cosponsored, is part of a continuing effort to prevent rising costs from deterring our deserving veterans from using benefits which their country gratefully accords them. The high cost of education in our colleges and universities, the rising cost of living and inadequate assistance, all hinder veterans from completing their education. Historically this country has supported veterans in their readjustment to civilian life; this bill will give them additional support toward this goal. As a member of the Veterans' Affairs Committee I take it as my duty to insure the best possible programs of education and training for our returning veterans. My sponsorship of this bill is a result of my concern.

Over 2 million veterans of the Vietnam era have received some form of training under the present GI bill. However, this is only 38 percent of those who are eligible for these benefits. We must not allow one loyal veteran who has served his country well to be prevented from obtaining education or training because of inadequate assistance. Inflation, unemployment, and the increased costs of education are putting an intolerable burden on veterans who are trying to complete their education. We must not allow this burden to stand in the way of a veteran who is trying to help himself and his society. H.R. 12828 is designed to ease this burden and facilitate readjustment of these worthy veterans into our society.

H.R. 12828 provides an across-the-board increase of 14 percent for all types of educational assistance. Under the present law a single veteran attending college full-time receives $175 per month; H.R. 12828 provides an increase to $200 per month. This basic figure is increased upward for those with dependents. Though the Consumer Price Index has risen only 8.1 percent since the last change in educational assistance, we have tried to look ahead and safeguard the veteran against further increases in educational costs. The programs we offer our veterans in return for loyal service must be responsive to the veterans' present and future needs.

Apprenticeship and other on-the-job training programs are one of the best ways to quickly reassimilate the veteran into civilian life. The Education and Training Amendments of 1972 have tried to create a greater incentive for veterans to enter these programs and increase inadequate assistance to meet greater need. We have provided a 48-percent increase in assistance for on-the-job training programs to encourage our veterans to participate and at the same time insure that they are adequately supported in their admirable efforts.

This bill has a far more important purpose than to just increase assistance. I am personally gratified that corrections are proposed which will eliminate inequities in the benefits offered to women. Several provisions are included to equalize benefits for widows and wives with those for veterans. At this time wives and widows may not acquire training through correspondence courses and apprenticeship, on-the-job training programs. This unjust restriction has closed valuable avenues of education to wives and widows. H.R. 12828 eliminates this arbitrary restriction, thus enabling these women increased opportunity for education. The programs offered under the present system for wives and widows often require a high school diploma; these women must not be denied the benefits that their husbands have earned solely because they are educationally disadvantaged. H.R. 12828 provides a program to enable wives and widows to gain a secondary school diploma, without reduction in their entitlement, so that they may take full advantage of the benefits offered to them.

H.R. 12828 also provides for the elimination of dependency standards for the husbands of female veterans. This bill insures that female veterans and their husbands receive equal treatment with male veterans and their wives. We can no longer tolerate the inequitable distribution of veterans benefits. Our female veterans and the wives and widows of our veterans deserve their country's support in gaining an education no less than their fellow veterans and husbands.

In the Education and Training Amendments of 1972 we have provided a new program in an effort to be responsive to the needs of the veteran. Veterans' benefits are of no use unless they provide the assistance that the veterans need, when they require it most. We are well aware that the greatest expense of the school year falls at the beginning of the term. We have, therefore, designed a system of advance payments to help the veteran meet the costs when they arise. The veteran would receive the assistance payments in advance of attendance at the start of the term.

This bill is not a simple increase in assistance. H.R. 12828 is designed to make the entire educational program more responsive to the needs of the veteran. Our interests are that the veterans not only receive enough assistance to provide an impetus toward education, but that the programs offered are the programs that best meet the veterans' needs. In this fast changing world we must not only provide for the veterans' needs now but look forward to insure that our future veterans have the best possible assistance. H.R. 12828 is a far-reaching progressive proposal to change veterans' educational benefits for the better. Our veterans deserve every possible support in readjusting to civilian life and I shall not be satisfied until they receive the best programs and assistance available. H.R. 12828 provides for greater assistance and improved programs and I cannot urge its passage too strongly. This bill provides an opportunity to insure that our veterans will receive the most responsive assistance that our grateful country can give them; they deserve no less.

Mr. MIKVA. Mr. Speaker, I am pleased to rise in support of H.R. 12828. The bill will provide a moderate and richly deserved increase in the basic education benefits for veterans under the GI bill. In light of the skyrocketing costs of higher education, the present benefit levels are simply too low to enable many

veterans to attend the best school of their choice.

I regret that we are considering this bill under a procedure which does not permit amendments to be offered. I would have liked to offer an amendment containing the substance of H.R. 7659, a bill I introduced in 1971 to extend the maximum number of months of educational benefits from 36 to 54 months.

The GI bill of 1966 provided educational assistance for veterans at the rate of 1 month of benefits for each month of service, with a maximum of 36 months of benefits. Thus a draftee who served 2 years of active duty was entitled to 24 months of education benefits, while an enlistee who served for 3 years would be entitled to benefits for 36 months of schooling, or the equivalent of 4 full academic years.

Congress later realized that, under this provision, discharged draftees who entered college after completing their military service would be financially stranded after two and a half years of school. Therefore, in 1968, Congress passed Public Law 90–631, which increased the benefit rate to one and a half months of benefits for each month of service. This meant that draftees serving 24 months would be entitled to receive benefits for 36 months, long enough to enable them to complete 4 years of college. However, Congress failed at that time to raise the maximum number of benefit months allowable, with the result that draftees and enlistees alike were both entitled to a maximum of 36 months of benefits.

This erased the differential between enlistees and draftees, removing an incentive for enlistment and ending the earlier correspondence between length of time served in the military and extent of benefits afforded.

H.R. 7659 would cure this defect by raising the ceiling on the permissible number of months of education benefits to 54. Both draftees and enlistees would continue to be entitled to one and a half months of benefits for each month served, but enlistees would be eligible to receive benefits for a longer period than draftees based on their longer service in the military.

This extension would not be retroactive; it would apply only to those servicemen discharged or released from active duty subsequent to enactment of the bill.

These additional education benefits are well deserved by those veterans who voluntarily serve their country longer than they would otherwise be required and I hope that this subcommittee will honor their sacrifices by passing remedial legislation such as H.R. 7659.

Mr. Speaker, I am pleased to vote today to increase education benefits for veterans as provided in H.R. 12828. Hopefully, when the subject comes before us again, the House will have an opportunity to provide the additional relief which H.R. 7659 would bring.

Mr. ANDERSON of California. Mr. Speaker, I rise in support of H.R. 12828, a bill to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans.

For too long we have deluded ourselves that the problems of veterans were being adequately met. But they are not. The plight of the returning Vietnam serviceman must be dealt with at once.

In fiscal year 1970, 15.5 percent of all enlisted personnel leaving the military did not have a high school diploma, and 77 percent had less than 1 year of college education.

This lack of education and training has resulted in widespread unemployment among our returning veterans. Although the national unemployment rate is hovering around 6 percent, the unemployment rate for veterans from ages 20 to 29 is 8.4 percent; for those under age 20, 14.6 percent; and for minority group veterans from ages 20 to 24, an estimated 20.9 percent.

Yet, only 26 percent of veterans eligible for education benefits upon discharge are taking advantage of this opportunity.

And among those veterans who do not have a high school diploma, less than 10 percent are using any GI bill education benefits.

Education is expensive, but the long-term benefits illustrate the economic desirability of a college degree. Studies have shown that the average college graduate veteran can expect to earn about $213,000 more in a lifetime than he could with a high school diploma.

The bill before us today, H.R. 12828, is designed to meet this problem.

In order to encourage more veterans to take advantage of the program, and to aid those veterans who are currently in school or in training programs meet expenses, H.R. 12828 increases education benefits by 14 percent, and it increases on-job and apprentice trainees benefits by approximately 48 percent.

The rate for a single veteran in a full-time job-training program would be increased from $135 per month to $154 per month. A married veteran with no children would receive $207 per month.

A single veteran attending high school or college on a full-time basis would receive $200 per month, instead of the current $175 per month. The married veteran with no children would receive $234 per month.

Mr. Speaker, a survey of veterans expenses and assets conducted by the Cypress Community College Veterans Association indicates that the average married veteran needs a $93-a-month increase in benefits to meet expenses. The same study shows that the average single veteran needs a $120-a-month increase to meet expenses.

While this bill, H.R. 12828, falls short of meeting the full expenses of our veterans currently in school or in training, it is a step in the right direction.

However, I feel that we must increase veterans benefits to a minimum of World War II levels—when 50 percent of those eligible for benefits took advantage of this opportunity.

The veteran of today has served his country with no less dignity, courage, pride, and honor than any in our history. They have sacrificed no less and deserve no less than their fathers and uncles who were called to serve before them.

H.R. 12828 is a beginning and, as such, I heartily endorse it. Let us move with great dispatch, as our country and those who have served her faithfully have a great need for this legislation.

Mr. ESCH. Mr. Speaker, let me begin my remarks by recognizing the leadership and contribution that our distinguished chairman of the House Veterans' Committee has given to veterans legislation throughout the years. Certainly without his diligence and contribution we would not have the effective programs now in existence that serve so well those who served in our armed services. However, the present legislation, H.R. 12828, I believe, falls short of an adequate program to meet the needs of our returning veterans as they seek to gain additional education and training to equip themselves for private life. For that reason I rise to speak at this time.

Mr. Speaker, H.R. 12828 as reported by the committee is a very modest step in the direction of improving veterans' education programs; however, I am disappointed with the bill because it will not come close to providing adequate financial assistance for our Nation's veterans.

The original Veteran's Readjustment Benefits Act of 1966 established several worthy goals for the veteran's education program. In part the act stated:

> The Congress of the United States hereby declares that the education program created by this chapter is for the purpose of (1) enhancing and making more attractive service in the Armed Forces of the United States, (2) extending the benefits of a higher education to qualified and deserving young persons who might not otherwise be able to afford such an education, (3) providing vocational readjustment and restoring lost educational opportunities to those service men and women whose careers have been interrupted or impeded by reason of active duty after January 31, 1955, and (4) aiding such persons in attaining the vocational and educational status which they might normally have aspired to and obtained had they not served their country.

H.R. 12828 unfortunately does not live up to those goals.

As one who received benefits under the original GI bill, I can testify to the real benefits which the program provided me in continuing my education. I believe that we should offer the same benefits to our veterans today. Veterans of the Vietnamese conflict have served in what may be called the loneliest war in our history. In recent hearings before the Education and Labor Committee it was again shown that our returning Vietnam veterans suffer from an alarming rate of unemployment. It was estimated that almost 400,000 Vietnam veterans are now unemployed. Clearly we must do more to help these men make the transition to civilian life. Many of these young men do not have an adequate level of training to obtain civilian employment at the time they are released from military service. Many others want to upgrade their skills so that they can get a better job than they had before they went in. The Federal Government should work to assist every veteran in obtaining the necessary training and education to accomplish these goals.

In the area of on-the-job and apprentice training, H.R. 12828 offers significant

increases to help veterans gain necessary training for a better job. Increases for this category of veterans amount to about 48 percent.

Allowances for those veterans who are pursuing a fulltime course of evening adult courses are not offered under the proposal. This seems unfair to those veterans who want to improve their skills but find it necessary to hold down a day-time job.

Many of these issues were covered in my comprehensive veterans' education bill which I proposed last July. The proposal would pay up to $1,000 toward tuition and fees. It would have made a direct payment to schools for tuition fees, books, and related supplies. The system was designed to complement other Federal programs in higher education which have always emphasized that aid should be a function of a consumer choice mechanism. For the most part possible students should be able to choose institutions on their own. The limitations of the present bill will encourage veterans away from that concept by strictly limiting the amount of money available to the veteran who desires to attend the more costly private institutions of post-secondary education.

My proposal would have allowed sufficient flexibility for returning veterans to choose not only the type of training they desired but also where they wanted to receive that training with a combined system of subsistence allowances and direct payments to schools. This would not have provided the complete amount of money required to attend institutions of higher education but it would have gone a long way toward providing adequate levels of assistance to those who have served our country so bravely.

It is unfortunate that we are forced to consider this important program under a suspension of the rules. The questions raised in my statement deserve thorough discussion. The interests of veterans and the Congress would be better served with a debate of alternative approaches. No one in Congress can be against increasing veterans' aid programs; however, I am sure that there are many who are concerned, as I am, that the committee's proposal is far from adequate.

H.R. 12828 provides some very necessary increases in the veterans' education program; however, I am concerned that those proposed increases do not go far enough in providing an adequate level of support. The benefits accrued from the original GI bill, both to individual veterans and to the Nation, amply justified the expenditure of funds for such a program. The contribution made by our present-day veterans' demands that we offer them no less than we did those GI's who served our country during the Second World War and received education benefits under the original bill.

It is important for us today to recognize as we pass this bill that the only reasonable legislative alternative left to us is to urge the other body in its wisdom to pass a program similar to the bill sponsored by myself and 15 House colleagues, H.R. 12828.

Senator MATHIAS has already shown leadership in the Senate in sponsoring similar legislation. I am hopeful that action can be taken in that body to correct the deficiencies which I have outlined.

Mr. QUIE. Mr. Speaker, I fully support many of the improvements which will be made in the GI bill under H.R. 12828 now before the House of Representatives. I am especially pleased to see the improvements made in the on-the-farm training program.

I am, however, very disappointed that this bill, which increases educational allowances paid veterans of the Vietnam war, is coming up in the House of Representatives under a procedure which allows no amendment. I believe the House should have been allowed greater opportunity to work its will on this important subject.

One of the greatest investments the U.S. Government ever made was in the World War II veteran when benefits were paid so that the returning veteran could go to the higher educational institution of his choice. He could do so because the original GI bill provided tuition and expense payments directly to colleges and universities to cover the cost of tuition, library, health, laboratory, and other fees up to $500 for a school year plus a monthly subsistence allowance of $65 per month for the single veteran and $90 per month for veterans with dependents. With such benefits, the veteran could select almost any educational institution in the country to obtain what he considered to be the best education for his particular needs and goals.

The present GI bill is more limiting in its scope since it does not provide for payments directly to the educational institution to cover tuition and fee costs. Educational costs have escalated at a more rapid rate than the inflation in the economy generally.

According to the "Projection of Educational Statistics to 1980–81" to be published by the Office of Education, the estimated average basic student charges which include tuition and required fees, board and room for publicly controlled institutions of higher education has increased from $850 for the 1960–61 school year to $1,273 for 1970–71 and it is estimated to increase to $1,428 for the 1972–73 school year. The comparable figures for nonpublicly controlled institutions of higher education are $1,602 for the 1960–61 school year and $2,721 for the 1970–71 school year. The estimate for the 1972–73 school year is $3,107.

These costs are averages so that the higher-cost institutions would be effectively placed out of range for the veteran without access to other financial resources.

I believe that the Congress should amend the current GI bill to pay at least a portion of the tuition and fees in addition to the subsistence allowance and regret very much the fact that no amendments can be offered to accomplish this purpose.

Mr. ANDERSON of Illinois. Mr. Speaker, I rise in support of H.R. 12828, the Veterans' Education and Training Amendments of 1972, which would provide new or increased educational benefits to veterans and their survivors. Specifically, this legislation provides a 14-percent average increase in all forms of financial aid available for education and training under the GI bill. What this means, for instance, in the case of the single veteran pursuing a full-time institutional program is that his allowance will be increased from $175 a month to $200 a month. This represents a 100 percent increase over the allowance authorized when this program was initiated approximately 6 years ago. The rates for veterans with dependents would, of course, be increased proportionately in this legislation.

Mr. Speaker, I think it is significant to note that almost 3 million eligible persons have taken training under the present program and over 1.1 million beneficiaries were in training at the end of December 1971. These figures are nearly identical to the 6-year performance under the World War II and Korean programs, but a substantially higher percentage are now attending institutions of higher learning than did so under the earlier programs. I think it should also be pointed out that the provisions of this bill would make the program more accessible to veterans' survivors by removing certain restrictions on their entitlement to educational benefits. Widowers of female veterans would be eligible for certain survivor benefits for the first time under this bill.

Mr. Speaker, because of the rising cost of living, and especially increased educational costs, I think it is imperative that we approve this legislation. I urge my colleagues to join me in voting for H.R. 12828.

Mr. HOGAN. Mr. Speaker, as the sponsor of H.R. 10603, a bill in some respects more beneficial to returning Vietnam-era veterans than the measure we are considering today, I certainly support a revision of our current GI education benefits to make it possible for more of our young men who have returned from Southeast Asia to return to school as well.

Clearly, I would have preferred seeing my bill, with its more generous benefits, favorably reported by the Committee on Veterans' Affairs. In addition to providing a subsistence allowance of $175 per month with a sliding scale based upon the current assistance plan for those veterans with dependents, my bill would also have instructed the Veterans' Administration to make a direct payment to educational institutions for any eligible veterans of $1,000 per school year for the cost of tuition, required fees, books, and supplies. This latter provision would have restored the goals of the old GI bill by returning to the concept of a direct payment to the educational institutions by the Veterans' Administration.

The Committee on Veterans' Affairs has reported H.R. 12828 which, while increasing present basic allowances by 14 percent, does not include the $1,000 direct payment for tuition and required fees.

Further, H.R. 12828 contains a substantial increase of about 48 percent in the rates for on-the-job and apprentice trainees. With the serious employment problem facing our returning veterans, this provision is particularly laudable as

it will prepare veterans to join the workforce in responsible positions without requiring them to go through a lengthy college curriculum.

Mr. Speaker, as I said at the time that I originally introduced my bill, this type of legislation should be viewed both as a form of relief from further burdening our already tight labor market and, more importantly, as a token of our appreciation to those men and women who have made the civilian sacrifices concomitant with serving in the Armed Forces of our country.

I include the following article from the Washington Post of December 5, 1971, in the RECORD at this point. The article spells out what kind of student we can expect the Vietnam veteran to be and that we can expect large numbers of them to become student-veterans in this and the coming years. Clearly, there is a great need for revamping the system of educational benefits and I urge my colleagues to approve the legislation before us today to achieve this objective.

The article follows:

[From the Washington Post, Dec. 5, 1971]

THE VIETNAM VET: A DIFFERENT KIND OF STUDENT

(By Nancy Ball and Malcolm MacPherson)

The surest way to pick out a Vietnam veteran on an American campus these days is to look for the student who doesn't wear an old Army fatigue jacket or a Navy pea coat. He may be evident, too, by the close attention he pays in class. And chances are he will look older than the other students, if only around the eyes.

"These guys are really serious about school when they come back," says Conrad Wedberg, dean of admissions at the University of Southern California. "Almost to a man they've told me their experiences in the service had convinced them that they didn't like being uneducated and under somebody else's orders.

"Actually, you can legitimately say that they have a passion. They really want an education."

They must. The veteran on the GI Bill today puts up with a good deal more than veterans of past wars. In the first place, his $175 per month (if he's single) to $230 per month (if he has two dependents) is only a nice beginning to his yearly expenses. Out of it—and whatever private money he can come up with—he must pay for tuition, board, books and living expenses.

The new veteran must also put up with the unfriendliness, and sometimes actual hostility, of younger classmates. Frequently, he is asked if he was at the My Lai massacre.

"People want to know how many Vietnamese you've killed," says Cornell junior Philip Anderson, "and whether you liked doing it. And sometimes they start lecturing you about the evils of war—as if we need it, for God's sake."

At Northern Illinois University, some veterans claim they are singled out for attack by dove professors. "They're against some of us veterans," says Michael Leonard, an ex-Army captain who is now a pre-engineering junior. "You offer some of your personal experiences, and the professors say, 'No, that's not true. You had such a limited view of the war that you don't know what you're talking about.' "

It is also difficult for some vets to adjust to the social life. "The girls are not on our wavelength," says former Marine Ray Martinez. "They think about James Taylor and I'm still thinking in terms of night clubs."

Nevertheless, more than half a million Vietnam vets were attending institutions of higher education under the GI Bill last year, and this year the number is even larger. Unlike the veterans of World War II and Korea, these men seem generally disinclined to take a prominent part in campus activities.

Though it is rather rare to find one who supports the war, they do not tend to join antiwar groups and activities. And they are as a group, less radical than the nonveteran students.

William David Kennedy was a platoon leader in the infantry in Vietnam. Now back at Georgia Tech, he describes himself as "moderate to conservative, more conservative than the students as a whole, I guess. But I am nowhere near the gung-ho, naive idiot I was when I went over to Nam. All the deaths over there have been a waste, but I'm glad I didn't come back to the kind of college where there are kids waving the V.C. flag."

Kennedy's main problem on first coming back to school was "the de-violencing." On one occasion, he went to an amusement park which featured a mock Indian attack. "Without thinking, I was on the floor looking for my grenades," he recalls.

At the moment, there are bills pending in Congress to raise the basic allotments for single veterans to $220 a month—and accordingly higher for those with dependents. It is considered likely that these will pass.

Mrs. HECKLER of Massachusetts. Mr. Speaker, H.R. 12828, the veterans' education and training amendments, which we are considering today, is a measure of great significance to thousands of our veterans, for whom it provides the opportunity for further education. As a member of the Committee on Veterans' Affairs, and as one deeply concerned with the needs of our veterans, particularly our returning Vietnam veterans, I am strongly in support of the passage of this most timely and meritorious legislation.

The enactment of this legislation will hold great meaning for veterans ambitious to take advantage of the opportunity to further themselves through advanced training and education, but who find that their limited means make their further education barely possible. By allowing the cost-of-living increase contained within H.R. 12828 to become effective in law, the Congress is recognizing an obligation to help our veterans redirect themselves into the mainstream of American life.

Recently, the Veterans' Administration authorized a research project undertaken by Louis Harris and Associates. This project was a study of the problems facing Vietnam era veterans in their readjustment to civilian life. Among the findings of the study was one that indicated some 15 percent of returning Vietnam era veterans were unemployed. One positive result of the passage of this legislation will certainly be an inducement and encouragement to those veterans who have wished to further their education and training, but have been prevented from this action by their limited means.

I am pleased that the amendment I offered in committee entitling widowers of female veterans to eligibility for survivor benefits was agreed upon. This, too, is a highly important step forward in a recognition of individual rights, and the equality of rights.

The Education and Training Act amendments is also responsive to State needs inasmuch as it allows for a reimbursement formula for the costs incurred by the States as a consequence of their participation in these programs for the benefit of veterans. This increment of some 20 percent should encourage continuing efficiency and smooth operation at the State level.

I wholeheartedly support this legislation and urge its passage.

Mr. ZWACH. Mr. Speaker, I rise in support of H.R. 12828. This bill will provide a much needed increase in the educational allowance rates amounting to 14 percent for all eligible veterans, wives, widows, and children attending school. This increase should meet the rising costs of education in keeping with the basic philosophy of the original GI bill which was to provide an assistance allowance to meet, in part, the costs of a veteran's educational needs.

A single veteran under this bill will receive $1,800 for the usual 9-month course of education which should meet all, or substantially all of the total costs in hundreds of fine institutions of higher learning throughout the Nation.

For on-job and apprentice trainees there will be a 48-percent increase proposed by the administration. This will provide incentives to stimulate job opportunities for veterans.

In the past considerable difficulty has been encountered by veterans through delay in the initial payment of their educational allowance. This legislation will permit an initial payment for the first whole or partial month plus a full additional month once proof has been received that the eligible veteran actually has been enrolled in an approved institution of higher learning.

This bill also will permit otherwise eligible wives and widows the right to pursue correspondence courses and allows apprentice or on-job training for wives, widows, and children. Authority is also given for eligible wives and widows to take secondary level training without charge to their basic entitlement.

Under existing law a female veteran cannot claim a husband as a dependent unless it is proven that he cannot maintain himself because of disability. A section has been included in this bill that provides that for all Veterans' Administration purposes a husband will be considered as a dependent under the same terms as a wife is considered the dependent of a male veteran. This same provision would apply to widowers.

I am particularly pleased, Mr. Speaker, with one provision of the bill relating to farm cooperative training. It was my privilege to sponsor this amendment when the bill was under consideration in committee. Veterans in my district who are pursuing farm cooperative training programs have complained to me that at various times during the year when farming activities are at a peak it is virtually impossible to complete the necessary 12 hours of classroom work per week required by law. My amendment, which is now a part of the bill, will permit a veteran to complete 528 hours of classroom instruction annually prescheduled in any manner, so long as 80 hours are

completed in each 3-month period. Thus, it will be possible for a veteran to schedule his formal classroom instruction in such a manner that he is free to devote full time to farming during peak periods of farming activity, while increasing his formal training during periods of minimal activity. Additionally, Mr. Speaker, the amendment permits field trips and other group instruction not heretofore recognized in computing the number of hours of required classroom instruction.

I believe the bill is an excellent one and the farm cooperative training amendment lends the necessary flexibility to this program to make it more viable than it has in the past. I strongly support the bill and urge that it be passed.

Mr. DONOHUE. Mr. Speaker, no group of Americans is more rightfully entitled to our help and support than our war veterans, especially those returning home from Vietnam. They, particularly, return to an unstable economy, a lack of job opportunity, and the ever increasing cost of education.

H.R. 12828, the Veterans' Education and Training Amendments of 1972, which I sincerely hope will be overwhelmingly approved by the House, will go a long way toward helping these young men and women and our other war veterans attain the vocational and educational status they so urgently need and richly deserve.

The primary intent of this legislation is to provide a substantial across-the-board increase in the basic educational allowance and veterans with dependents would be increased proportionately. Additionally, the bill increases the rates of vocational rehabilitation and special training allowances. For the first time benefits would be equalized under these programs for spouses of male and female veterans. It also provides for advanced educational assistance payments to certain veterans, which should overcome the inordinate delay the veteran now too often experiences in receiving his allowance.

Mr. Speaker, in my deep conviction any indication of neglect toward or disinterest in programs of vocational training, educational assistance, and general welfare of our veterans and their dependents, especially in this critical period of our history, could be a major disaster to this country. It would represent an almost incredible unmindfulness of our Vietnam veterans who are tragically held to be the most "unwept, unhonored, and unsung" war heroes in all our history.

In summary, therefore, Mr. Speaker, this measure represents an equitable, prudent, and wise investment in the national interest and I most earnestly urge and hope that it will be resoundingly adopted here this afternoon.

Mr. BOLAND. Mr. Speaker, I rise in support of this legislation to broaden the GI bill's educational benefits. Among the most strikingly successful programs the Congress has ever enacted, the GI bill has put new educational opportunities within the financial reach of millions of veterans and their families. Almost 3 million people—veterans, their wives, their widows, their children—have taken part in the current program.

The central thrust of the legislation now before us is to increase basic educational allowances by 14 percent, significantly more than the 8.6 percent increase sought in the administration's bill. The time lag between the effective date of the last increase in benefits, February 1, 1970, and the effective date of the new increase proposed today, September 1972, makes the 14 percent figure fully justified.

The bill calls for wholesale increases—averaging a little more than 48 percent—in benefit rates for on-the-job and apprentice trainees. Hearings on H.R. 12828 revealed that the most pressing need for allowance increases exists among these trainees, men and women who now lack the financial incentive to carry through their training programs.

The bill, still further, would authorize advance payment of rehabilitation subsistence and educational assistance allowances, eliminating the nettlesome delays in the veteran's receipt of his allowance at the outset of whatever educational program he has undertaken. Other provisions of the bill call for liberalization of the eligibility requirements for correspondence courses, for institutional farm training, for the predischarge educational program (PREP).

One provision of H.R. 12828 merits special note here: it would make wives and widows eligible for correspondence courses, apprentice programs, and on-the-job training—granting them an opportunity for better jobs and better incomes without jeopardizing their family responsibilities.

Mr. MATSUNAGA. Mr. Speaker, few measures come before the House which are more deserving of support than H.R. 12828, which would increase the allowances to veterans or their families for education and training purposes.

As of December 1971, more than 1.1 million veterans or family members were enrolled in programs for which they were receiving benefits under this, the GI bill system. Nevertheless, it is clear that fast-increasing educational expenses have in many cases overburdened the veteran enrolled in the program, causing severe personal hardships, and in some cases discouraging participation in the program altogether.

Mr. Speaker, when the GI bill first paid the college and vocational education bills for the World War II veterans, it was quickly recognized to be one of the most successful and deserving of all governmental programs. In many ways, it has become today even more vital for the country, and for the individual veteran, than it was 25 years ago.

The Vietnam era veteran returns to his hometown in a much less favored position than his World War II counterpart. He finds that jobs are scarce, tuition is skyrocketing, and, instead of general adulation from those he has fought for, he finds that most people want only to forget about him and the war in which he served.

That is why, Mr. Speaker, the increases in educational and training benefits contained in H.R. 12828 are so important. The basic benefit for those enrolled full-time would be increased by 14 percent, from $175 to $200 per month. Vocational education benefits, and additional payments to veterans with dependents, would be increased proportionally. Further allowances for on-job and apprentice training programs would be increased 48 percent. As the Veterans' Affairs Committee points out in its thoughtful report on H.R. 12828, these allowances will be of direct benefit to those in greatest need of skill upgrading and job opportunities.

One other important provision, Mr. Speaker, would correct an often perplexing problem, that of the lag between the beginning of the school term and the veteran's receipt of his first check. H.R. 12828 would permit prepayment of the first partial monthly payment, and of the first full month's payment, so that the veteran could finance the substantial expenses incurred at the beginning of the term from the funds to which he is entitled but, until now, was unable to call upon.

Mr. Speaker, as one who benefited personally from the World War II GI bill, I recognize the substantial value of this program both to the veterans themselves, and to the country, for there is no more basic footing for democracy than an educated populace. I believe that H.R. 12828 would contribute substantially to that goal, and I urge its overwhelming approval by the House today.

Mr. MIZELL. Mr. Speaker, I have asked for permission to speak at this time in support of H.R. 12828, a bill to increase allowances for benefits under various veterans' educational assistance programs.

There is no segment of our society more deserving of this Government's assistance than that comprised of our veterans and their families.

Their contribution to our national life is a debt we can never fully repay, since without them there would not even be a government. Our gratitude for their service should be expressed in many ways, and not the least of them is the educational program we are seeking to strengthen and enlarge today.

The bill provides increased allowances for:

First. Service-connected disabled veterans receiving vocational rehabilitation assistance;

Second. Nondisabled veterans of service date on or after January 31, 1955; and

Third. So-called war orphans assistance for children of individuals who lost their lives from service-connected causes after the beginning of the Spanish-American War, as well as children and wives of totally disabled veterans of that period and widows of veterans who died of service-connected disabilities.

An average overall increase of 14 percent is provided for these education benefits. A substantially greater in-

crease, about 48 percent, is provided for on-the-job and apprentice trainees.

In addition to increasing education allowances, H.R. 12828 will—

One. Authorize advance payment of the rehabilitation subsistence—under the vocational rehabilitation program—and the educational assistance allowances. This provision will give the veteran or eligible person an initial advance payment for the first month or partial month, plus an allowance for 1 full month. Proof of actual enrollment in the educational institution will be required.

Two. Extend to wives and widows the right to pursue correspondence courses, and authorize apprentice or other on-job training programs for wives, widows, and children. These types of courses are presently available to veterans. Authority is also provided for eligible wives and widows to pursue secondary level training without charge to their basic entitlement.

Three. Waive the so-called 2-year rule when a school moves, provided it is determined that the school has substantially retained the same faculty, curricula, and students without a change in ownership.

Four. Change the name of the predischarge education program—PREP—the in-service program, to preparatory education program, and authorize payment of educational allowances in cases where the eligible person is pursuing a course "needed to obtain an equivalency certificate." At the present time, the only courses recognized in this program are those leading to a secondary school diploma.

Five. Provide for an alternate method of measurement of on-farm training courses, which is designed to permit the eligible veteran who is engaged in an agricultural occupation to meet his job requirements, which change seasonally as well as during each month, based on the type of employment. Under this new plan, a program may be considered as full time if it involves a minimum of 528 clock hours in a year, prescheduled to provide not less than 80 clock hours in any 3-month period. The present dual restriction for a minimum of 12 hours per week prescheduled over a 44-week school year is retained as an alternative. In computing clock hours under either of the above alternatives, time involved in field trips and individual and group instruction sponsored and conducted by the educational institution through a duly authorized instructor of the institution in which the veteran is enrolled is included.

Six. Provide for computation of the educational assistance allowance paid veterans pursuing a course of study by correspondence based upon 90 percent of the established charge which the educational institution requires of nonveterans pursuing the same course or courses. In effect, this will require the eligible veteran to pay a minimal 10 percent of the cost of his course, thus placing the correspondence training program on a par with flight training. At the same time, the benefit payable under this type of training program will be increased, by providing that the veteran's entitlement be charged with 1 month for each $200 paid him as an educational assistance allowance instead of the current $175. This is the same benefit provided in the bill for those who are pursuing a flight training program.

Seven. Place female veterans on a par with male veterans, by including a provision which states that for all VA purposes, a "wife" shall include the husband of a female veteran and the term "widow" shall include the widower of a female veteran. Under present law, in each case it must be shown that the husband or widower must be incapable of self-maintenance and permanently incapable of self-support due to mental or physical disability.

Eight. Authorize VA to employ full-time veteran students on an intermittent basis, at an hourly rate of pay equal to the minimum rate for a grade in the general schedule contained in section 5332 of title 5, United States Code determined by VA to be appropriated for the services rendered.

Mr. ANNUNZIO. Mr. Speaker, we have before us a comprehensive bill to increase and improve veterans' GI bill benefits, H.R. 12828. The Veterans' Education and Training Amendments of 1972 provide needed assistance increases and program improvements to keep the GI bill responsive to the needs of our veterans to whom we owe so much. I commend the Veterans' Affairs Committee and the gentleman from Texas, the Honorable OLIN E. TEAGUE, for the innovative and progessive bill which they have reported. This is only a further example of the Veterans' Affairs Committee's fine efforts over the years on behalf of our veterans.

Over 3 million veterans have received training under the GI bill programs, and in December 1971, 1.1 million beneficiaries were in training. This is a program of which the Congress can well be proud. However, changing times present new problems which require new solutions. It should be our goal to provide an up-to-date, responsive GI bill so that both our veterans and our country may benefit. I believe H.R. 12828 provides this type of needed improvement.

The education and training amendments provide a 14 percent increase in assistance across the board. This increase reflects the increase in the cost of living, and rising costs of tuition and books. At the present time, a single veteran attending school full time receives $175 monthly assistance. H.R. 12828 would increase this to $200 per month. The bill also provides corresponding increases for those veterans with dependents.

In order to accelerate the impetus for our veterans to enroll in apprenticeship and on-the-job training, H.R. 12828 increases the financial assistance for these programs by 48 percent. Experience derived from implementation of the Veterans' Readjustment Benefits Act of 1966, which H.R. 12828 extends, indicates that this is the area where the greatest need has occurred, and it is anticipated that the 48 percent increase will be helpful in stimulating job opportunities for our veterans.

This bill provides a new program of advance payments to enable veterans to receive advance assistance at the beginning of the term to cover the extra expenses which arise at that time. This is the kind of program which keeps the GI bill responsive to the needs of our veterans.

Another important improvement in the GI bill proposed in H.R. 12828 is the expanded program for the eligible wives and widows of our veterans. These women need the opportunity to pursue secondary level training as is provided to veterans in apprenticeship and on-the-job training and correspondence courses. These women are in most cases supporting the children of our loyal veterans who have died in service to their country, and they need all the help that we can give them.

These amendments also remove the inequitable dependency restrictions for women veterans to receive dependency allowances for their husbands. This change will place women veterans on an equal basis with those they have served with as equals.

The changes proposed by H.R. 12828 have a central theme—to make veterans' education and training benefits more responsive to the needs of this country's deserving veterans. H.R. 12828 is a comprehensive proposal to change veterans' benefits for the better. We have, over the years, put together a good solid program of education and training for those who have served their country well. This bill will keep that valuable program up-to-date and will realistically respond to the needs of our veterans.

I support the Veterans' Education and Training Amendments of 1972. I believe our veterans deserve nothing but the best.

Mr. MILLER of Ohio. Mr. Speaker, I wish to express my support for H.R. 12828, the Veterans' Education and Training Amendments of 1972, although I have some doubts with respect to the adequacy of the new allowance levels contained in the bill.

H.R. 12828—which is the third time the original allowance has been adjusted—provides a 14-percent cost-of-living increase in educational assistance, $175 to $200, and a 48-percent hike in on-the-job and apprentice training assistance. In addition, survivor participation in the program would be expanded and VA mailing lists would be kept confidential.

Although I can understand the committee's desire to keep close rein on the evaluation of the program and the obligations that are incurred under it, I think it would be more desirable, and beneficial to the eligible veterans, if we would anticipate future increases in the cost of living and make suitable adjustments in advance. An increase in the monthly allowance from $175 to $250 for single veterans with proportionate increases for veterans with dependents would not be too far out of line at this point given the escalating costs of education and present economic conditions.

Without incorporating a hedge against such expectables, the Congress will have to return in the near future to make another additional adjustment in allowance levels all the while the veteran is having this new increase eroded away. Instead of merely restoring pre-

vious purchasing power under the GI bill, we should move toward a different policy approach which can provide the eligible veteran with a better program, more suitable to his needs and academic demands. The post-World War II direct tuition payment benefited millions of veterans and with improvements in its administrative machinery it could be equally applied to today's Vietnam veteran.

I view the GI bill as an investment in the future of America and its costs are repaid many times over through the taxes derived from the increased earning power of GI bill trained and educated veterans. We cannot and must not forget those who answered their country's call and bore the battle. They deserve our respect and that extra measure of gratitude we can provide by offering them the opportunity and means to improve their lives through education and training.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise today to express my strong support for increasing the allowances provided veterans who continue their educational and vocational training under the GI bill.

There is no question that educational costs are rapidly rising and the Congress, in my judgment, must meet its responsibility to insure that those qualified and deserving veterans who are eligible to continue their studies under this program are not caught in a pinch between increasing costs and inability to pay for their education.

The GI bill is particularly valuable, in my judgment, because it does not provide a complete subsidy of educational costs. Instead, it requires the student to pay for his personal share of his expenses thereby gaining a financial stake in his education and benefiting from the increased motivation that stems from this personal equity.

Certainly the GI bill has proven itself in the past as an excellent encouragement for veterans to continue their educational progress as well as providing a means for individuals to pursue educational and vocational improvement where they might otherwise be prevented from doing so because of financial reasons.

In addition, as we move toward the necessary goal of an all-volunteer Army, the GI bill serves as an excellent inducement to encourage service in the uniformed services.

I am pleased the Committee on Veterans' Affairs has moved promptly to approve this important legislation and I am confident this House will pass it overwhelmingly.

Mr. FRENZEL. Mr. Speaker, I rise in support of H.R. 12828, the Veterans Education and Training Act of 1972. It is an essential part of the pattern of legislation which we are building in support of our returning Vietnam veterans. We are attempting here to provide these young servicemen with a firm support system for a successful return to civilian status and the opportunity to achieve a higher style of life.

This legislation will help to accomplish this basic goal by several varied methods: First, it will increase the rates of vocational rehabilitation payments, boost our educational assistance levels, and provide for special training allowances, and second, it will also provide for selected advance educational assistance payments and generally upgrade our basic educational assistance programs.

Additionally this legislation will either initiate or substantially expand programs for the on-the-job and apprenticeship training, for institutional farm cooperative training efforts, for increased assistance to children, wives, and widows and for monthly general subsistance allowance boosts.

These are all areas in which our Federal assistance is both wise and necessary. and I firmly support the efforts which we are making today. However, Mr. Speaker, despite our good intentions, we are, in this legislation, falling short of our obligations. It is in educational opportunities that we do not meet the challenge.

The level of assistance extended to those veterans returning from the Second World War certainly turned out results which easily justify the fiscal contributions made by the Federal Government. The services rendered by this present generation of war veterans are no less great. They require no less benefits than we gave their fathers.

However, a great number of changes have occurred in American society since World War II and we must accommodate to these also. Among most important of these is the diversity in size, type, and curriculum of our educational institutions.

The student today has a variety of educational opportunities, and he should have the opportunity to attend the one best suited to his individual needs and abilities. Unfortunately this legislation limits the amount investable in private colleges and universities and therefore limits the mechanism of consumer choice. I am hopeful that we can correct this failing in future legislation.

The veterans education and training amendments which we are now considering are a step in the right direction and I certainly urge their passage.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the bill H.R. 12828, as amended.

The question was taken.

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 359, nays 0, not voting 72, as follows:

[Roll No. 63]

YEAS—359

Abbitt	Andrews	Barrett
Abernethy	Archer	Begich
Abourezk	Arends	Belcher
Abzug	Ashbrook	Bennett
Adams	Ashley	Bergland
Anderson, Calif.	Aspin	Betts
Anderson, Ill.	Aspinall	Bevill
	Baker	Biaggi
Biester	Giaimo	Mizell
Bingham	Gibbons	Mollohan
Blackburn	Gonzalez	Monagan
Blanton	Goodling	Montgomery
Blatnik	Gray	Moorhead
Boggs	Green, Oreg.	Morgan
Boland	Green, Pa.	Morse
Bow	Griffin	Mosher
Brademas	Griffiths	Murphy, Ill.
Brasco	Gross	Murphy, N.Y.
Bray	Grover	Myers
Brinkley	Gubser	Natcher
Brooks	Gude	Nedzi
Broomfield	Hagan	Nelsen
Brotzman	Haley	Nichols
Brown, Mich.	Hall	Obey
Brown, Ohio	Halpern	O'Hara
Broyhill, N.C.	Hamilton	O'Konski
Broyhill, Va.	Hammer-schmidt	O'Neill
Buchanan	Hansen, Idaho	Passman
Burke, Mass.	Hansen, Wash.	Patman
Burleson, Tex.	Harrington	Patten
Burlison, Mo.	Harsha	Pelly
Burton	Harvey	Perkins
Byrne, Pa.	Hastings	Pettis
Byrnes, Wis.	Hathaway	Peyser
Byron	Hays	Pike
Caffery	Hechler, W. Va.	Pirnie
Camp	Heckler, Mass.	Podell
Carney	Heinz	Poff
Carter	Helstoski	Preyer, N.C.
Casey, Tex.	Henderson	Price, Ill.
Cederberg	Hicks, Mass.	Price, Tex.
Celler	Hicks, Wash.	Pucinski
Chamberlain	Hillis	Purcell
Chappell	Hogan	Quie
Clancy	Holifield	Quillen
Clark	Horton	Railsback
Clausen, Don H.	Hosmer	Randall
Clawson, Del	Howard	Rangel
Clay	Hungate	Rarick
Cleveland	Hunt	Rees
Collins, Ill.	Hutchinson	Reid
Collins, Tex.	Ichord	Reuss
Colmer	Jacobs	Rhodes
Conable	Jarman	Roberts
Conte	Johnson, Calif.	Robinson, Va.
Conyers	Johnson, Pa.	Robison, N.Y.
Corman	Jonas	Rodino
Cotter	Jones, Ala.	Roe
Coughlin	Jones, N.C.	Roncalio
Crane	Jones, Tenn.	Rooney, N.Y.
Culver	Karth	Rooney, Pa.
Daniel, Va.	Kastenmeier	Rosenthal
Daniels, N.J.	Kazen	Rostenkowski
Danielson	Keating	Roush
Davis, Wis.	Kee	Rousselot
Delaney	Keith	Roy
Dellenback	Kemp	Roybal
Dellums	King	Runnels
Denholm	Koch	Ruppe
Dennis	Kuykendall	Ruth
Dent	Kyl	Ryan
Derwinski	Landgrebe	Sandman
Devine	Landrum	Sarbanes
Dickinson	Latta	Satterfield
Dingell	Leggett	Saylor
Donohue	Lent	Scherle
Dow	Link	Schmitz
Downing	Lloyd	Schneebeli
Drinan	Long, Md.	Schwengel
Dulski	Lujan	Scott
Duncan	McClory	Sebelius
du Pont	McClure	Seiberling
Dwyer	McCollister	Shoup
Edmondson	McCormack	Shriver
Edwards, Ala.	McCulloch	Sikes
Edwards, Calif.	McDade	Sisk
Eilberg	McDonald, Mich.	Skubitz
Erlenborn	McEwen	Slack
Esch	McFall	Smith, Calif.
Eshleman	McKay	Smith, Iowa
Evans, Colo.	McKevitt	Smith, N.Y.
Evins, Tenn.	McMillan	Snyder
Fascell	Madden	Springer
Findley	Mahon	Staggers
Fish	Mallary	Stanton, James V.
Fisher	Martin	Steed
Flood	Mathis, Ga.	Steiger, Ariz.
Flowers	Matsunaga	Stokes
Flynt	Mayne	Stratton
Foley	Mazzoli	Stuckey
Ford, Gerald R.	Melcher	Talcott
Ford, William D.	Michel	Taylor
Forsythe	Mikva	Teague, Calif.
Frelinghuysen	Miller, Calif.	Teague, Tex.
Frenzel	Miller, Ohio	Terry
Frey	Mills, Ark.	Thompson, N.J.
Fulton	Mills, Md.	Thomson, Wis.
Fuqua	Minish	Thone
Gallagher	Mink	Tiernan
Garmatz	Minshall	Ullman
Gettys	Mitchell	Van Deerlin
		Vander Jagt

Vanik	Wiggins	Wydler
Vigorito	Williams	Wylie
Waggonner	Wilson, Bob	Wyman
Waldie	Wilson, Charles H.	Yates
Wampler	Winn	Yatron
Ware	Wolff	Young, Tex.
Whalen	Wright	Zablocki
Whitten	Wyatt	Zion
Widnall		Zwach

NAYS—0

NOT VOTING—72

Addabbo	Galifianakis	Pickle
Alexander	Gaydos	Poage
Anderson, Tenn.	Goldwater	Powell
Annunzio	Grasso	Pryor, Ark.
Badillo	Hanley	Riegle
Baring	Hanna	Rogers
Bell	Hawkins	St Germain
Bolling	Hébert	Scheuer
Burke, Fla.	Hull	Shipley
Cabell	Kluczynski	Spence
Carey, N.Y.	Kyros	Stanton, J. William
Chisholm	Lennon	Steele
Collier	Long, La.	Steiger, Wis.
Curlin	McCloskey	Stephens
Davis, Ga.	McKinney	Stubblefield
Davis, S.C.	Macdonald, Mass.	Sullivan
de la Garza	Mailliard	Symington
Diggs	Mann	Thompson, Ga.
Dorn	Mathias, Calif.	Udall
Dowdy	Meeds	Veysey
Eckhardt	Metcalfe	Whalley
Edwards, La.	Moss	White
Fountain	Nix	Whitehurst
Fraser	Pepper	Young, Fla.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Bell.
Mr. Hébert with Mr. Burke of Florida.
Mr. Stubblefield with Mr. Goldwater.
Mr. Kluczynski with Mr. Collier.
Mr. Cabell with Mr. McCloskey.
Mr. Addabbo with Mr. McKinney.
Mr. Alexander with Mr. Mathias of California.
Mr. Hanley with Mr. J. William Stanton.
Mr. Macdonald of Massachusetts with Mr. Steiger of Wisconsin.
Mr. Moss with Mr. Mailliard.
Mr. Fountain with Mr. Powell.
Mr. Fraser with Mr. Riegle.
Mr. Gaydos with Mr. Whalley.
Mrs. Grasso with Mr. Steele.
Mr. Rogers with Mr. Spence.
Mr. St Germain with Mr. Veysey.
Mr. Pickle with Mr. Thompson of Georgia.
Mr. Nix with Mr. Scheuer.
Mr. Udall with Mr. Whitehurst.
Mrs. Sullivan with Mr. White.
Mr. Symington with Mr. Meed.
Mr. Hawkins with Mr. Galifianakis.
Mr. Hanna with Mr. Dowdy.
Mr. Anderson of Tennessee with Mr. Pryor of Arkansas.
Mr. Baring with Mr. Pepper.
Mr. Lennon with Mr. Mann.
Mr. Hull with Mr. Metcalfe.
Mr. Stephens with Mr. Long of Louisiana.
Mr. Dorn with Mr. de la Garza.
Mr. Diggs with Mr. Badillo.
Mr. Davis of Georgia with Mr. Kyros.
Mrs. Chisholm with Mr. Eckhardt.
Mr. Davis of South Carolina with Mr. Young of Florida.
Mr. Curlin with Mr. Carey of New York.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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 March 1, 1972, the President approved and signed bills of the House of the following titles:

H.R. 8699. An act to provide an Administrative Assistant to the Chief Justice of the United States; and

H.R. 9180. An act to provide for the temporary assignment of a United States magistrate from one judicial district to another.

TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. BURTON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 860) relating to the Trust Territory of the Pacific Islands, as amended.

The Clerk read as follows:

S. 860

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. For the purpose of promoting economic development in the Trust Territory of the Pacific Islands, there is authorized to be appropriated to the Secretary of the Interior, for payment to the government of the Trust Territory of the Pacific Islands as a grant in accordance with the provisions of this title, an amount which when added to the development fund established pursuant to section 3 of the Act of August 22, 1964 (78 Stat. 601), as augmented by subsequent Federal grants, will create a total fund of $5,000,000, which shall thereafter be known as the Trust Territory Economic Development Loan Fund.

SEC. 2. The grant authorized by section 1 shall be made only after the government of the Trust Territory of the Pacific Islands has submitted to the Secretary of the Interior a plan for the use of the grant, and the plan has been approved by the Secretary. The plan shall provide among other things for a revolving fund to make loans or to guarantee loans to private enterprise. The term of any loan made pursuant to the plan shall not exceed twenty-five years.

SEC. 3. No loan or loan guarantee shall be made under this title to any applicant who does not satisfy the territorial administering agency that financing is otherwise unavailable on reasonable terms and conditions. No loan or loan guarantee shall exceed (1) the amount which can reasonably be expected to be repaid, (2) the minimum amount necessary to accomplish the purposes of this title, or 25 per centum of the funds appropriated pursuant to section 1. No loan guarantee shall guarantee more than 90 per centum of the outstanding amount of any loan, and the reserves maintained to guarantee the loan shall not be less than 25 per centum of the guarantee.

SEC. 4. The plan provided for in section 2 shall set forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement, repayment, and accounting for such funds.

SEC. 5. The High Commissioner of the Trust Territory of the Pacific Islands shall make an annual report to the Secretary of the Interior on the administration of this title.

SEC. 6. The Comptroller General of the United States, or any of his duly authorized representatives, shall have access, for the purpose of audit and examination, to any relevant books, documents, papers, or records of the government of the Trust Territory of the Pacific Islands.

The SPEAKER. Is a second demanded?

Mr. DON H. CLAUSEN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BURTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of S. 860 is to establish for the first time congressional guidelines for the development loan fund for the trust territory and also to establish a ceiling of $5 million on the funds which can be appropriated to it.

The development loan fund, whose purpose is to encourage the economic growth of the private sector in the trust territory, grew up in a very haphazard fashion in response to the need for local capital.

The present fund came into being in 1964 with a one-line authorization transferring $369,000 to an economic development fund. Since then the fund has grown through appropriations to the present level of almost $1.9 million. The administration has asked for the appropriation of an additional $1 million for fiscal year 1973. This would bring the fund up to a total of $2.9 million.

For a long time, I have been deeply concerned about the economic future of Micronesia. There are, I am sure, many Members present who remember World War II some of these islands: Kwajalein, Peleliu, Saipan where our forces drove out the Japanese in bloody battles. Actually there are 2,000 islands in all scattered across 3 million square miles of ocean. Or to put it another way, 100,000 people live in an ocean area the size of the United States.

After the war, the United States signed a trusteeship agreement with the United Nations and assumed responsibility for governing the islands of Micronesia in such a way that her peoples would be prepared to manage their own affairs. For the first 16 years after we conquered Micronesia, the United States paid little attention to those islands and they were allowed to languish through administrative indifference. When President John F. Kennedy assumed office his deep concern for the underprivileged extended to Micronesia, and America started to meet her responsibilities to those people. The Congress responded generously to the new programs of President Kennedy and the period of benign neglect ended for Micronesia. The policies initiated during the Kennedy era have been continued by succeeding administrations and Congresses. We have built schools, hospitals, powerplants, airports, water systems, harbors, roads, ships, and homes. I would not, for 1 minute, leave the impression that Micronesia is a modern American paradise. Nor would I declare that our administration has been particularly efficient.

But in the last 12 years, we have created a rather extensive superstructure of government and public works which is expensive to maintain. We have given, and are continuing to give, the Micronesians the benefits of a modern technical society which they cannot in any way support on their own.

As I stated before, Mr. Speaker, I have long been concerned about the trend in Micronesia. I have discussed it with the leaders of Micronesia many times, and with the officials of the Interior Department and with the Members of the Trusteeship Council of the United Nations.

And I would note, the concern expressed by the Trusteeship Council last year was that the people of Micronesia had become so dependent on American subsidies that they were no longer masters of their own destiny.

And this same attitude has been expressed by the Micronesian leaders themselves both in discussions with me and in the meetings of the Congress of Micronesia. It is not that the Micronesians are not grateful for the generosity of the United States, it is just that they would like us to show them how to pay for the technical society we have lead them into.

To put it another way, we have done a great job of showing the peoples of Micronesia how to spend money, but we have neglected to show them how to earn it.

The economy of Micronesia has remained consistently stagnant since the era of Japanese economic exploitation. Her exports declined 25 percent last year while her imports increased. While there have been plans for the economic development of the trust territory, the government itself has never had a consistent policy. I would like for a moment to pursue a few depressing statistics. There are approximately 91,000 people in Micronesia. The United Nations estimated the average per capita income at $1,000. In fiscal year 1971, about 12,500 Micronesians worked for wages. Some two-thirds of these were employed by a government agency. Most Micronesians still live in a subsistence economy. A cash economy exists principally in the district centers on the main islands.

Most businesses in the trust territory are small, individualistic enterprises with emphasis on the wholesale and retail trades, and on tourism.

Only in the areas of agriculture, marine resources and tourism does there appear to be a potential for growth. While Micronesians are not involved with large-scale commercial fishing, other Pacific nations are fishing in their waters. Funds allocated for developing marine resources have remained static. Tourism has grown at a moderate rate, with Saipan becoming particularly popular with Japanese visitors. Agriculture has generally been confined to the harvesting of coconuts for copra.

The growth of agricultural cooperatives has lagged due to the failures of government and the malfeasance of Micronesian government. Economic development has been hampered because of the vast distances between the principal islands. Sea transportation is unreliable and the principal shipping company, Micronesian Interocean Lines, was taken over by the government last year when it appeared to be at the point of financial collapse. Pilferage, damage and misdelivery of cargo is endemic.

Most Micronesians have no experience in business and start out as novices in any commercial enterprise. And finally, there is a lack of development capital, particularly high-risk capital. The government, in an attempt to protect an economically immature society from exploitation—a fear which the history of Micronesia well justifies—prohibits the transfer of land to non-Micronesians. Therefore, land is not available as security for loans.

The main islands of Micronesia are served by branches of either the Bank of America or the Bank of Hawaii. As is customary, the banks must get approval for large loans from officers outside the territory. The banks naturally seek low-risk loan opportunities. Being foreign banks, they cannot accept real estate mortgages. Because low-risk lending opportunities are limited, a recent report of the Congress of Micronesia estimated that one-half of the deposits in local banks probably are sent outside the territory for investment. As the last report of the Trust Territory Government showed only $7.7 million in total bank deposits, the shortage of development capital becomes readily obvious.

It was as a natural response to this situation that the Trust Territory Governments economic development loan fund grew up. It has increased from $369,000 in 1964 to $1,893,909.22 for the current fiscal year.

In a report of the Fourth Congress of Micronesia, January, 1972, titled "Economic Development in the Trust Territory of the Pacific Islands" there is the comment that the fund has "numerous operating problems, the most fundamental of which is that loans are in no way related to economic development priorities. This is reflected in both the amounts of the loans and in the enterprises which receive funds."

Previously, I had arranged for two members of our staff to go to Micronesia to study the policies of this fund. Their report came to precisely the same conclusion. The funds were not being used to encourage a logical economic development program. The loans were scattered all over the economic map with no apparent attempt to foster logical development of any particular industry. In addition, no technical assistance was given to recipients in setting up their businesses.

At present, the loan fund has no money available for investment other than that received in loan repayments.

It has on hand applications for $3.3 million in loans. There is no question of the need for additional capital in my opinion.

Up to January 31 of 1971, the fund had made 135 direct loans totaling $1.6 million and had guaranteed 69 commercial loans totaling $1.8 million.

The legislation before us seeks to create a more orderly use of economic development funds.

It requires a plan which must be approved by the Secretary of the Interior.

It provides that commercial loans must be unavailable before a borrower can receive money from the fund.

It permits either direct loans or guaranteeing of commercial loans.

It sets prudent limits on the amount of loans.

It requires an annual report on the operation of the fund.

It authorizes the Comptroller General to audit the fund.

I think this legislation establishes a proper framework for the operation of this fund and resolves the complaints I and other members of the committee have had.

The executives of the fund have estimated that increasing it to $5 million will result in generating an additional $5.8 million in direct loans and $7 million in guaranteed loans. Our committee has been assured that the policy of the fund is to shift away from consumer type loans to sectors which are involved in production such as marine resources, agriculture and manufacturing.

The loans are intended to help Micronesians start Micronesian-owned enterprises.

Speaker Bethwel Henry of the Congress of Micronesia stated recently:

> In the area of Micronesia's economy, we face great challenges in moving forward. At present, it is heavy with grant funds, while resources and development and the private sector remain under-nourished. Thus, while our coffers overflow, we find our policies bankrupt.

I would like to commend Congressman John SAYLOR, the distinguished ranking minority member of our committee, who introduced legislation—H.R. 1130—similar to this. Congressman SAYLOR deferred to the Senate bill to expedite the important objectives of establishing this fund.

The Economic Development Loan Fund is a good investiment not only for the peoples of Micronesia, but also for the United States which looks forward to the day when the territory will become self-supporting.

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

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

Mr. GROSS. Mr. Speaker, it was not so long ago, if I remember correctly, when the House authorized a considerable amount of money for this area in ex gratia payments, and so on. Is that not correct?

Mr. BURTON. Yes, the gentleman from Iowa is correct. The House Foreign Affairs Committee acted on, and the House approved paying the war claims and post secure claims carrying over from World War II. It will be at least another year before the claims start to be paid.

This loan fund authorization was requested by the administration. It would provide an additional $3.1 million to encourage private industry and private enterprise by way of the development loan fund in the Trust Territory of the Pacific. As the distinguished gentleman from Iowa knows, the Trust Territory of the Pacific consists of some 2,000 islands. There is little investment capital available.

It was the view of the administration—a view unanimously concurred in by our subcommittee and full committee—that this rather modest sum of an additional $3.1 million should be made available for private investment purposes.

Mr. GROSS. Would it not have been, perhaps, a little more provident to let the

dust settle on the other before coming up with an additional amount in this bill, in this authorization, and would it not have been well to wait in particular for the government of the trust territory to submit its plan to the Secretary of the Interior and have it approved before authorizing this money?

Mr. BURTON. The bill provides that funds will not be made available until the trust territory supplies a plan for the use of the fund and it is approved by the Secretary of the Interior. Our committee thought this would be a wise thing to do.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. BURTON. I yield to the distinguished gentleman from California (Mr. MILLER).

Mr. MILLER of California. In 1949 I had the privilege of visiting typical islands throughout the trust territory. These are the stepping stones in the Pacific which are of great importance to this country and its security. We spilled lots of American blood on these islands.

Now, unfortunately, there is nothing that we can offer these islands to sustain their activities, whereas when they were under the Japanese mandate they could produce the fatty oil, the copra oil, that Japan needed very badly. On some of the islands there were sugar plantations, but we cannot use their sugar, and there really is not enough of it. So this died on Tinian and Saipan. We left these people bereft of much of a way of making a living. It has been a part of our responsibility.

I believe we can hang our heads a bit that we have neglected these people, for whom we accepted responsibility from the United Nations.

Mr. BURTON. I thank the distinguished gentleman.

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

Mr. BURTON. I yield to the distinguished gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

Is it not true, as the gentleman's report says, that title II of the bill, S. 860, as presented, has already been authorized in separate legislation; namely, Public Law 92–39?

Mr. BURTON. The gentleman is correct.

Mr. HALL. Secondly, is it not true that there is some question about title IV at least insofar as the departmental views are concerned—and this pertains to the remarks of the gentleman from California (Mr. MILLER), who has just spoken—that, insofar as it involves servitude, including the draft, conscription, selective service, and so forth and so on, of these people, that it is against the United Nations mandate which we have agreed to abide by insofar as the trust of these territories is concerned?

Mr. BURTON. The gentleman is correct. The State Department contends it is a violation of the trusteeship agreement with the United Nations.

Mr. HALL. Is it the intention of the gentleman bringing the bill onto the floor under a suspension of the rules procedure to move that these two titles be amended out, or did the gentleman ask for consent to bring it up under suspension to amend out titles II and IV?

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

Mr. BURTON. I yield to the gentleman from Colorado, the distinguished chairman of the full committee.

Mr. ASPINALL. The gentleman from California, when he brought the bill before us under a suspension of the rules procedure, asked that it be considered as amended.

Mr. HALL. That is the question I asked. Is it the intention, then, to offer amendments to strike those two titles?

Mr. BURTON. It is our intention that the bill, as brought before the House for final approval, will be without the two titles the gentleman from Missouri mentioned, and also without title III.

Mr. HALL. I thank the gentleman.

Mr. DON H. CLAUSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 860, as amended, and reported by the Committee on Interior and Insular Affairs. The purpose of the bill is to promote the economic development of the Trust Territory of the Pacific Islands, of which the United States is the administering authority. This bill will assist in fulfilling our obligation, as trustees of ths area, and help to erase some long-standing and acknowledged weaknesses in our efforts to promote the private sector of the trust territory economy.

The bill authorizes the appropriation of approximately $3.1 million, to an existing fund, to create a total fund of $5 million to be known as the Trust Territory Economic Development Loan Fund.

The existing fund is the residue of the revolving fund established by the Interior and Related Agencies Appropriations Act of 1956, which provided for loans "to locally owned private training companies in the Trust Territory of the Pacific Islands." That fund was abolished by Public Law 88–488 in the 88th Congress and transferred the total assets to the Government of the trust territory as a development fund. The amount so transferred was in the sum of $369,000. Subsequent appropriations have increased the fund to a level of $1,893,-909.22. Since 1964, this revolving development fund has generated $3.4 million in direct and guarantee loans.

It is estimated that the additional appropriation authorized by this bill could generate an additional $12.8 million in direct and guarantee loans, with a shift away from consumer type loans to loans of productive economic activity in the fields of marine resources, construction, manufaturing, agriculture and tourism.

The bill provides that these funds will not be made available until the Secretary of the Interior has approved the plan or loan program submitted by the trust territory government for the use of the funds, and requires that no loan shall exceed 25 years from the revolving fund of direct and guarantee loans. The bill also provides that no loan or loan guarantee shall be made unless commercial financing is not available on reasonable terms and conditions.

In addition to other fiscal controls and accounting procedures, the bill requires the High Commissioner of the trust territory to make an annual report to the Secretary of the Interior on the use of the funds and permits the United States to have access to all the books, documents, and records for the purpose of audit and examination.

Mr. Speaker, the economy of the Trust Territory of the Pacific Islands is substantially a subsistence economy at the present time. A gradual shift to a money economy is the result of the numbers employed in the trust territory government. Economic development in this area is still dependent on the assistance of the U.S. Government to assist Micronesians in obtaining adequate capital for investment. Local resources for capital investment are limited as in any developing area and, without the influx of capital provided by this legislation, there will be few opportunities for employment, little to generate goods and services, and continued dependence in the United States. The economic development of the trust territory is one aspect of our trusteeship which has not progressed as well as our efforts in the social and political development of this area. Many factors have contributed to the slow rate of economic growth, including Micronesian custom and tradition. As a result, there has been, and there still is, a continuing Asian influence of capital and entrepreneurship in the Trust Territory of the Pacific Islands.

This bill, providing additional funds to promote the economic development of the trust territory is both necessary and timely, and I urge its passage.

Mr. SAYLOR. Mr. Speaker, I rise in support of this legislation as reported by the Committee on the Interior and Insular Affairs. As the sponsor of similar legislation, H.R. 1130, to promote the development of the Trust Territory of the Pacific Islands, I think the objectives of my bill and S. 860, as amended, will ultimately serve the same purpose.

S. 860 will authorize the appropriation of approximately $3.1 million to create a $5 million fund for the economic development of the trust territory through both direct and guarantee loans. These loans will be made in accordance with a plan to be approved by the Secretary of the Interior and submitted by the Government of the trust territory.

It is important to keep in mind that what we are authorizing in this legislation is essentially a loan program. And, these loans, will be made only if other types of financing are not available on reasonable terms and conditions. The bill provides for fiscal controls and accounting procedures, an annual report, and the audit and examination of the relevant books and documents.

The funds authorized to be appropriated for the economic development loan fund this legislation will be in addition to the existing funds which have been used as a revolving loan program to develop the present economy of the trust territory made up of wholesale and

retail trades, construction and housing, and tourist-related enterprises.

The additional funds authorized for appropriation by S. 860 will provide the capital to establish poultry and livestock enterprises and other agricultural businesses. Some of the loans are programed, we are told, for the purchase of construction materials, equipment, and the purchase of warehouses. Other loans are programed for boat building, manufacturing, beverage processing, ceramics, charcoal, handicrafts, shoes, island attire, coconut products, food processing and other businesses.

A major share of these new funds will go for loans to marine resource enterprises such as fishing, boats, and fish receiving and handling facilities.

The recent session of the Congress of Micronesia emphasized the need for more economic development of the trust territory. This growing awareness on the part of the people of the trust territory indicates that certain customs and traditions which have delayed economic development in the trust territory is a barrier to economic growth of this area. In a sense, the desire for more economic development in the trust territory is a concept whose time has come. And, we as the trustee of this area must accept the obligation and responsibility to assist the Micronesian people to achieve a money and self-sustaining economy.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of S. 860, which would promote the economic and social development of the Trust Territory of the Pacific Islands. The bill would authorize a grant of $3.1 million which, when added to the existing fund, would create for Micronesia an economic development loan fund of $5 million.

Micronesia—"tiny islands"—is viewed more and more as the Asian gateway to Hawaii and to the American mainland. Because of its strategic location, Micronesia will play an increasingly important role in Pacific development in the years ahead—an era which we hope will be marked by peace and progress.

Captured by American forces in World War II and awarded to the United States under a United Nations trusteeship a quarter of a century ago, the Islands extend across the central Pacific in a broad arc approximately 2,400 miles long and 1,000 miles deep. Micronesia consists of four main archipelagoes—the Marshall Islands, the Eastern and Western Carolines and the Marianas—among which travel is difficult, irregular, and expensive. These are some of the factors which limit the people of Micronesia to three principal fields of economic endeavor: agriculture, particularly the production of copra; fishing, mainly for tuna; and tourism, the fastest-growing resource. Micronesians also find that capital is difficult to obtain.

It was in these circumstances that Congress in 1964 established an economic development loan fund with the assets which were realized from the liquidation of a government-owned island trading company. The fund has had a tremendous beneficial impact on the Micronesian economy. Up to January 31, 1971, the fund had made 135 direct loans totaling $1.6 million and had guaranteed 69 commercial loans totaling $1.8 million.

The legislation we are now considering would authorize a grant of some $3.1 million to bring this fund up to $5 million. There can be no doubt that loans from this fund, as thus increased, will materially help to develop wholesale and retail trades, construction and housing, and tourist-related enterprises.

Mr. Speaker, it has been said by some in past years that America's stewardship of Micronesia has not been exemplary. The enactment of S. 860 alone will not silence this criticism; but the enactment of this bill, when considered with other recent legislation providing for improvement of education, health, transportation, and industry in the Trust Territory, will do much to improve the stature of the United States as a responsible and concerned trustee of Micronesia.

I therefore strongly urge a favorable vote for S. 860.

The SPEAKER. The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill S. 860, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BURTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed and on H.R. 9545, a bill passed earlier today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NINTH ANNUAL REPORT ON SPECIAL INTERNATIONAL EXHIBITIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs.

To the Congress of the United States:

As required by law, I hereby transmit to the Congress the Ninth Annual Report on Special International Exhibitions conducted during Fiscal Year 1971 under the authority of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256).

This report covers exhibits presented abroad by the United States Information Agency at international fairs and under East-West Cultural Exchange agreements. It also features exhibits and labor missions presented abroad by the Department of Labor, and trade missions organized and sent overseas by the Department of Commerce.

RICHARD NIXON.

THE WHITE HOUSE, *March 6, 1972.*

SALINE WATER CONVERSION PROGRAM

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12749) to authorize appropriations for the saline water conversion program for fiscal year 1973 to delete section 6(d) of the Saline Water Conversion Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 12749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to carry out the provisions of the Saline Water Conversion Act of 1971 (85 Stat. 159) during fiscal year 1973, the sum of $26,871,000 to remain available until expended as follows:

(1) Research expense, not more than $5,850,000;

(2) Development expense, not more than $12,,131,000;

(3) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities, not more than $5,085,000;

(4) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, not more than $1,075,000; and

(5) Administration and coordination, not more than $2,730,000.

Expenditures and obligations under paragraphs (1), (2), (3), and (4) of this subsection may be increased by not more than 10 per centum and expenditures and obligations under paragraph (5) may be increased by not more than 2 per centum, if any such increase under any paragraph is accompanied by an equal decrease in expenditures and obligations under one or more of the other paragraphs.

The SPEAKER. Is a second demanded?

Mr. HOSMER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I yield such time as he may consume to the chairman of the full committee, the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Speaker and Members of the House, this is one of the pieces of legislation coming from the Committee on Interior and Insular Affairs which requires an annual authorization before the appropriation is in order.

Mr. Speaker, in the 92d Congress, Congress enacted the Saline Water Conversion Act of 1971. That legislation consisted of an updating of the basic legislation charter under which the Secretary of the Interior carries on the saline water conversion program. In addition to updating and modernizing the law to more nearly reflect conditions of the 1970's, the act authorizes to be appropriated such sums as are specifically set out

in annual authorizing acts. H.R. 12749, which we are considering today is such legislation.

It is one of a continuing series which the Committee on Interior and Insular Affairs annually presents to the House. Conceptually, it is a simple bill, in that it does nothing more than authorize an appropriation for fiscal year 1973 in the amount of $26,871,000, the precise amount that has been requested in President Nixon's budget for this activity. The chairman of the Subcommittee on Irrigation and Reclamation which handled this bill, the gentleman from California (Mr. JOHNSON) will discuss the details and the justification for this amount. I would like first, however, to make some general observations about this program; to tell my colleagues how this member, and I believe most of the other members of the committee, now regard this program.

We have had the saline water conversion program for approximately 20 years. At the beginning, it had as its objective the development of technology through which mineralized water could be converted to the state of being useful for the entire range of economic purposes for which society uses water. This remains its sole and only objective.

We have had trouble through the years with this objective, because many people either did not recognize or chose to ignore that the objective had two dimensions. The first, and apparently the only one that many people recognize, is the physical dimension. Can we physically convert mineralized water? Well, obviously we could do this 20 years ago if cost were no object. The second dimension to the objective is that of economics. This is the dimension that has been overlooked through the years by those who would overdramatize this program and its potential. In the judgment of this Member, those who have held out the promise of "making the desert bloom," and those who have, for whatever reason, pointed to desalting as the universal panacea and substitute for other forms of water resource development activity are not friends of desalting, they are its enemies. They are its enemies because they foster false hopes which when not achieved, bring our efforts into disrepute.

There are people, both within and without Government, who continue to forecast and hope for a sensational breakthrough in desalting technology. Up to the present time, they have been disappointed and they are quite likely to continue to be disappointed, for we do not expect a breakthrough. We are, however, achieving a "workthrough." Let me amplify this point.

There are areas of public research and development where the goal is finite and readily definable. Our committee report on this bill lists some of these. For instance, an effective polio vaccine is a finite goal; sustaining a controlled nuclear reaction is another; and we could name any number of others. There is no such finite goal to desalting research. Progress in this area is measured by the extent that desalting technology is competitive with other water resource development technology in meeting society's water needs.

One has only to acknowledge the multiplicity of economic settings and alternative source available to water utility planners to realize that there is no set cost in cents per thousand gallons or dollars per acre-foot that, when achieved, will make desalting universally competitive. Indeed, there are economic settings where such is already the case, and they are becoming more prevalent as time goes on. The question then is not the cost of desalting in an absolute sense, but rather is any given cost competitive and apt to thus be selected for implementing action programs.

As our water needs increase, our conventional sources become more scarce and expensive. This fact, alone, tends to increase the number of instances where desalting is the most economical solution to a problem. As the state of the desalting art is enhanced through research and development and the absolute cost of desalting is reduced, there will be a corresponding increase in the number of applications; and this trend is being borne out every day as new plants are installed both here and abroad.

The mission of the Office of Saline Water in the Department of the Interior is to work toward that enhancement of the state of the art; not on an overpublicized crash-program basis, but on a deliberate, flexible, multifaceted basis.

It could be asked, why is the Federal Government financing this type of activity? Or, why not let the private sector put up the money for a program of this type? The answer is, of course, that industry simply cannot afford to take the risk that is inherent in this research. The return, if any, would be so long in coming that the research likely would not be undertaken. Saline water conversion research is no different in this respect than most all other publicly financed research.

In a similar vein it could also be asked how much of the enhancement of the state of the desalting art is creditable to the programs of the Office of Saline Water as distinct from the limited private and foreign research that is going on in the field? The answer to this question is difficult to determine. Indications are, however, that the vast percentage of gain in this area stems from the Federal program, as most other research in this field is proprietary either to the firm or country sponsoring it and it is thus not widely available for application generally. There is also the well-documented fact that there had been no appreciable improvement in the desalting art for ages prior to the inception of this program.

Mention of proprietary rights to desalting research suggests the subjects of patent policy, concerning which the committee gave considerable thought and study in its hearings and markup. Members will notice that, the committee did not adopt section 2 of the administration's proposed bill which would have repealed existing statutory policy on patents. The committee believed this area of the public's business to be of sufficient importance to justify a continuing legislative involvement, despite acknowledged problems in administering the existing statute. For this reason, we have set out in our committee report that we would be willing to consider amendatory legislation to correct deficiencies in the Saline Water Conversion Act of 1971.

Mr. Speaker, I have taken this time to offer these thoughts about the desalting program for two reasons. The first is to explain to the House the nature of saline water conversion research as distinct from other contemporary research programs; the better to justify its seemingly excessive duration. The second reason, is to make the point that the programs authorized by H.R. 12749 do indeed have a rational objective and that such objective is being attained.

Accordingly, I endorse fully the bill, H.R. 12749, and recommend its enactment.

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

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

Mr. GROSS. I believe the report indicates that there has been on the part of the Federal Government an expenditure of approximately $240 million for this purpose. Does that take all expenditures into consideration?

Mr. ASPINALL. Does it take all, did the gentleman say?

Mr. GROSS. Yes, take all of the Federal expenditures into consideration throughout the years?

For instance, this does not cover all expenditures of the Federal Government. The report says:

> Up to and including fiscal year 1972 there has been authorized for appropriation, pursuant to the foregoing statutes, the aggregate amount of $239,088,000.

I said $240 million just to use a round figure.

Mr. ASPINALL. That is correct.

Mr. GROSS. And that is the total?

Mr. ASPINALL. That is the total since the program was enacted back in the year, if I remember correctly, 1952.

Mr. GROSS. Does that include the expenditures by the Atomic Energy Commission for this purpose?

Mr. ASPINALL. The Atomic Energy's contribution is very minor.

I will yield to my friend, the gentleman from California (Mr. HOSMER), for his answer to that.

Mr. HOSMER. I thank the gentleman for yielding.

In answer to the inquiry of the gentleman from Iowa, it does not. But what work the Atomic Energy Commission has done in this area has been done under contract from the OSW, and therefore the money is on the budget of the OSW, and not on the AEC.

Mr. GROSS. How much would that be?

Mr. HOSMER. These are small, individual contracts for specific types of research that the OSW might require to

correlate into its entire program, and we have not even bothered to make a separate accounting of this. In this year I would imagine it might be as high as $50,000, maybe more or less.

Mr. ASPINALL. Not very much more.

Mr. GROSS. If the gentleman will yield further, this does not include the appropriations that have made for carrying out desalting experiments in foreign countries, is that correct?

Mr. ASPINALL. This includes whatever authority the Office of Saline Water has for carrying out any of its activities in foreign countries.

My colleague will remember that just a few years ago we cut back on this. And my colleague will also remember that in the foreign aid program that the state of Israel had secured a loan, but I can tell my colleague as far as I know, that has never been activated.

Mr. GROSS. The Israel deal started out at $40 million and was approved by the House, as I remember, at $20 million. I do not believe it was a loan. If so, it would certainly be considered as a grant because I doubt this Government would ever get anything back because they were out to do, what the gentleman from Colorado insisted a few moments ago could not be done economically—make the desert bloom.

Mr. ASPINALL. That is right.

Mr. GROSS. That was their announced plan. Their need for the $20 million was to produce fresh water to irrigate for the purpose of growing crops.

I notice there is an increase in the administrative costs of the bill. Why would there be an increase in the administrative costs of the bill when the report also states that there will be increases in the staff?

Mr. ASPINALL. There are certain pay raises that have to be taken into consideration. This is incorporated in the new authorization.

Mr. GROSS. The gentleman has stated that there has been no real breakthroughs in the production of fresh water, in the desalting process—no breakthroughs from the economic standpoint.

Mr. ASPINALL. If my colleague will permit me, I tried to draw the difference between a spectacular breakthrough and a workthrough. Working on the reverse osmosis program at the present time, it looks as if we will be able to get a workthrough achievement and this is what we are trying to do.

Mr. GROSS. Does the gentleman see any end to these appropriations for this purpose?

Mr. ASPINALL. I would not suggest to my friend that I can see at this time any end to this kind of a program because water is so necessary for human life—and the way we are operating at the present time and in view of the requirements of environmentalists, and with the desire that we keep our waters as pure as possible, I think the saline water program will have much to offer in days to come in trying to find answers so that suitable water may be available where required.

Mr. GROSS. I thank the gentleman.

Mr. HOSMER. Mr. Speaker, I rise in support of H.R. 12749, to authorize appropriations for the saline water conversion program for fiscal year 1973.

This bill authorizes the appropriation of $26,871,000 to carry out the activities of the Office of Saline Water, of the Department of the Interior, in fiscal year 1973. The Office of Saline Water proposes to conduct its desalting research and development program for fiscal year 1973 in five major categories.

In the research category, the request is for $5,850,000. This is an increase of $375,000 which reflects the increased emphasis to be placed on the development of sea water membranes, geothermal brines, heat transfer and materials, and renewed research on the freezing process. In the development category, the request is for $12,131,000. This figure reflects a $1,931,000 increase over the 1972 development program, will involve the construction of a new freezing process pilot plant, and the continuing development work and operation of existing pilot plants involving other processes constructed in fiscal 1972.

The emphasis will be on the development of the sea water and brackish water reverse osmosis systems and the total system feasibility of desalting actual geothermal brines.

The design, construction, etcetera test bed and test facilities category reflects a $2,300,000 reduction over the fiscal 1972 authorized program. The reduction is the result of the nonrecurring expense for acquisition and construction of two reverse osmosis test beds and modification of existing plants. The request for fiscal 1973 of $5,085,000 will be spent for the first year operation of the two reverse test beds, operating and maintenance cost increases, and some modification and updating of 9-year-old facilities to modern technology.

The module category is reduced by $350,000 as a result of the reduction in operating funds required for the multistage flash module at San Diego, Calif. The request for $1,085,000 in fiscal 1973 will be spent on improving operations on existing modules with no new procurements.

The increase of $190,000 reflected on the request of $2,730,000 for administration is to cover the 1971 pay increase. No additional staff is requested.

Mr. Speaker, the request of the Office of Saline Water for $26,871,000 for its fiscal 1973 program has received the careful scrutiny of the Committee on Interior and Insular Affairs. The program for fiscal year 1973 indicates some desirable changes in the Office of Saline Water program. The proposed program for fiscal year 1973 indicates a trend toward matching research and development to on-going plant operation to obtain the maximum values, rather than multiple-stage development of processes and hardware requiring increasing program costs.

The committee, in considering the administration request to delete the present provisions of the Saline Water Conversion Act relating to patents, was of the opinion that a sufficient case for the repeal of section 6(d) was not made before the committee. Accordingly, the committee chose to retain those provisions in the law. A more complete justification for repeal of section 6(d) in the future could achieve that end or more desirable language so as not to foreclose or deprive the program of available expertise in this field.

Along with the change in program, the saline water program is making major strides in advancing the technology of desalting water. On January 27 of this year I was privileged to participate with the Secretary of the Interior in the Fountain Valley inaugural ceremony of the joint effort by the Office of Saline Water and the Orange County Water District of Orange County, Calif., to combine an advanced Office of Water Saline VTE/MSF module with the world's largest water reclamation plant. This plant represents the fine cooperation between the Office of Saline Water as a Federal interest and the local and State interests. This joint effort will be a significant development tool for the Office of Saline Water, it also will help meet the water needs of Orange County by providing water for blending wtih reclaimed waste water and injection into natural aquifers to prevent sea water intrusion.

Another area in which the Office of Saline Water program is moving toward some meaningful progress, hopefully, is in the studies and experimental investigations underway for desalting geothermal brines. The 1973 Office of Saline Water program contemplates the placement of a small scale pilot plant to an operating geothermal well in the Imperial Valley of California to demonstrate feasibility of the multipurpose use of geothermal water for combined desalting and power generation processes. This effort is being fully coordinated with the Bureau of Reclamation of the Department of the Interior. If R. & D. ultimately is successful, and the necessary major investments are made, it is conceivable that there may be produced upward of 2.5 million acre-feet of water per year for the Colorado River system and possibly to 10 million kilowatts of electrical generating capacity added to the Pacific Southwest power system.

These efforts indicate that the program of the Office of Saline Water, its available processes, technology, and costs, are being related to local, State, regional and national water resources planning. And the impact of this program on the current and future national water supply needs becomes increasingly recognized.

Mr. Speaker, I urge the rules be suspended and the House pass H.R. 12749, as reported by the Committee on Interior and Insular Affairs.

Mr. Speaker, I yield to the gentleman from Pennsylvania such time as he may require.

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 12749, a bill to authorize the appropriation of $26,871,000 for the saline water conservation program for fiscal year 1973 and for other purposes.

Public Law 92–60, which became law during the last session of this Congress,

expanded and extended the desalting program being conducted by the Secretary of the Interior. That act specifically requires annual legislation to authorize appropriations for the program.

The amounts authorized for appropriation by this bill are set forth in detail by category of expected expenditure and are compared with fiscal year 1972 appropriations in the report accompanying this bill. The comparison reflects a net decrease of $154,000 in total authorizations due primarily to emphasis on studying conversion of geothermal brines and corresponding deemphasis on multistage flashing distillation programs in which no new procurements are presently desirable. The latter program focuses on conversion of sea water to potable water while the conversion of geothermal brines focuses on increasing the quality of less salty waters found in relatively water-short inland areas.

Another trend that promises good results for the 1973 program is reexploration of freezing processes for treatment of geothermal brines in light of new concepts for washing ice crystals to remove surface salts. The need for procurement of pilot plant hardware for freezing processes and for the treatment of geothermal brines is the reason for increase of $1,931,000 in authorizations allocated to development over fiscal year 1972.

The results of the saline water conversion program are not startling. They are not generally front page newsprint. Systematic scientific research seldom is. The Committee on Interior and Insular Affairs, the Department of the Interior, and those interested in converting chemically contaminated waters recognize that fact and do not expect sensational results. The purposes of the program can best be achieved, in this committee's opinion, by well-planned, deliberate—though short—steps subject to careful analysis and critical review rather than by the inauguration of crash programs.

Critical review by the program administrators and by this committee has resulted in the committee's insistence that procurement of new hardware beyond that necessary for pilot projects not be initiated until the research findings of on-going operations have been thoroughly evaluated.

The Office of Saline Water and others have expressed dissatisfaction with section 6(d) of the Saline Water Conversion Act of 1971 requiring that patents and process information developed with program funds be publicly available, subject to certain exceptions. The committee's principal reason for retaining that requirement in the law was to retain congressional oversight of the subject matter. I hope, however, that this will not be interpreted as precluding reconsideration of the matter in light of future events.

Although the saline water conversion program expenses for fiscal year 1973 will be less than for fiscal year 1972, program activity is increasing. As results are evaluated, the state of the art improves.

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

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

Mr. MYERS. A few weeks ago I read an article that referred to an International Conference on Water. As I recall, at that conference the statement was made that within only a few years there would be a severe shortage of fresh water for consumption. I see nothing in the report relative to that International Conference. Was any attention given to that study?

Mr. HOSMER. We have had a number of international studies in this regard. We had one in Washington 3 or 4 years ago. The committee is generally aware of those studies. I am not particularly aware of the precise one the gentleman is talking about. I know of this kind of study involving predictions of poverty, misery, and shortages of anything and everything in the future. Of course, that basically is what our efforts are designed to alleviate and overcome by the application of scientific thought and procedures, as this program provides.

Mr. MYERS. If the gentleman will yield further, I frankly do not remember what the figures were given in this report, but it seems like within 100 years they were predicting that at the present consumption, and projecting that on out, there would be a shortage or maybe even a complete lack of fresh water within 100 years, unless something such as what is proposed was done.

Mr. HOSMER. That is perfectly true. We are all familiar with a number of studies of that kind, and it will be the job of those of us today and those who will come after us in the future to conserve our resources so they will still be available for use. That will involve not only the reclamation of waters from the sea but also tremendous efforts in the conservation and use of water, and in the prevention of its pollution by some of the industrial and other processes that we have engaged upon through not adequately tending to the needs of the environment.

Mr. Speaker, I reserve the balance of my time.

Mr. JOHNSON of California. Mr. Speaker, I yield myself so much time as I require to speak in behalf of H.R. 12749, a bill to authorize appropriations for the saline water conversion program for fiscal year 1973. This measure, as reported from the Committee on Interior and Insular Affairs, authorizes appropriations of $26,871,000, a sum of $154,000 less than was authorized for fiscal year 1972.

In keeping with the procedure of previous years, the authorization is in five categories of expense, with limited latitude for transfers between the categories. The department may transfer, or reprogram, up to 10 percent into any given category provided that there is a corresponding reduction in one or more of the other categories. The one exception to this is the category for administration and coordination, where the limitation on reprograming is 2 percent.

The major trend in the program for fiscal year 1973 is a deemphasis in large scale distillation hardware procurement; there being no items of purchase authorized for either the module or test bed categories. The bill does authorize the acquisition of two significant pilot plants and this authority is reflected in an increase in the development expense category for fiscal year 1973 over the authorization of 1972.

In detail, this bill authorizes an increase of about 6 percent in category 1, research expense, in the amount of $375,000 to a level of $5,850,000. In this activity, there will be a continuation of basic and applied research leading to the improvement of materials and components for all processes. This is the activity where the most risk of failure is involved, while at the same time discoveries and information are forthcoming on which to base future improvements in the state of the desalting art.

Category 2, development expense, which is the source of financing of pilot plant activity, is increased by the bill by about 19 percent or $1,931,000 to the level of $12,131,000. The authorized program will allow the Office of Saline Water to acquire a pilot plant for the freezing process and also to design a pilot plant for use on geothermal brines. These two items of procurement illustrate another major trend in the program; for instance, a cooperative program with the Bureau of Reclamation for production of potable water from geothermal resources, and the renewal of activity in the freezing process.

There is considerable evidence that our geothermal resources, particularly those in the Southwestern United States may be developed as major sources of usable water. As these water resources are highly mineralized, desalting procedures will be necessary. This source of water has two principal advantages over the sea. One is a locational advantage, being inland near the point of need. The other advantage is found in the fact that the water is extremely hot in its natural condition and thus a great saving in fuel cost can be expected.

The freezing process, which has several well-known theoretical advantages over distillation processes has had an erratic history in the saline water conversion program. Less energy is required to convert cold water to ice than is necessary to convert hot water to steam. Also, cold brines are not as difficult to handle from the materials standpoint as are heated brines. Despite these two advantages, the freezing process has been restricted by difficulties in separating and rinsing the pure ice crystals. Recent developments in bench scale testing offer promise of overcoming the rinsing problem and justify a pilot plant scale operation at this time.

The third category of expense in the bill is test beds. These are fairly large-scale plants where technology is given what may be called the "semifinal" test before it is expanded to full-scale operational size. This category is being reduced about 30 percent from the 1972 level. The actual reduction of $2,350,000 to a level of $5,085,000. This program is for operation and maintenance and modification of existing test beds and does not involve purchase of any new facilities.

The fourth category of expense is modules. This is the activity where full-size

components of large-scale production units are constructed and tested. There are no new facilities of this character contemplated for fiscal year 1973, and the authorization is related solely to operation of existing facilities. This accounts for a reduction of $350,000, approximately 25 percent, in this activity. It will also be of interest to note, in this connection, that the Department testified that the large module center at San Diego, Calif., would not be maintained after fiscal year 1973. This is a most healthy trend, in that it illustrates a realistic willingness on the part of the Office of Saline Water to carry process development to a reasonable stage and then turn it over to others for commercial implementation.

The last category is for administration and coordination. Here an increase of about 6 percent—$190,000—is provided in the bill. This amount is required to fund for a full year the new positions authorized to the Office of Saline Water in fiscal year 1972. No new positions are authorized for the agency in fiscal year 1973.

Mr. Speaker, our subcommittee held full and complete hearings on H.R. 12749. Our record offers assurance that the program is being sensibly and conservatively administered. The newly appointed director gives every indication of furnishing clearheaded, business-like management to program development as well as program execution. He has given evidence of willingness to forego empire building and to make the difficult decisions. The bill we have brought to the floor today is testimony to this type of management.

As one Member, I am not disillusioned with the saline water conversion program. I am, to the contrary, optimistic that it will result inevitably in providing water utility planners a new tool for meeting our growing national water needs, and that is why we are in the business. Accordingly, I support this measure and urge all Members similarly to do likewise.

The SPEAKER. The question is on the motion offered by the gentleman from California that the House suspend the rules and pass the bill (H.R. 12749) as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to authorize appropriations for the saline water conversion program for fiscal year 1973."

A motion to reconsider was laid on the table.

EXTENDING THE INDIAN CLAIMS COMMISSION

Mr. HALEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10390) to extend the life of the Indian Claims Commission, and for other purposes, as amended.

The Clerk read as follows:

H.R. 10390

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 of the Act entitled "An Act to create an Indian Claims Commission, to provide for the powers, duties, and functions, thereof, and for other purposes", approved August 13, 1946 (60 Stat. 1049, 1055), as amended (75 Stat. 92; 25 U.S.C. 70v), is hereby amended by striking said section and inserting in lieu thereof the following:

"DISSOLUTION OF THE COMMISSION AND DISPOSITION OF PENDING CLAIMS

"SEC. 23. The existence of the Commission shall terminate at the end of twenty-nine years from and after April 10, 1947, or at such earlier time as the Commission shall have made its final report to the Congress on all claims filed with it. Upon its dissolution the records and files of the Commission in all cases in which a final determination has been entered shall be delivered to the Archivist of the United States. The records and files in all other pending cases, if any, including those on appeal shall be transferred to the United States Court of Claims, and jurisdiction is hereby conferred upon the United States Court of Claims to adjudicate all such cases under the provisions of section 2 of the Indian Claims Commission Act: *Provided,* That section 2 of said Act shall not apply to any case filed originally in the Court of Claims under section 1505 of title 28, United States Code."

SEC. 2. Section 27(a) of such Act of August 13, 1946, as amended (25 U.S.C. 70w), is amended by striking said section and inserting in lieu thereof the following:

"TRIAL CALENDAR

"SEC. 27. (a) The Commission from time to time shall prepare a trial calendar which shall set a date for the trial of the next phase of each claim as soon as practical after a decision of the Commission or the United States Court of Claims or the Supreme Court of the United States makes such setting possible, but such date shall not be later than than one year from the date of such decision except on a clear showing by a party that irreparable harm would result unless longer preparation were allowed."

SEC. 3. Section 27(b) of such Act of August 13, 1946, as amended (25 U.S.C. 70w), is amended by striking said section and inserting in lieu thereof the following:

"(b) If a claimant fails to proceed with the trial of its claim on the date set for that purpose, the Commission may enter an order dismissing the claim with prejudice or it may reset such trial at the end of the calendar."

SEC. 4. Section 6 of such Act of August 13, 1946 (25 U.S.C. 70e), is amended by adding at the end thereof the following: "There are authorized to be appropriated for the necessary expenses of the Commission not to exceed $1,500,000 for fiscal year 1973, and appropriations for succeeding fiscal years shall be made only to the extent hereafter authorized by Act of Congress."

SEC. 5. Such Act of August 13, 1946, is further amended by adding at the end thereof a new section as follows:

"SEC. 28. On the first day of each session of Congress, the Commission shall submit to the Committees on Interior and Insular Affairs of the House of Representatives and Senate a report showing the amount of work remaining to be completed by the Commission, stating whether, in the judgment of the Commission, the work can be completed before the dissolution of the Commission as provided in this Act, and explaining the basis for that judgment."

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HALEY. Mr. Speaker, I yield to the gentleman from Colorado, the chairman of the full Committee on Interior and Insular Affairs, such time as he may consume.

Mr. ASPINALL. Mr. Speaker, the Indian Claims Commission was established in 1946 for the purpose of allowing any Indian tribe to sue the United States for a claim that arose before that date. The tribes were given 5 years to start their litigation and, if they did not do so, their claims were forever barred. The Indian Claims Commission was intended to provide a forum for settling all old claims of Indian tribes, and to put an end to the practice of enacting special jurisdictional acts to permit individual tribes to sue the United States.

The Indian Claims Commission was expected to adjudicate all claims filed within the 5-year period, and to finish its work by April 10, 1952. This proved to be impossible for a number of reasons, which I shall not review now, and Congress extended the life of the Commission to 1962, then to 1967, and then to 1972. The last time the life of the Commission was extended, Congress also increased the number of Commissioners from three to five. The Commission still has not finished the claims that were filed between 1946 and 1951, and it has asked for another 5-year extension.

The Committee on Interior and Insular Affairs has been unhappy about the failure of the Commission to complete its business. In fact, the Commission was told 5 years ago that the extension granted then would probably be the last one. In spite of that warning, the Commission has not brought the litigation to a conclusion. A substantial amount of work still remains to be done.

To be fair, however, I should point out that the delay is not entirely the fault of the Commission. Both the plaintiff attorneys and the Department of Justice representing the United States have asked and received numerous extensions. They must share some of the blame for the delay.

Nevertheless, the primary responsibility must rest with the Commission. Five years ago Congress required the Commission to set all claims for trial, and directed the Commission to dismiss a claim if the plaintiff tribe failed to go to trial on the date set. The Commission did not comply with the spirit of this instruction. If the Department of Justice, rather than the tribe, was not ready for trial, no provision was made for entering a default judgment against the United States—that would not have been practical—but the Commission could have warned the Congress that the Department of Justice was making it impossible to complete the litigation on schedule, if that was, in fact, the case. The Congress was not warned.

We are now faced with a dilemma. I believe that everyone would agree that some provision must be made for completing the litigation. The Indians cannot be denied a forum. The Committee on Interior and Insular Affairs considered two alternatives. One alternative is to

let the Commission expire on April 10 of this year and transfer all unfinished business to the court of claims. This would require the court of claims to employ a new staff, who would be unfamiliar with the prior proceedings, and the litigation would be further delayed. The second alternative is to extend the life of the Commission again, but to make certain that this extension will be the last one by providing that any claims that are not adjudicated at that time will automatically be transferred to the court of claims without any further legislation.

Our committee choose this second alternative.

Furthermore, in order to tighten up the procedure, the committee amended the bill to require the Indian Claims Commission to do two things. First, it must come back to Congress each year for an appropriations authorization to finance its administrative expenses; and, second, it must submit an annual report showing its accomplishments and showing whether its work is on schedule. This will permit the Committee on Interior and Insular Affairs to exercise its oversight responsibilities more effectively, and it intends to do so.

The cost of running the Commission is expected to be about $1 million per year for the next 4 years. The Commission's budget request for fiscal year 1973 is $1,025,000. This is substantially higher than the appropriation level that has prevailed in the past, but it is justified by the urgent need to complete the litigation. The administrative expense is minor when compared with the size of the claims asserted and adjudicated.

I recommend that H.R. 10390 be enacted.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in reluctant support of this bill which would authorize the fourth extension of the life of the Indian Claims Commission. The only reason why I do support this bill is that I and the Committee on Interior and Insular Affairs have been assured by the members of the Commission that they can complete substantially all of their work within the extension time H.R. 10390 authorizes.

If we pass this bill, claims still pending at the expiration of the Commission will automatically be transferred to the court of claims. While that alternative would, in my opinion, better be implemented today, the peculiar tripart method by which the Commission handles these claims has generated its own longevity. Delay and increased administrative expenses would probably result.

The Commission's track record is not encouraging. Of an approximately total of 606 claims filed—the testimony of the Justice Department and those of the Commission differ as to the number of separate claims—251 are pending and 11 are in the appellate process. That took 25 years.

The Committee on Interior and Insular Affairs does not intend to let the next 4 years go by without full reports to it on the status of the Commission's work. This bill therefore directs the Commission to come before it annually and justify its request for appropriation authorizations; report its accomplishments during the preceding year and detail its plan to complete its work during its remaining life expectancy.

Many of the cases involve three phases—a title or liability phase, a proceeding to determine the value of the claim, and thirdly an accounting phase. The latter phase—the accounting phase—is where the greatest obstacle to speedy resolution of pending claims lies. The General Services Administration presently only has two qualified examiners to process the more than 40 pending and reopened accounting cases.

The Committee on Interior and Insular Affairs does not care who or what agency does the accounting; however, the Attorney General has the responsibility of representing the United States. The committee therefore directs in the report accompanying this bill that the Attorney General report to it on the number of accounting and legal personnel assigned to handle Commission cases.

One aspect of the Commission's philosophy regarding the handling of these claims elicited in subcommittee hearings is that the Commission was reluctant to dismiss claims with prejudice to their being brought again. In 1967, when the Congress extended the life of the Commission to 1972, it amended the Indian Claims Commission Act to specifically direct that failure to proceed to trial on a date certain would result in such dismissal unless a continuance was granted for good cause. I do not see how we could have been any more specific. This time, the Committee on Interior and Insular Affairs has directed that the Commission prepare a trial calendar setting the date for the trial of each phase of each pending case as soon as practical after decision of the preceding phase but not later than 1 year thereafter unless irreparable harm will result. Again, dismissal with prejudice procedures are spelled out in the legislation.

For the past 25 years, tribal claimants qualifying for consideration of alleged wrongs have been waiting for justice at the hands of a Commission that was supposed to have completed its mission within a 10-year period. It may be in excess of an additional 4 years before all of those claims are either settled or finally adjudicated. If the last claim is finally settled April 10, 1976, the Indian Claims Commission will have taken 19 years longer than contemplated to do that which it set out to do in April of 1947. That is not a very good commentary on the workings of the Commission, on the Attorney General, nor on the Indian bar. Justice delayed is often no justice at all. I sincerely hope that this is the last time a bill such as H.R. 10390 will have to be considered by Congress.

STATEMENT OF KENT FRIZZELL

The Department of Justice favors the extension of the life of the Indian Claims Commission to April 10, 1977 in order that the claims of those Indian tribes which have not yet been determined may receive adequate and appropriate consideration.

A brief summary of the status of such claims, according to the records of the Land and Natural Resources Division, to December 31, 1971, is as follows:

Total claims filed	606
Final awards	189
Final dismissals	166
	355
Pending cases	251
Partial determinations	66
Appeals to Court of Claims	11

Probably the greatest obstacle to the completion of the work of the Commission between now and 1977 relates to "accounting" cases. These are cases in which the various tribes demand that the Government account for the receipt and expenditure of tribal funds. This is a perfectly proper request since the Government kept all of the records and every fiduciary is required to make a proper accounting of his stewardship.

However, the Commission has permitted the various tribes to expand such claims. In the *Southern Ute* case, the Commission held that notwithstanding the statutory provisions that "No claim accruing after the date of the approval of this Act shall be considered by the Commission" (sec. 2), the Government must bring all accounting claims "up to date." This has posed difficult problems. As the General Services Administration (which has the records pertaining to the fiscal operations between the Government and the Indian tribes) gradually completed its work it quite naturally permitted its operation to dwindle, until at the present time it has only two examiners. Obviously these two employees could not bring the more than 40 accounting cases "up to date." An inevitable delay thus will ensue. Additional time may also be required to adjudicate accounting claims that have been expanded to include land claims as well as claims based on inadequate government administration, management, and reporting.

The Department of Justice is making every effort to resolve this situation. On January 24, 1972 the Attorney General requested the Comptroller General to reassume the preparation of such reports in accordance with the new requirements of the Commission.

The Commission has made other rulings which also have had the effect of reopening still other cases, beyond those involving accounting claims. But from this very brief recitation, it should be apparent to the Committee that the probability of the Commission's completing its work before April 10, 1977, is doubtful.

In conclusion, let me say that the Department of Justice has tried to dispose of cases by compromise settlements whenever this has been reasonably possible. The record shows that out of the 189 final judgments of the Commission aggregating $412,708,494.51, the Department has made full settlements in 98 cases aggregating $196,474,431.33. In addition, we have made numerous settlements relating to the consideration paid and the offsets for which the Government is entitled to credit thus expediting the entry of final judgments in favor of the tribes.

The Department will continue to make settlements when it appears that such settlements are fair to the tribes and the Government.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield to me?

Mr. SAYLOR. I am happy to yield to the gentleman.

Mr. STEIGER of Arizona. Mr. Speaker, I rise in support of H.R. 10390, the purpose of which is to extend the life of the Indian Claims Commission for 4 more years; to provide Congress, more specifi-

cally the Committee on Interior and Insular Affairs, with more complete reports to aid it in its oversight responsibility; to prod that Commission, the Attorney General's office, and the Indian bar into speedy resolution of the unresolved claims now pending and to authorize the appropriation of $1,500,000 for the expenses of the Commission.

The details of the bill have been elaborately explained. You have heard the Commission criticized for its snail's pace. Some of that criticism is, I am sure, justified, for the procedures used by that Commission seem far too complicated. Nevertheless, the Commission has, or should have, developed procedures to finally adjudicate or settle the cases pending.

As stated in the Committee's report accompanying this bill, our purpose is to subject the Commission's activities to more careful scrutiny in order to make certain it completes its work within the time frame authorized. Our purpose is not impediment nor is it interference in the judicial processes. There is, nevertheless, another forum, replete with time-honored procedures, wherein these Indian tribes may have their day in court.

If the Commission cannot without good reason finish its congressionally assigned task in the time allotted, pending cases will automatically be transferred to the court of claims.

Part of the blame for the slowness of proceedings before the Commission lies with the U.S. Government—especially with that branch of the Attorney General's Office assigned the task of defending the United States in adversary proceedings against the claims brought under the act. Delay is a favorite defense tactic—possibly a good one. But I question its efficacy in proceedings of this nature and I urge those charged with Government defense to consider the cost of that delay, not only in dollars, but also in terms of the social welfare of tribal claimants.

This bill authorizes appropriations for the administration expenses of the Commission for 1 year amounting to $1,500,000. I assume that in the next fiscal year the costs will increase. If experience is any guide, the necessary costs of the Commission will increase annually until the Commission expires. I am in hopes that the Committee on Interior and Insular Affairs' requirement that the Commission return to it annually to justify its requests for appropriations will serve to curtail cost increases. I hope that the Commission's annual report to the committee will not only aid the Commission in planning its workload, but will provide this committee with the seeds for fruitful discussion when the Commission members appear before it each year.

Lastly, I hope that the Commission can perform true to its word and complete substantially all of its work within the time frame allotted to it.

I am convinced that the provisions of H.R. 10390 will accomplish the committee's intended purpose. I urge the passage of this bill and the support of my colleagues to that end.

As the need for more water sources increases, our program investment appears likely to yield greater dividends. I urge your support for the passage of this bill.

Mr. HALEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Indian Claims Commission should be finished with its job, and the enactment of this bill should not be necessary. The Commission has been in existence for 25 years, and the last claim was filed 20 years ago. Congress intended the Commission to finish in 1957, but it did not, and Congress has had to extend the life of the Commission three times. This will be the fourth time.

The delay is not solely the fault of the Commission. The attorneys representing the Indian tribes, and the Department of Justice representing the United States, must share the blame. Both sides have repeatedly delayed trials, and the Commission has allowed them to do so. The Commission and the attorneys on both sides must therefore share the blame.

This is history. The question now is what to do about the matter. No one wants to deprive the Indians of their day in court. They must be allowed to complete their litigation.

The Commission could be allowed to expire, and the pending cases could be transferred to the Court of Claims right now. This possibility was considered by the Indian Affairs Subcommittee. It was rejected, however, because we believed that the litigation would not be completed any quicker. It might even take longer. The Court of Claims could not handle a greatly increased workload without additional staff. The staff would need to be trained. The trials of the pending cases have already been started, and are at different stages of completion. If they were transferred at midstage, some momentum would inevitably be lost.

Therefore, it seems better to let the Commission continue for another 4 years, particularly in view of the fact that the Commission assured us that by then any unfinished business would be minor and could easily be taken over by the Court of Claims.

H.R. 10390 provides that any unfinished business at the end of 4 years will automatically be transferred to the court of claims, and this extension of the life of the Commission will really be the last one. No further legislation will be needed.

I recommend that the bill be enacted.

The SPEAKER. The question is on the motion of the gentleman from Florida (Mr. HALEY) that the House suspend the rules and pass the bill H.R. 10390, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

OREGON DUNES NATIONAL RECREATION AREA, OREGON

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8763) to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes, as amended.

The Clerk read as follows:

A bill to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes

H.R. 8763

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the public outdoor recreation use and enjoyment of certain ocean shorelines and dunes, forested areas, fresh water lakes, and recreation facilities in the State of Oregon by present and future generations and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Oregon Dunes National Recreation Area (hereinafter referred to as the "recreation area").

SEC. 2. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best contribute to attainment of the purposes set forth in section 1 of this Act.

SEC. 3. The portion of the recreation area delineated as the "Inland Sector" on the map referenced in section 4 of this Act is hereby established as an inland buffer sector in order to promote such management and use of the lands, waters, and other properties within such sector as will best protect the values which contribute to the purposes set forth in section 1 of this Act.

SEC. 4. The boundaries of the recreation area, as well as the boundaries of the inland sector included therein, shall be as shown on a map entitled "Proposed Oregon Dunes National Recreation Area" dated May 1971, which is on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture, and to which is attached and hereby made a part thereof a detailed description by metes and bounds of the exterior boundaries of the recreation area and of the inland sector. The Secretary may by publication of a revised map or description in the Federal Register correct clerical or typographical errors in said map or descriptions.

SEC. 5. Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area is hereby transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act, but lands presently administered by the United States Coast Guard or the United States Corps of Engineers may continue to be used by such agencies to the extent required.

SEC. 6. The boundaries of the Siuslaw National Forest are hereby extended to include all of the lands not at present within such boundaries lying within the recreation area as described in accordance with section 4 of this Act.

SEC. 7. Within the inland sector established by section 3 of this Act the Secretary may acquire the following classes of property only with the consent of the owner:

(a) improved property as hereinafter defined;

(b) property used for commercial or industrial purposes if such commercial or industrial purposes are the same such purposes for which the property was being used on December 31, 1970, or such commercial or industrial purposes have been certified by the Secretary or his designee as compatible with or furthering the purposes of this Act;

(c) timberlands under sustained yield management so long as the Secretary determines that such management is being conducted in accordance with standards for timber production, including but not limited to harvesting reforestation, and debris cleanup, not less stringent than management standards imposed by the Secretary on comparable national forest lands: *Provided,* That the Secretary may acquire such lands or interests therein without the consent of the owner if he determines that such lands or interests are essential for recreation use or for access to or protection of recreation developments within the purposes of this Act. In any acquisition of such lands or interests the Secretary shall, to the extent practicable, minimize the impact of such acquisition on access to or the reasonable economic use for sustained yield forestry of adjoining lands not acquired; and

(d) property used on December 31, 1970, primarily for private, noncommercial recreational purposes if any improvements made to such property after said date are certified by the Secretary of Agriculture or his designee as compatible with the purposes of this Act.

SEC. 8. (a) Within the boundaries of the recreation area lands, waters, and interests therein owned by or under the control of the State of Oregon or any political subdivision thereof may be acquired only by donation or exchange.

(b) No part of the Southern Pacific Railway right-of-way within the boundaries of the recreation area may be acquired without the consent of the railway, so long as it is used for railway purposes: *Provided,* That the Secretary may condemn such easements across said right-of-way as he deems necessary for ingress and egress.

(c) Any person owning an improved property, as hereafter defined, within the recreation area may reserve for himself and his assigns, as a condition of the acquisition of such property, a right of use and occupancy of the residence and not in excess of three acres of land on which such residence is situated. Such reservation shall be for a term ending at the death of the owner, or the death of his spouse, whichever occurs later, or, in lieu thereof, for a definite term not to exceed twenty-five years: *Provided,* That, the Secretary may exclude from such reserved property any lands or waters which he deems necessary for public use, access, or development. The owner shall elect, at the time of conveyance, the term of the right to be reserved. Where any such owner retains a right of use and occupancy as herein provided, such right may during its existence be conveyed or leased in whole, but not in part, for noncommercial residential purposes. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner. At any time subsequent to the acquisition of such property the Secretary may, with the consent of the owner of the retained right of use and occupancy, acquire such right, in which event he shall pay to such owner the fair market value of the remaining portion of such right.

(d) The term "improved property" wherever used in this Act shall mean a detached one-family dwelling the construction of which was begun before December 31, 1970, together with any structures accessory to it and the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary finds necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use.

SEC. 9. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the State of Oregon, except that the Secretary may designate zones where, and establish periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulation of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

SEC. 10. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

SEC. 11. (a) The Secretary is authorized and directed, subject to applicable water quality standards now or hereafter established, to permit, subject to reasonable rules and regulations, the investigation for appropriation, storage, and withdrawal of ground water surface water, and lake, stream and river water from the recreation area and the conveyance thereof outside the boundaries of the recreation area for beneficial use in accordance with applicable laws of the United States and of the State of Oregon if permission therefor has been obtained from the State of Oregon before the effective date of this Act: *Provided,* That nothing herein shall prohibit or authorize the prohibition of the use of water from Tahkenitch or Siltcoo Lakes in accordance with permission granted by the State of Oregon prior to the effective date hereof in connection with certain industrial plants developed at or near Gardiner, Oregon.

(b) The Secretary is authorized and directed, subject to applicable water quality standards now or hereafter established, to permit, subject to reasonable rules and regulgations transportation and storage in pipelines within and through the recreation area of domestic and industrial wastes in accordance with applicable laws of the United States and of the State of Oregon if permission therefor has been obtained from the State of Oregon before the effective date of this Act.

(c) The Secretary is further authorized, subject to applicable water quality standards now or hereafter established, to grant such additional easements and rights, in terms up to perpetuity, as in his judgment would be appropriate and desirable for effective use of the rights to water and the disposal of waste provided for herein and for other utility and private purposes if permission therefor has been obtained from the State of Oregon, subject to such reasonable terms and conditions as he deems necessary for the protection of the scenic, scientific, historic and recreational features of the recreation area.

SEC. 12. (a) The Secretary shall establish an advisory council for the Oregon Dunes National Recreation Area, and shall consult on a periodic and regular basis with such council with respect to matters relating to management and development of the recreation area. The members of the advisory council, who shall not exceed fifteen in number, shall serve for individual staggered terms of three years each and shall be appointed by the Secretary as follows:

(i) a member to represent each county in which a portion of the recreation area is located, each such appointee to be designated by the respective governing body of the country involved;

(ii) a member appointed to represent the State of Oregon, who shall be designated by the Governor of Oregon;

(iii) not to exceed eleven members appointed by the Secretary from among persons who, individually or through association with national or local organizations, have an interest in the administration of the recreation area; and

(iv) the Secretary shall designate one member to be Chairman and shall fill vacancies in the same manner as the original appointment.

(b) The Secretary shall, in addition to his consultation with the advisory council, seek the views of other private groups and individuals with respect to administration of the recreation area.

(c) The members shall not receive any compensation for their services as members of the council, as such, but the Secretary is authorized to pay expenses reasonably incurred by the council in carrying out its responsibilities.

SEC. 13. Within three years from the date of enactment of this Act, the Secretary shall review the area within the boundaries of the recreation area and shall report to the President, in accordance with subsections 3(b) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (b) and (d)), his recommendation as to the suitability or nonsuitability of any area within the recreation area for preservation as a wilderness, and any designation of any such area as wilderness shall be accomplished in accordance with said subsection of the Wilderness Act.

SEC. 14. The Secretary shall cooperate with the State of Oregon or any political subdivision thereof in the administration of the recreation area and in the administration and protection of lands within or adjacent to the recreation area owned or controlled by the State or political subdivision thereof. Nothing in this Act shall deprive the State of Oregon or any political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area consistent with the provisions of this Act, or of its right to tax persons, corporations, franchises, or other non-Federal property, including mineral or other interests, in or on lands or waters within the recreation area.

SEC. 15. Money appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands, waters, and interests therein within the recreation area, but not more than $2,500,000 is authorized to be appropriated for such purposes. For development of the recreation area, not more than $12,700,000 is authorized to be appropriated.

The SPEAKER. Is a second demanded?

Mr. SKUBITZ. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TAYLOR. Mr. Speaker, I yield 10 minutes to the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Speaker and members of the committee, those of you who have been following this legislation will note that it comes back to us in a new form.

Mr. Speaker, the legislation now before the House represents years of effort to conserve and protect a significant portion of the picturesque coastline of the State of Oregon. A few years ago, legislation was considered which would have created a national seashore in this same general area. That legislation was approved by the House at that time, but it failed to pass the other body. As a consequence, some valuable time has been lost, but the members of the Committee

on Interior and Insular Affairs believe that H.R. 8763 will enable the Federal Government to take the action necessary to assure the availability of this outdoor resource for the people of the Nation in perpetuity.

PROVISIONS OF THE LEGISLATION

H.R. 8763, which was introduced by Representative JOHN DELLENBACK, provides for the establishment of the Oregon Dunes National Recreation Area. Unlike the legislation which was approved during a prior Congress, this 32,250-acre area would be administered by the Secretary of Agriculture in accordance with the rules and regulations established for comparable areas presently administered by the Forest Service.

The legislation, as recommended by the committee, contains many provisions which are common to areas of this kind, but it does contain some provisions which merit explanation.

First, within the recreation area boundaries—which are described by reference to a boundary map—there are to be two zones. One zone, totaling about 22,800 acres, is commonly called the Dunes Sector. The other, called the Inland Sector, contains about 9,450 acres.

The Dunes Sector is the prime conservation zone containing the most spectacular dunes, the entire waterfront and the adjacent undeveloped lands. Present plans contemplate the fee acquisition of all of the lands within this zone by the Federal Government, except, perhaps, for certain State holdings which we have been assured will be administered in a manner compatible with the recreation area. Under the terms of the legislation, all federally owned lands within the area are transferred to the Secretary for administration as a part of the recreation area, but the Coast Guard and the Corps of Engineers are to be permitted to continue to use any lands presently under their administration to the extent necessary.

Within the Inland Sector, land acquisition policies are considerably different. In this zone, the principal objective is to protect and stabilize the scenic character of the approach into the prime conservation zone. In other words, it is a buffer zone. For this reason, fee acquisition of the privately owned lands is not as important so long as the activities of the landowners do not impair the setting. H.R. 8763 provides that qualifying improved residential, commercial or industrial purposes are to be exempt from acquisition except with the consent of the owner.

Although it seems somewhat unlikely that any substantial portion of this recreation area would qualify for wilderness designation, the bill contains the customary provision requiring the Secretary to survey the area and to forward to the Congress any recommendations which he might have in this regard.

Mr. Speaker, the bill also establishes an advisory council to consult with the Secretary concerning this national recreation area. The 15 members on this panel are to be appointed by the Secretary to serve without compensation, in staggered terms, for terms of 3 years. Their responsibility will be to review the programs and policies for the area with an eye toward making recommendations to the Secretary which will be helpful to him in carrying out his responsibilities under this legislation. In the past we have found that such advisory groups help to form a useful link between the local communities and the administering authority.

Finally, H.R. 8763 contains unique provisions dealing with water resources and with the disposal of industrial wastes. In light of the fact that there are existing permits to investigate for and withdraw water from the recreation area, this legislation does not propose to extinguish any existing rights, but it does provide that such activities must be carried on in accordance with such reasonable rules and regulations as the Secretary may establish and it requires them to be conducted in accordance with recognized water quality standards. Similarly, H.R. 8763 is not intended to interfere with existing facilities for the disposal of domestic and industrial wastes as long as they comply with recognized water quality standards and with such reasonable rules and regulations as the Secretary may establish.

VALUES IN THIS AREA

Mr. Speaker, we recognized the nationally significant recreational opportunity which the Oregon shoreline provides long ago. Today, in this legislation, we again have an opportunity to make a portion of this scenic Pacific seashore available for public use and enjoyment.

This area is said to be one of the largest areas of active coastal dunes in the world. As the white sands of the area shift from place to place, the landscape changes and the natural features associated with it are altered.

Although the dunes and the broad beaches are the most attractive recreational features of this area, the natural values are significant, too. It is interesting to note the changing vegetation as one progresses inland from the seashore. The streams and lakes are rich with fish which makes it attractive to those who enjoy that outdoor sport. Likewise, the forest lands and marshy areas and ponds support waterfowl and wildlife which hunters find most attractive. Because of this fact, there has been a considerable amount of attention given to the hunting and fishing provisions of the legislation. As has been customary in most of the areas of this kind, the committee included the provision requiring the Secretary to permit hunting and fishing in this area, but permitting him to close certain portions of the recreation area after consultation with the appropriate State agency if he found such action to be necessary for reasons of public safety, administration, or public use and enjoyment. As presently before the House, the legislation makes no reference to fish and wildlife management, as such. Even if it did, we would not expect the Secretary to get into the fish and wildlife management business, per se, except to the extent necessary to assure the public safety and for reasons of public enjoyment.

COST

Mr. Speaker, because of the fact that most of the privately owned lands are located within the so-called Inland Sector and because most of the lands in the so-called Dunes Sector are already in public ownership, the costs for land acquisition should not be excessive. Land acquisition cost estimates provided by the Department suggest that all of the lands needed to make this a viable recreation area can be acquired for $2.5 million. Development costs, which will be spread over a period of years, are expected to be about $12.7 million.

CONCLUSION AND RECOMMENDATION

In conclusion, I want to say that the legislation recommended by the Committee on Interior and Insular Affairs offers the Members of the House a fine opportunity to conserve an outstanding natural area for present and future generations of Americans.

It is a pleasure for me to support the enactment of H.R. 8763, as amended, and I urge its approval by the House.

Mr. SKUBITZ. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. SAYLOR) such time as he may consume.

Mr. SAYLOR. Mr. Speaker, the purpose of this legislation is to authorize the establishment of about 32,250 acres along the Oregon coastline as a national recreation area under the administration of the Secretary of Agriculture and to authorize the appropriation of $2,500,000 for land acquisition and $12,700,000 for development purposes.

This legislation has long been in the making. Proposals to designate this area as a unit of our national parks and receration system have been before the Committee on Interior and Insular Affairs since the 88th Congress. Based on the record compiled during this Congress, the committee is of the opinion that this proposal is the best of the possible alternatives that have been considered to protect, preserve, and at the same time make available to the public the unique natural phenomenon of the Oregon Dunes.

While there are about 7,673 acres of privately owned lands, 3,105 acres of State lands, and 712 acres of county lands within the proposed national recreation area, the major portion of lands, about 20,747 acres, are already in Federal ownership and 18,907 acres are presently national forest lands. Only about 6,754 acres are not now within the Siuslaw National Forest.

Most of the lands in private ownership are within an area described by this legislation as the "Inland Sector"—about 68 percent privately owned. Forested lands, vegetated sand dunes, lakes and limited areas of open sand comprise the natural landscape in this sector. Development consists of highways, residences and commercial and industrial facilities, most of which would remain. The bill precludes acquisition of properties within the inland sector without the owners consent under certain specific conditions. This sector will form a buffer zone between the more developed lands outside the national recreation area boundaries and the fragile dunes area.

The area described as the "dunes area" contains shifting sand dunes interspersed with lakes, streams and rivers, and the beaches. The area is in a nearly natural

condition with only a relatively small amount of development associated mainly with public recreation and Coast Guard and Corps of Engineers activities generally not incompatible with administration for recreational purposes. About 95 percent of this area is publicly owned. The seashore beaches are in State ownership and dedicated to public use and the bill prohibits acquisition of publicly owned lands except by donation.

The economic base of the area has largely been logging and forest products manufacture and shipping. There is a 600-ton-per-day pulp and linerboard mill on the Umpqua River near the proposed National Recreation Area. Effluent from the mill is carried through a buried pipeline about a mile of which is within the National Recreation Area boundaries and which empties into the sea some 3,000 feet offshore. The Federal Water Pollution Control Administration has determined that there is virtually no effect on water quality at the beaches or in the surf, and that there is no measurable effect on biological communities in the vicinity of the effluent discharge. So long as the effect of pipelines and effluent discharge is negligible, the committee recommends that the transportation and storage of municipal and industrial waste within and through the national recreation area be permitted, and the bill so directs, subject to State permission and applicable water quality standards now or hereafter adopted.

In order for the residents of the area, State and other interested and knowledgeable people to participate in the overall administration of the national recreation area, provision and authority for the establishment by an advisory council to the Secretary of Agriculture is contained in the bill. Additionally, measures authorizing State and local administrative cooperation have been included.

Provisions are included in the bill directing the Secretary to review the entire area for possible wilderness designation under the Wilderness Act of 1964 as amended.

This new recreation area features one of the most scenic shorelines in the country. The constantly shifting white sands of the Oregon Dunes makes this area one of the largest active coastal dunes areas in the world. The area supports an interesting combination of wildlife and fish. Because of the outstanding opportunities for hunting and fishing, the legislation provides for continuance of such activities. Recreational opportunities in the area are almost limitless. In these days of increasing overcrowding, creation and preservation of this area for the use of all the people will aid in providing opportunities for recreation and solitude so necessary for our national well-being. I urge the support of my colleagues for passage of this legislation.

Mr. SKUBITZ. Mr. Speaker, I rise in support of H.R. 8763, a bill which would establish the Oregon Dunes National Recreation Area in the State of Oregon, to be administered by the Secretary of Agriculture in cooperation with the State and local governments.

Various bills have been introduced over the past 12 years to establish this area as a part of our national recreation, parks, and seashore system. Field hearings were held in 1966 and 1970. A bill to establish the area as a national seashore passed the House in the 89th Congress. Exhaustive hearings and discussion have been held during this Congress and the Committee on Interior and Insular Affairs has favorably reported this bill which, I believe, combines the best features of past proposals as well as some new ones.

Briefly, this bill involves the following:

The total land area is about 32,237 acres. About 18,907 acres are national forest lands; 1,840 are in other Federal ownership; 3,105 acres are State owned; 712 acres are county owned and the remainder are privately owned.

The Suislaw National Forest is partly within and adjacent to the proposed national recreation area. Its boundaries would be extended to include all of the lands not within such boundaries lying within the proposed national recreation area. The Coast Guard and Corps of Engineers would continue to use lands they now occupy. Lands owned by the State, its political subdivisions and Southern Pacific Railway right-of-way lands could not be acquired without consent. Noncommercial residential uses would be permitted for a term.

Part of the national recreation area would be designated the inland sector constituting a buffer zone, mostly in private ownership and exempt from condemnation absent the owners' consent under certain specified conditions. Timberlands within the inland sector would be exempt from condemnation so long as management standards applied to those lands were not less stringent than management standards on comparable national forest lands and so long as they were not necessary for recreation use or for access to or protection of recreation use.

Hunting, fishing, and trapping within the national recreation area would be permitted in accordance with applicable Federal and State laws except that the Secretary could, after consultation with the State game commission, establish limitations for reasons of public safety, protection of administrative sites, public use, and enjoyment.

Subject to valid existing rights, all lands within the national recreation area would be withdrawn from mining and mineral leasing.

Water use and transportation of and storage of industrial waste within the national recreation area would continue subject to compliance with applicable Federal and State water quality standards.

An advisory council consisting of local and Federal members would be established to consult with the Secretary regarding national recreation area administration.

Limitation on amounts authorized to be appropriated for land acquisition are $2,500,000, and for development, $12,700,000.

This bill has administration support, State support, the support of the members of the Committee on Interior and Insular Affairs, and, I am told, the support of a majority of the people directly affected by the legislation.

Wildlife and fish and sand dunes and sea will be preserved and protected—what is more important, man's short term use of this particular segment of his total environment will serve to enhance and maintain its longer term productivity. Hiking, sightseeing, fishing, hunting, camping, picnicking, swimming, and opportunities for solitude are campatible uses that will be provided for generations to come. The U.S. Forest Service, which will have primary responsibility for management of the area, plans development to accommodate increased visitor use of the national recreation area, but significantly, I think, the thrust of that planned development is toward protection of the fragile environment, and improvement of wildlife habitat. I am told that public facilities will be clustered to achieve efficient use of space and to leave as much surrounding open space as possible. Major land areas are and will remain undeveloped, including the existing Umpqua Dunes scenic area. Full cooperation with the State of Oregon and its political subdivisions in administration of the area and in administration and protection of surrounding lands owned or controlled by the State or its political subdivisions is planned and is specifically authorized by the bill.

This bill is a good piece of legislation and I urge your support for its passage.

Mr. Speaker, at this time I yield to the gentleman from Oregon (Mr. DELLENBACK) who is a member of the committee and also the sponsor of this legislation.

Mr. DELLENBACK. Mr. Speaker, one of the most magnificent treasures of Oregon is the dunes area located along the southern coast between Florence and North Bend. The legislation before you today is aimed both at the conservation and at the optimum utilization of this area through creation of the Oregon Dunes Natonal Recreation Area. Since my election to Congress over 5 years ago, I have been working to secure enactment of such legislation. And for at least 6 years before my election, previous Members of Congress from our State have also worked to preserve this beautiful area for the enjoyment of future generations.

I particularly commend my colleague from Oregon, Senator MARK HATFIELD, for his tremendous work in securing hearings on and passage of a companion bill in the Senate. He and I have worked closely for a matter of several years now to bring this bill to the verge of becoming law. He has been extremely helpful. I also commend my other Oregon colleagues, Congressman WENDELL WYATT for cosponsoring this measure in the House and Senator BOB PACKWOOD for cosponsoring the companion measure in the Senate.

My deep appreciation also to my colleagues who serve on Congressman ROY

TAYLOR'S Subcommittee on National Parks and Recreation of the Interior and Insular Affairs Committee. The subcommittee's field hearings held in Florence, Oreg., in August of 1970, the Washington hearings held in mid-October, and the subcommittee markup session of early December all made final House action on this bill today possible.

My sincere thanks to the members of the subcommittee who participated in these actions and especially to Chairman ROY TAYLOR.

My sincere thanks also go to the distinguished chairman of the Interior Committee, Congressman WAYNE ASPINALL, and the other members of the full committee. I am deeply indebted to the chairman and the members of the committee for their quick and favorable action on the bill reported by the subcommittee. I express by gratitude to my colleague from Pennsylvania (Mr. SAYLOR), the ranking member of the full committee, and to my colleague from Kansas (Mr. SKUBITZ), the ranking member the subcommittee, for their support and help in getting this bill before us for action today. I also deeply appreciate the committee's placing this bill, which has gained the support of all who have been involved with it, on the Suspension Calendar so that it can be expeditiously handled.

My deepest debt of gratitude goes to all the wonderful people in Oregon who have put many years of effort into insuring that this long-sought-after goal would receive the support necessary from all corners. From Governor Tom McCall, to the county commissioners of Lane, Douglas, and Coos Counties, to the local citizens located along this part of the Oregan coast, to all the other concerned Oregonians who have been interested in the conservation and utilization of this beautiful strip of coast, my deep and heartfelt thanks for making sure that this goal would reach fruition.

H.R. 8763 has a twofold purpose: First, to conserve the unique and beautiful land formations in this part of our State; and second, to realize the full recreation potential of this approximately 32,262-acre strip of dunes, fresh water lakes and coastline. To explain best the purpose and significance of this legislation, I would like to trace briefly its history, outline my reasoning for taking the recreation area approach to this issue, and point out various features of this legislation.

1. THE HISTORY OF THE DUNES LEGISLATION

On March 25, 1959, the late Senator Richard Neuberger introduced the first dunes bill, providing for some 35,000 acres of land to be designated as the Oregon Dunes National Seashore and to be administered by the Department of Interior as a national park. Field hearings were held by the Senate Interior Committee, several modifications of the bill were proposed, but no final action was taken by the 86th Congress on the initial proposal.

Subsequent bills were introduced during the 87th and 88th Congresses to no avail. During the 89th Congress, Representative Robert Duncan, my predecessor as Congressman from Oregon's Fourth Congressional District, introduced H.R. 7524, another national seashore bill which would have included some 30,588 acres of land from the Siuslaw River south to Tenmile Creek. Field hearings were held by the House subcommittee in 1966 and the bill eventually passed the House. The bill died, however, in the Senate.

2. THE REASONS FOR TAKING THE RECREATION AREA APPROACH TO THE DUNES AREA

One of the chief reasons for H.R. 7524's failure to pass the Senate involved strong opposition to the considerable condemnation that would have taken place had the bill become law. In the original Neuberger proposal, for example, some 17,000 acres of private land would have been condemned, including some 400 homes.

There were other significant reasons for the failure of the national seashore concept. There would have been a major change in administration of the Federal lands involved—some 18,000 acres included in these proposals were already Siuslaw National Forest and being capably administered by the U.S. Forest Service. Taxes on condemned private property and payments in lieu of taxes on Forest Service property would have been terminated, placing an added financial strain on the three counties involved—Coos, Douglas and Lane. A takeover of two State parks without compensation to Oregon was part of these proposals. One of the parks, Honeyman State Park, had had much State money and effort go into making it one of the finest State parks in all of America. Understandably, this concept was strongly opposed by many State residents.

Also involved was the relationship the people of the area had established with the U.S. Forest Service. The people in this area had come to know the Forest Service personnel well, developing sound working relationships and a rapport of trust. The Park Service would have been a stranger in the area, and many people were just not ready for this proposed change.

Prior to my election in 1966, I pledged to the people of Oregon's Fourth Congressional District that I would attempt to develop and secure the implementation of a concept which would conserve the assets of this area, increase its utilization to the optimum, and at the same time correct the previously mentioned problems of the seashore concept.

I began meeting with Forest Service representatives shortly after my arrival in Washington for the beginning of the 90th Congress, and, after lengthy discussions with them, as well as with key and knowledgeable people in Oregon and my Oregon colleagues in the Congress, I introduced a bill to establish an Oregon Dunes National Recreation Area, under the aegis of the U.S. Forest Service. Because no action was taken on my bill during the 90th Congress, I introduced essentially the same bill as H.R. 778 in January of 1969.

After a tremendous amount of effort in encouraging both the Department of the Interior and the Department of Agriculture to send to the Bureau of the Budget their reports on this bill, and after a great deal more work to get the Bureau of the Budget to clear the bill for action, the legislation was finally ready for committee hearings in the spring of 1970. The chairman of our full House Interior Committee, Congressman WAYNE ASPINALL, of Colorado, early in the summer of 1970 agreed with me and with Subcommittee Chairman ROY TAYLOR that it was time for the committee to move. The result was field hearings in Florence, Oreg. in August 1970—a most encouraging note in the long struggle to enact legislation to establish and preserve the dunes as a national recreation area. Unfortunately, finally congressional action was not possible in the short amount of time remaining in the 91st Congress.

From the beginning of the 92d Congress until the middle of the spring of 1971 I worked on perfecting the language of H.R. 778 and incorporating into the bill several new sound concepts which had been suggested during the 91st Congress. On May 27, 1971, I introduced H.R. 8763, the 92d Congress version of the bill to establish the Oregon Dunes National Recreation Area.

On June 2, 1971, Senator MARK HATFIELD introduced, with Senator BOB PACKWOOD as cosponsor, S. 1977, a companion bill to H.R. 8763. Hearings came quickly on both the House and Senate versions of the dunes bill. The Senate passed S. 1977 in the fall of 1971.

During both subcommittee and full committee action in the House, several changes were made in H.R. 8763. These changes dealt in the main with technical changes in language to insure that H.R. 8763 had comparable language to similar legislation dealing with other national recreation areas elsewhere in the Nation. Several other changes reached toward insuring that the dunes bill would better accomplish the dual goals of conservation and optimum utilization of the recreation potential of this portion of Oregon's coast. I commend the subcommittee and full committee for their wisdom in effecting these changes.

We are now on the verge of passing H.R. 8763 and thereby taking the last giant step to insuring that the Oregon Dunes National Recreation Area will become a reality. After passage, minor differences between the Senate and House versions will be worked out, hopefully, by the Senate accepting the House amendments. The bill can then be sent to the President for his signature.

3. VARIOUS FEATURES OF THE DUNES LEGISLATION

I realize some of you already have a general knowledge of H.R. 8763. For the record, however, I would like to summarize briefly the significant sections of the bill.

This proposal encompasses roughly 32,000 acres of land, over 18,000 of which are within the boundaries of the Siuslaw National Forest. Approximately 8,000 acres are privately owned, the vast majority of which fall within the inland sector where condemnation proceedings

cannot take place unless the landowners fail to meet certain conditions.

This inland sector, lying between the dunes area proper and the land to the east, will act as a buffer area to help stabilize the scenic character of the dunes area. The purpose of the recreation area is to provide the public with outdoor recreation use and enjoyment of the shorelines and dunes, forested areas, fresh water lakes, and the area's recreation facilities. Furthermore, this legislation is aimed at conserving the scenic, scientific, historic, and other values contributing to the public's enjoyment of the area.

The Secretary of Agriculture will administer, protect and develop the recreation area in accordance with laws applicable to National forests and along the guidelines now being followed in the other previously established National recreation areas.

All Federal lands within the exterior boundary of the recreation area become a part of the recreation area for the purposes of the act. Included Coast Guard and Corps of Engineers lands, however, will continue to be used to the extent required for such purposes. The boundaries of the Siuslaw National Forest will be extended to include all lands within the boundaries of the recreation area.

The lands in the inland sector cannot be acquired without the concurrence of the owner as long as the lands are used in accord with the provisions set forth in section 7 of the bill. This provides for the continuation of private ownership of: First, timberlands under sustained yield management, provided access is provided to lakes and streams, and management standards are no less stringent than those of the Forest Service; second, improved property, as defined in the bill; third, property used for commercial purposes if such commercial purposes are the same such purposes for which the property was being used on December 31, 1970; and fourth, property used primarily for private, noncommercial recreation purposes as long as any improvements made on the property after December 31, 1970 are certified by the Secretary of Agriculture as compatible with the purposes of the bill.

There are parcels within the inland sector which may be needed for recreational development or as sites for administrative facilities. There may be others that owners will wish to sell. Where the private owner desires some type of exchange transaction involving National forest land outside of the recreation area designated as an exchange base, effort will be made to accommodate his desires. Where an exchange request is not made, acquisition normally would be through purchase.

Hunting, fishing and trapping will be allowed within the recreation area in accordance with applicable Federal and State laws. After consultation with the Oregon State Game Commission, exept in emergencies, the Secretary may designate zones and establish periods when no hunting, fishing or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment.

Subject to applicable water quality standards now or hereafter established, the bill will authorize and permit, subject to reasonable rules and regulations, the investigation for, appropriation, storage, and withdrawal of ground water, surface water, and lake, stream, and river water from the recreation area and conveyance of water outside of the recreation area in accordance with the laws of the State of Oregon if permission therefor has been granted by the State prior to the passage of the act.

Section 12 of the bill directs the Secretary to establish an advisory council for the Oregon Dunes National Recreation Area. The advisory council will periodically advise the Secretary of Agriculture on the management and development of the recreation area. The council will be composed of one member to represent each of the three counties involved—Lane, Douglas, and Coos—one member to represent Oregon at large, and up to 11 additional members to represent local and national organizations which have an interest in the recreation area. I believe that such a council will be extremely helpful in insuring that the area will be administered in the best interests of all citizens.

The act shall not deprive the State of Oregon or any political subdivision of its right to exercise civil and criminal jurisdiction within the recreation area consistent with provisions of the act, or the right to tax persons, corporations, franchise, or other non-Federal property.

We have the necessary support for the bill from all crucial corners. The initial cost of establishing the national recreation area is comparatively low—a significant factor, I believe, when considering the backlog of parks and recreation areas already authorized, but not adequately funded. Proper planning is essential if this dunes area is to be both conserved for the future and developed in optimum fashion for the present. Such planning will be greatly enhanced by early favorable action on H.R. 8763.

The potential of the dunes area is great. Hundreds of thousands of Americans can enjoy this magnificent area in years to come. We want to be prepared for them. By establishing a national recreation area, we will be better able to serve their needs as well as those of the local area and its citizens.

Your favorable vote on H.R. 8763 will be deeply appreciated. This appreciation will come not only from those of us now directly involved in urging early enactment of this bill into law, but also from those many other Americans who may never hear of this bill, but who will continue, in the years ahead and in increasing numbers, to visit southern Oregon's beautiful coast and to benefit from what we do here today.

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

Mr. DELLENBACK. I am glad to yield to my colleague.

Mr. WYATT. Mr. Speaker, I heartily commend my colleague, the gentleman from Oregon.

For 12 years now, eight of which I have been in this House, I have seen this magnificent area on the Oregon coast be the subject of great dispute and very, very strong tugging and pulling and many times there has been much bitterness.

Mr. Speaker, I would like to commend the chairman of the committee along with my colleague and other members of the committee for bringing this matter to fruition.

My colleague, the gentleman from Orgeon (Mr. DELLENBACK) has almost singlehandedly woven together the many and various aspects involved and has brought to the floor of the House today a bill about which there is a bare minimum of controversy.

Mr. Speaker, I salute my colleague, the gentleman from Oregon, for bringing this fine recreational project to the point where it can really now finally become a reality. This is a very significant legislative achievement.

Mr. DELLENBACK. Mr. Speaker, I thank my colleague for his kind words.

Mr. TAYLOR. Mr. Speaker, H.R. 8763 was introduced by our colleague from the State of Oregon (Mr. DELLENBACK). If enacted into law it will provide for the establishment of the Oregon Dunes National Recreation Area.

BACKGROUND OF THE LEGISLATION

Probably no single area has been given more attention over the years than the Oregon Dunes country. As long ago as 1964, the Subcommittee on National Parks visited the area and conducted hearings on proposals to establish a national seashore to be administered by the National Park Service. After a long and rather bitter controversy, the House approved the seashore concept during the 89th Congress and sent the bill to the other body. While that legislation was favorably reported to that Chamber, it was never finally approved.

In subsequent years, the issue was dormant, but during the last Congress, Congressman DELLENBACK gave the project a new spark of life by introducing legislation which provided for the creation of a national recreation area to be administered by the Forest Service. This new proposal met with a relatively warm response in the area and was the subject of a very constructive and helpful field hearing conducted by the subcommittee in 1970. We followed that hearing with additional hearings in Washington last year before finally recommending the legislation to the House.

Mr. Speaker, we have every reason to believe that this legislation will ultimately be enacted if the House approves H.R. 8763, because the other body has already approved a comparable measure—S. 1977.

THE AREA

The principal reason for our longstanding interest in the Oregon Dunes area is that it contains some outstanding scenic, recreational, and natural values which merit national attention and protection.

Altogether, the area totals about 32,250 acres of land located along the central Oregon coastline. It contains a large, clean, white sand area, with dunes sometimes as high as 300 feet in depth. Coupling these magnificent dunes with the adjacent broad beaches creates a

water-oriented recreation area comparable to some of the finest in the entire Nation.

In addition to being one of the Nation's most scenic shorelines, the area contains some interesting and unusual natural values. Scattered throughout the region—inside and outside of the recreation area—are numerous fresh water lakes and ponds which provide excellent habitat for waterfowl and sport fish and the streams which traverse the dunes serve as water highways for the anadromous fish which fight their way upstream to spawn.

Wildlife is relatively abundant in the vicinity. Western blacktailed deer and black bear are the largest mammals inhabiting the area, but coyotes, mink, otter, bobcat, red and gray fox, and racoon are also found there.

Hunting and fishing, of course, is permitted in national recreation areas. The legislation directs the Secretary to continue to permit hunting and fishing, but it does permit him to close areas to such uses, after consulting with the appropriate State agency, if he finds such action is necessary for reasons of public safety, administration, or public use and enjoyment. Language specifically providing that the Secretary might close an area for reasons of fish and wildlife management was deleted by the full Committee on Interior and Insular Affairs.

COST

Mr. Speaker, H.R. 8763, as recommended by the committee provides for two zones to be established within the recreation area in order to minimize the impact upon private landowners and at the same time reduce the costs for land acquisition within this national recreation area.

Altogether, approximately 22,800 acres of land are located within the so-called dunes sector—which is the prime conservation zone. Of this amount, nearly 95 percent is in public ownership so that only a few scattered private holdings will have to be acquired. Land acquisition within the inland sector is limited under the terms of the legislation so that only a small percentage of the privately owned lands will be acquired, if any. For this reason, only $2.5 million is authorized to be appropriated for the acquisition of lands and interests in lands.

Development of public facilities, however, involves substantially more money. It is estimated that these costs will require an investment of $12.7 million over a period of years. It is contemplated that two visitor centers will be constructed, as well as campgrounds, picnic areas, access roads and trails, boat launching sites and related facilities.

CONCLUSION

Mr. Speaker, H.R. 8763 is the product of many years of effort to preserve and protect the Oregon Dunes area for the general public. It is sound legislation which has been carefully considered by the Committee on Interior and Insular Affairs. It is a pleasure for me to recommend its enactment to my colleagues in the House.

The SPEAKER. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 8763, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of the Senate bill (S. 1977) to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes, and ask for immediate consideration of the bill.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1977

An act to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the public outdoor recreation use and enjoyment of certain ocean shorelines and dunes, forested areas, fresh water lakes, and recreational facilities in the State of Oregon by present and future generations and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Oregon Dunes National Recreation Area (hereinafter referred to as the "recreation area"). The boundaries of the recreation areas shall be those shown on the map referred to in section 4 of this Act.

SEC. 2. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best contribute to attainment of the purposes set forth in section 1 of this Act.

SEC. 3. The area delineated as the "Inland Sector" on the map referenced in section 4 of this Act is hereby established as an inland buffer sector in order to promote such management and use of the lands, waters, and other properties within such sector as will best protect the values which contribute to the purposes set forth in section 1 of this Act.

SEC. 4. The boundaries of the recreation area and the inland sector shall be as shown on a map entitled "Proposed Oregon Dunes National Recreation Area" dated May 1971, which is on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture, and to which is attached and hereby made a part thereof a detailed description by metes and bounds of the exterior boundaries of the recreation area and of the inland sector. The Secretary may by publication of a revised map or description in the Federal Register correct clerical or typographical errors in said map or descriptions.

SEC. 5. All lands of the United States within the exterior boundary of the recreation area are hereby made a part of the recreation area for the purposes of this Act: *Provided,* That lands required for the purposes of the United States Coast Guard or the United States Corps of Engineers shall continue to be used by such agencies to the extent required for such purposes.

SEC. 6. The boundaries of the Siuslaw National Forest are hereby extended to include all of the lands not at present within such boundaries living within the recreation area as described in accordance with section 4 of this Act.

SEC. 7. Within the inland sector established by section 3 of this Act the Secretary may acquire the following classes of property only with the consent of the owner:

(a) improved property as hereinafter defined;

(b) property used for commercial or industrial purposes if such commercial or industrial purposes are the same such purposes for which the property was being used on December 31, 1970, or such commercial or industrial purposes have been certified by the Secretary or his designee as compatible with or furthering the purposes of this Act;

(c) timberlands under sustained yield management so long as the Secretary determines that such management is being conducted in accordance with standards for timber production, including but not limited to harvesting, reforestation, and debris cleanup, not less stringent than management standards imposed by the Secretary on comparable national forest lands: *Provided,* That the Secretary may acquire such lands or interests therein without the consent of the owner if he determines that such land or interests are essential for recreation use or for access to or protection of recreation developments within the purposes of this Act. In any acquisition of such lands or interests the Secretary shall, to the extent practicable, minimize the impact of such acquisition on access to or the reasonable economic use for sustained yield forestry of adjoining lands not acquired; and

(d) property used on December 31, 1970, primarily for private, noncommercial recreational purposes if any improvements made to such property after said date are certified by the Secretary of Agriculture or his designee as compatible with the purposes of this Act.

SEC. 8. Within the boundaries of the recreation area lands, waters, and interests therein owned by or under the control of the State of Oregon or any political subdivision thereof may be acquired only with the consent of such State or political subdivision. No part of the Southern Pacific Railway right-of-way within the boundaries of the recreation area may be acquired without the consent of the railway. In any acquisition of improved property within the recreation area, the owner or owners (hereinafter in this section referred to as "owner") may, as a condition of such acquisition, retain the right of use and occupancy of such property for noncommercial residential purposes for a term of (1) not to exceed twenty-five years, or (2) for a term ending at the death of the owner, the death of the owner's spouse, or at the time all of the children of the owner or of the owner's spouse die before reaching twenty-one years of age or at the time the youngest such child reaches the age of twenty-one, whichever of all such event occurs the latest. The owner shall elect at the time of conveyance the terms to be reserved. Where any such owner retain a right of use and occupancy as herein provided, such right may during its existence be conveyed or leased in whole, but not in part, for noncommercial residential purposes. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market on such date of the right retained

by the owner. At any time subsequent to the acquisition of such property the Secretary may, with the consent of the owner of the retained right of use and occupancy, acquire such right, in which event he shall pay to such owner the fair market value of the remaining portion of such right. The term "improved property" wherever used in this Act shall mean a detached one-family dwelling the construction of which was begun before December 31, 1970, together with so much land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary finds necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling situated on such land. The amount of such land shall be at least three acres in area, or all of such lesser amount that may be held in the same ownership as the dwelling. Funds hereafter appropriated and available for the acquisition of lands and waters and interests therein in the national forest system pursuant to the Act of September 3, 1964 (78 Stat. 897), shall be available for the acquisition of any lands, waters, and interests therein within the boundaries of the recreation area.

SEC. 9. The Secretary shall permit hunting, fishing, and trapping on the land and waters under his jurisdiction within the recreation area in accordance with applicable laws of the United States and of the State of Oregon: *Provided,* That the Secretary, after consultation with the Oregon State Game Commission, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment.

SEC. 10. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

SEC. 11. (a) The Secretary is authorized and directed, subject to applicable water quality standards now or hereafter established, to permit the investigation for, appropriation, storage, and withdrawal of ground water, surface water, and lake, stream, and river water from the recreation area and the conveyance thereof outside the boundaries of the recreation area for beneficial use in accordance with applicable laws of the United States and of the State of Oregon if permission therefor has been obtained from the State of Oregon before the effective date of this Act: *Provided,* That nothing herein shall prohibit or authorize the prohibition of the use of water from Tahkenitch or Siltcoo Lakes in accordance with permission granted by the State of Oregon prior to the effective date hereof in connection with certain industrial plants developed or being developed at or near Gardiner, Oreg.

(b) The Secretary is authorized and directed, subject to applicable water quality standards now or hereafter established, to permit transportation and storage in pipelines within and through the recreation area of domestic and industrial wastes in accordance with applicable laws of the United States and of the State of Oregon if permission therefor has been obtained from the State of Oregon before the effective date of this Act.

(c) The Secretary is further authorized to grant such additional easements and rights, in terms up to perpetuity, as in his judgment would be appropriate and desirable for the effective use of the rights to water and the disposal of waste provided for herein and for other utility and private purposes if permission therefor has been obtained from the State of Oregon, subject to such reasonable conditions as are necessary for the protection of the scenic, scientific, historic, and recreational features of the recreation area.

SEC. 12. (a) The Secretary shall establish an advisory council for the Oregon Dunes National Recreation Area, and shall consult on a periodic and regular basis with such council with respect to matters relating to management and development of the recreation area. The members of the advisory council, who shall not exceed fifteen in number, shall serve for individual staggered terms of three years each and shall be appointed by the Secretary as follows:

(i) a member to represent each county in which a portion of the recreation area is located, each such appointee to be designated by the respective governing body of the county involved;

(ii) a member appointed to represent the State of Oregon, who shall be designated by the Governor of Oregon;

(iii) not to exceed eleven members appointed by the Secretary from among persons who, individually or through association with national or local organizations, have an interest in the administration of the recreation area; and

(iv) The Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.

(b) The Secretary shall, in addition to his consultation with the advisory council, seek the views of other private groups and individuals with respect to administration of the recreation area.

(c) The members shall not receive any compensation for their services as members of the council, but they shall be reimbursed for travel expenses and shall be allowed, as appropriate, per diem or actual subsistence expenses.

SEC. 13. The Secretary shall cooperate with the State of Oregon or any political subdivision thereof in the administration of the recreation area and in the administration and protection of lands within or adjacent to the recreation area owned or controlled by the State or political subdivision thereof. Nothing in this Act shall deprive the State of Oregon or any political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area consistent with the provisions of this Act, or of its right to tax persons, corporations, franchises, or other non-Federal property, including mineral or other interests, in or on lands or waters within the recreation area.

SEC. 14. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, $12,700,000 for development of the recreation area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering costs indexes and not to exceed $2,500,000 for acquisition of lands, waters, and interests therein.

AMENDMENT OFFERED BY MR. TAYLOR

Mr. TAYLOR. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR: Strike out all after the enacting clause of S. 1977 and insert in lieu thereof the provisions of H.R. 8763, as passed.

The SPEAKER. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8763) was laid on the table.

MV "WICKERSHAM"

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10834), authorizing the State of Alaska to operate a ferry vessel of foreign registry between ports in southeastern Alaska, and between ports in Alaska and ports in the State of Washington, for a limited period of time, as amended.

The Clerk read as follows:

H.R. 10834

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port in the United States to another port of the United States, passengers (and their personal effects and their private vehicles) and vehicles engaged in the transportation of passengers but not merchandise may be transported on the M/V Wickersham (a passenger vessel owned by the State of Alaska but of foreign registry) between ports in Alaska, and between ports in Alaska and ports in the State of Washington, beginning on the date on which a binding contract is entered into between the State of Alaska and shipbuilders of the United States for the construction in the United States of a vessel to replace the M/V Wickersham, and ending on whichever of the following dates first occurs:

(1) the date on which there is no longer a binding contract between the State of Alaska and a shipbuilder of the United States for the construction in the United States of a vessel to replace the M/V Wickersham, other than contract termination resulting from the delivery of such replacement vessel;

(2) the date on which the State of Alaska first replaces the M/V Wickersham in regular service with a vessel of the United States;

(3) the date on which the State of Alaska ceases to own the M/V Wickersham;

(4) the date occurring thirty-six months after the date of enactment of this bill.

SEC. 2. The Assistant Secretary of Commerce for Maritime Affairs shall provide certification of the operative dates set out in section 1 herein.

The SPEAKER. Is a second demanded?

Mr. PELLY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Maryland is recognized.

Mr. GARMATZ. Mr. Speaker, I yield myself such time as I may consume.

I urge passage of H.R. 10834, a bill which would authorize the State of Alaska to operate a ferry vessel of foreign registry between ports in Alaska and between ports in Alaska and ports in the State of Washington for a limited period of time.

The State of Alaska purchased the MV *Wickersham* in 1968 for operation in the Marine Highway System. It was built in Norway and, therefore, it was excluded from carrying passengers between one domestic port and another. These restrictions were imposed by our sabotage law. As a result, the MV *Wickersham* was placed under Panamanian

registry and limited to operation between Vancouver, B.C., a foreign port, and ports in Alaska. The vessel does, however, carry an American crew.

This bill would grant a very narrow exception to our cabotage laws. This exception would begin at the time a contract for a replacement vessel has been entered into with a U.S. shipyard—and I might add at this point that such a contract was, in fact, executed on February 4, 1972—and the exception would end at the earlier of the following occurrences:

First, if the replacement vessel contract should terminate for any reason other than the completion of the vessel;

Second, when the replacement vessel actually goes into service;

Third, when the State of Alaska ceases to own the *Wickersham;* or

Fourth, in any event, not more than 36 months after the enactment of this bill.

The departmental reports are, on the whole, favorable.

As a matter of past practice, the committee has been generally inclined not to grant exemptions to our cabotage laws. They are well conceived and protect our domestic trades from the competition of foreign-built vessels, or vessels operated under foreign flags. However, in this instance, the committee was convinced that the public interest would be served by the enactment of this very limited exemption.

I strongly urge the House to pass this bill as a sound piece of legislation necessary to assist Alaska in meeting very real passenger transportation problems in that State.

Mr. PELLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the distinguished chairman of the Committee on Merchant Marine and Fisheries (Mr. GARMATZ) has explained the purpose of this legislation. It is sufficient to say that the bill as reported by the committee slightly liberalizes the coastwise trading privileges of the MV *Wickersham* between the States of Washington and Alaska for a maximum period of 3 years while a replacement vessel is constructed in a U.S. shipyard.

I would like to emphasize, Mr. Speaker, that this legislation constitutes only a very limited and technical waiver of our cabotage laws. To the extent that motor vehicles owned by passengers sailing on the *Wickersham* will be transported between Seattle and Alaska and between ports in Alaska, there is an exemption from the Jones Act, section 27 of the Merchant Marine Act of 1920. Since the *Wickersham* is a link in the Alaskan highway system, the carriage of private motor vehicles is an essential aspect of the service. The *Wickersham* will not be permitted, however, to carry commercial merchandise, and therefore there is no real impairment of the Jones Act.

Mr. Speaker, I have vigorously supported the Jones Act for the past 20 years as a Member of the Committee on Merchant Marine and Fisheries. I would not support this legislation here today if I felt that it constituted to the slightest extent an erosion of the principles embodied in the Jones Act. Section 27 of the Merchant Marine Act of 1920 was authored by Senator Wesley Jones of my State of Washington, then chairman of the Senate Commerce Committee. In drafting this legislation, he was prompted by the experience of World War I when the United States found itself totally dependent upon foreign-flag shipping at exorbitant rates until, as a result of a crash building program, the United States managed to establish a fleet. The Merchant Marine Act of 1920 was enacted primarily to authorize the sale of that war-built fleet to private interests.

Under section 27 of the act, our domestic deepsea merchant marine has flourished, providing efficient service to Alaska, Hawaii, Puerto Rico, and Guam. Containerization of cargo, which has revolutionized international shipping, began in our protected domestic trades between the mainland, Puerto Rico and Hawaii. Deepsea barge transportation was perfected in the Alaskan trade. None of these technological developments would have occurred had these trades been open to foreign-flag operators. American-flag carriers have invested hundreds of millions of dollars in providing modern efficient cargo systems for our domestic offshore trades, an investment which simply could not have been made had every fly-by-night operator in the world been permitted to engage in these services.

The Merchant Marine Act of 1970 extended to carriers in our domestic trade the privilege of establishing tax-deferred capital construction funds to further modernize their fleets and expand their services. The Maritime Administration has greatly expanded its support for our domestic fleet. The Jones Act, the Merchant Marine Act of 1970, and the initiatives of the Maritime Administration will insure the people of Alaska and our other offshore States and possessions the highest quality marine transportation available anywhere in the world.

Mr. Speaker, in closing, I want to commend the Representative from Alaska, who worked hard and agreed to various amendments on this bill in order that it could be reported by our committee for enactment.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Alaska (Mr. BEGICH) the sponsor of the bill.

Mr. BEGICH. Mr. Speaker, I am proud to stand along with the distinguished chairman of the Merchant Marine and Fisheries Committee (Mr. GARMATZ), and its equally distinguished ranking minority member (Mr. PELLY), in support of my bill, H.R. 10834, providing special operating authorization for the Alaska ferry vessel MV *Wickersham.* That this legislation has reached the floor today is in large part due to the sensitivity and hard work of these gentlemen, and the able staff of the committee.

As the report of this bill points out, bills similar to H.R. 10834 have been introduced in Congress ever since the 90th Congress without success. For this reason, I am proud that it is my bill which has finally reached this opportunity for passage, but I must assure my colleagues that the past failure and present success of this legislation is no more or less than a function of the cooperation and hard work of a great many people to reach a sensitive solution to a very real problem. Included in this effort, beside those I have already mentioned, are the other members of the Merchant Marine and Fisheries Committee, and the State of Alaska, most notably Gov. William A. Egan and Commissioner of Public Works George Easley. My thanks and admiration go to all of these people.

For the purpose of putting this legislation in perspective, I would like to set forth the general conditions to which it addresses itself. In any such account, the starting point must be the fact that no State is so dependent on marine transportation as is Alaska. Both for purposes of practical maintenance of life and for access to Alaska's coastline by tourists, an extensive ferry system is mandatory. Such a system has been operational in Alaska for nearly 35 years.

Since those early days, the ferry fleet, and the level of service has grown tremendously. At present, the fleet includes seven vessels ranging from the 99-foot, 19-passenger *Chilkat* to the 363-foot, 1,300-passenger *Wickersham.* Demands on this system have increased steadily, both for intrastate marine transportation, and for interstate connections with the Pacific Northwest.

In response to this growing demand for service, additional vessels have been added every few years. Alaskan voters, sensitive to these needs, have agreed to bonded indebtedness in each instance that expansion of the fleet or its support facilities was necessary.

In 1966 it was recognized that the need for expansion was particularly acute. The need existed for both short- and long-term expansion, perhaps totaling as many as five new vessels in the next 5 to 10 years. Most pressing was the immediate need for a large vessel capable of making the run between Alaska and the Pacific Northwest.

In answering that need, the State of Alaska yielded to the exigencies of financial limitations, and committed the error which we are prepared to correct today. That error was the purchase of the MV *Wickersham,* built in Norway, and thus subject to the restrictions of the Jones Act. The basis for this decision remains a mystery, but it is certain that many factors have changed since that time, including a new State administration headed by Gov. William A. Egan, as well as changes in the composition of the congressional delegation.

In any case, the results of that purchase decision, however well considered, have been extremely burdensome on the State of Alaska, and the many Alaskans and U.S. citizens who depend on the Alaska Marine Highway System. The prime hardship has been the limitations on service which can be provided by the *Wickersham.* She simply cannot operate as a full member of the fleet, nor can she serve as a full replacement when other

ferries are temporarily out of service. This penalty is paid by Alaska citizens who need and deserve adequate marine transportation.

Secondly, the result of this insufficiency of service is that the *Wickersham* has become, or perhaps always was, a financial liability for Alaska. Nearly $500,000 per year is lost by Alaska from causes related to the limited service of the *Wickersham*. My colleagues who understand the difficulties of any public transportation system will understand precisely what this means.

At this point in my presentation, it is appropriate to state that the time for a fair solution to this situation is at hand. I intend to say this, but I must preface such a statement with a declaration which I feel compelled to make. It is simply this: The hardships I set forward are not accidental, they are the result of failure to recognize the purpose and operation of the Jones Act. What I say here, and the bill proposed here, does not attack nor seek to undermine that purpose, but rather seeks to correct a mistake on terms which are both fair to all parties and just within the meaning of present law. Although I suspect it is fair to say that the effects of the Jones Act have been most harsh on Alaska among all the States, I cannot disagree with the purpose of such laws, which are designed to protect the domestic economy.

On the contrary, this legislation is designed specifically to not only resolve the problem of the *Wickersham* but also to do so at the same time that the American shipbuilding industry is given substantial economic assistance. This legislation was introduced only at the time that a plan of such mutual benefit could become a realistic feature of the legislation.

The committee report prepared for H.R. 10834 sets out admirably the provisions by which this plan is to be accomplished. Very simply, this legislation will permit the MV *Wickersham* to operate notwithstanding the provisions of the Jones Act. This operation will be strictly limited in time by a number of specific factors which guarantee that under no circumstances will such operation extend beyond 36 months.

Most importantly, this full operation cannot even begin until a binding contract for construction of an American-built replacement vessel has been entered into by the State of Alaska. Thus, the purpose of the legislation is two-fold. First, to provide temporary operating authority for the *Wickersham*. Second, to encourage the construction of an American-built vessel, and the accompanying work for American shipyards and for thousands of shipyard employees who now suffer from the economic decline which affects us all.

I might add that the economic benefits of this legislation neither begin nor end with the single replacement vessel which is to be built. At the same time, the State of Alaska is undertaking a total expansion program which will total over $37 million, with all work to be done in American shipyards. Integral to this plan is the use of the *Wickersham* as a replacement vessel while other vessels in the fleet are lengthened and refitted. Of this total figure, the new replacement for the *Wickersham* will cost approximately $19.5 million.

The report on this bill, and the excellent presentations of Chairman GARMATZ and Mr. PELLY have made clear the various factors which have been considered prior to bringing this bill before the House. If I may, I will review those factors in the hope that you will join me in concluding that the homework has been done.

First, the bill provides for a limited waiver of the Jones Act for full operation of the MV *Wickersham*.

Second, this waiver is contingent upon the existence of a binding contract for construction of an American-built replacement vessel for the *Wickersham*.

Third, the waiver cannot exceed 36 months under any circumstances, but ends earlier automatically if the contract fails, if the new vessel goes into service earlier, or the *Wickersham* is sold earlier.

Fourth, reports on the bill have been received from the Coast Guard, the Department of Commerce, the Department of State, the Department of Treasury, the Federal Maritime Commission and the Department of Defense. The reports are favorable and no objection is interposed. These departments and agencies carry the message that this legislation offers an appropriate solution to a difficult problem.

Fifth, the State of Alaska has already fulfilled its responsibility under this legislation, and has done even more than is required. The $37 million expansion plan is final, and bonding for it has been approved by the voters of the State. Specific authorization for the ultimate sale of the *Wickersham* and for construction of a replacement is now State law. A contract for the replacement vessel in the amount of $19.5 million has been signed.

What remains to be done is the passage of H.R. 10834, and I urge your support for this measure today. By your support, you will be providing immediate benefits to the American shipbuilding industry and its many unemployed workers on both coasts, to the State of Alaska, and to the residents of Alaska and the Pacific Northwest who need and deserve the improved transportation that this legislation will provide. There are many people who will join me in thanking you for your support of this bill.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland that the House suspend the rules and pass the bill H.R. 10834, as amended.

The question was taken; and—two-thirds having voted in favor thereof—the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read:

A bill authorizing the State of Alaska to operate a passenger vessel of foreign registry between ports in Alaska, and between ports in Alaska and ports in the State of Washington, for a limited period of time.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1746) entitled "An act to further promote equal employment opportunities for American workers".

GENERAL LEAVE

Mr. MIKVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill S. 1975 passed earlier today.

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

There was no objection.

NEED TO CLOSE INFLATIONARY LOOPHOLES IN CERTAIN EXPORT MARKETS

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that I may insert in the RECORD a statement that I made last week involving the matter of exports of hides from the United States and the effect of the exportation upon prospective prices of shoes this year.

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

There was no objection.

The statement is as follows:

PRESS RELEASE OF CONGRESSMAN WILBUR D. MILLS, DEMOCRAT, OF ARKANSAS

The recent controversy over the import surcharge has distracted attention from the overdue need to close inflationary loopholes in certain of our export markets.

Specifically, I am greatly concerned that the export loophole inviting speculative exploitation of the American hide market is at one and the same time inflating our costs and deflating our employment.

"Stagflation" is more than a theory so far as inflation of American hide costs and deflation of the American shoe and leather industry are concerned. It is a costly fact.

U. S. hide prices have roughly doubled in the past year. Export demand has bid them up. The jump in hide exports is matched by a corresponding jump in shoe imports, which have been running close to half of U. S. shoe production—as against a mere five percent in 1960. According to the Department of Commerce, imports soared to no less than two-thirds of U. S. shoe production in January! This ratio of imports to a basic American product is unsupportable! It calls for prompt and incisive action by the President—just as soon as he is able to focus again on domestic and ecomomic affairs!

In the case of the distress suffered by American import-sensitive textile and steel industries, Presidential relief actions were prompted when the ratio of imports to production hit the sore nerve represented by ten percent.

The policy implications of these developments are even more disturbing than the actual toll taken by hide cost inflation and shoe industry decline. No other power standing in the world today freely invites its competitors to strip it of its proprietary raw materials, while inviting them at the same

time to flood its markets with low-cost products that were fabricated from these same raw proprietary raw materials. I do not believe that America is still so rich or so naive that she can afford or agree to remain so improvident.

This costly and self-defeating pattern is by no means limited to American hide and leather industries.

Two warning signals from the marketplace leave no doubt that failure to close this export loophole promptly will cause the other shoe to drop—and I am not joking!

The first danger signal is coming from the distress-ridden dollar market overseas: There is no doubt that foreign shoe manufacturers, joining in the speculation that the dollars they already have and the dollars they are expecting to earn will be worth less, are using them now to bid up the price of hides. Consequently, foreign fears for another mark-down in the dollars are confirming domestic fears of another notch-up for both inflation and unemployment.

The second danger confronts the American consumer. The direct cost consequences to the American consumer of the run-up in the hide market are putting the Price Commission on notice to sanction an increase in the retail price of shoes of anything from $1.00 to $3.00 a pair. This price increase will come just as soon as today's run-up in hide costs translates itself into tomorrow's shipment of manufactured shoes. This means that the mothers of America's school-children will find themselves paying more for shoes just before school opens next September. It also guarantees yet another upward "tilt" in the cost-of-living index which will, therefore, entitle all union members still employed next summer to the offsetting pay increases guaranteed by the cost-of-living clauses in their contracts.

I call upon the President to instruct the Secretary of Commerce to take prompt steps to introduce a licensing system to limit the export of hides and to study any other parallel cases of abuse. I would much prefer the lesser evil of hide export controls to the unmitigated disaster of dollar exchange controls. Failure to take such relatively limited remedial action now will invite still new distortions threatening to force larger emergency actions sooner than I care to contemplate.

MISS KAREN BETH MALLAH, FLORIDA'S WINNER IN VETERANS OF FOREIGN WARS VOICE OF DEMOCRACY CONTEST

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

Mr. FASCELL. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conduct the voice of democracy contest. Participants from high schools throughout the country submit speeches based on theme of democracy, and compete for scholarships provided by the VFW. This year more than 500,000 students participated.

I am proud that the winning entry from the State of Florida was submitted by Miss Karen Beth Mallah, a senior at Miami Coral Park senior high school in the 12th District of Florida. Karen stresses the responsibility which democracy and its freedoms require of each citizen. Her essay clearly indicates her insight and maturity.

Mr. Speaker, I congratulate the Veterans of Foreign Wars and the ladies auxiliary for their sponsorship of this important contest, and call to the attention of our colleagues the outstanding work of Miss Mallah:

MY RESPONSIBILITY TO FREEDOM

Although freedom is a gift given to each American, freedom is not free. Freedom is the most expensive gift given because it requires constant guarding or it will be stolen away; it requires constant care or it will die of neglect. Yet, for all the expense involved, freedom is worth more than we ever can give to it.

Freedom is the only true expression of human dignity. It provides the only system that recognizes the differences in human beings and gives each the chance to try and attain the best life, both materialistically and spiritually, that one is able to attain.

The price of freedom lies in the responsibility necessary to maintain it. Each person has different responsibilities, based on his capabilities and awareness. My responsibilities are greater than most of my friends' because I am more fully aware of the thin line we walk in keeping freedom and losing it.

One of my greatest responsibilities is voting, for in voting I am taking a direct action for our heritage of freedom. I am asserting my views and opinions for the nation. I am making an active choice between two or more possibilities open; I am stating what I want for me and what I hope will be best for others.

Every time someone misses one election, no matter how inconsequential it seems, he is denying himself freedom. Voting is one way to assure a democratic government. But voting, no matter how diligently practised is not a daily occurrence, and freedom demands daily devotion.

Another responsibility I have is keeping informed. Only through information am I fully aware of what the government is doing. Then, if I am opposed to some action brought forward by the government, I am able to state my opposition in a calm, intelligent manner and offer suggestions for a better method in solving a particular problem.

Voting and keeping informed are excellent means for all citizens to actively participate in our American government and keep freedom alive. However, for my own personal satisfaction I must do more, because I am capable of doing more. I cannot be passive in a world that cries for action, and so I extend my responsibilities to freedom.

I find that my responsibilities do not end with myself. I try and see that others do not lose their freedom through disuse. I work with the political system we have, because I feel it is the best one mankind has devised. I actively campaign for the candidate I feel will do the best job of representing me and in carrying out my views. I babysit for free so many women who would not be able to otherwise vote are able to do so. I drive people to the polls, and inform citizens of their voting districts. I do this because it is my responsibility, and I can never assume someone else is doing this work so necessary for a healthy, political system.

Responsibility to freedom does not end with elections. The best tool at my disposal is pen and paper. Then I can write to my representatives and let them know how I feel on the issues so that they are aware of the will of the people.

However, in all the actions I take, my most important responsibility to freedom is being the best citizen I know how. Freedom requires maturity and understanding and the self control to know when to limit actions that would harm others.

We each have many responsibilities to freedom. Whatever happens, happens because we let it. Freedom is everyone's job. But in saying this, I must never think that I am nobody. Freedom begins with me, and I'll make sure it doesn't end with me.

I am striving to awaken responsibility for freedom in others, because only through united action is the true greatness of America fully achieved. My responsibility to freedom? Loving it so much that it remains alive for the future.

SUPPORT PRICE FOR MILK

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

Mr. OBEY. Mr. Speaker, I am today introducing a bill in the House which would require the Secretary of Agriculture to make quarterly adjustments in the support price of milk.

Under present law, the Secretary of Agriculture sets the support price for milk at between 75 percent and 90 percent of parity on April 1, the beginning of the marketing year. Throughout the marketing year, however, dairy farmers' purchasing power is eroded because the support price of milk remains constant while production costs steadily increase.

The passage of this bill would stop that steady erosion. Under this legislation, if an 85 percent of parity support level were established on April 1, the actual price farmers would receive for their milk would remain at close to that parity level throughout the year.

This has not been true in the past. Look at the present marketing year. Last April 1, the price support level for manufacturing milk was set at $4.93 a hundredweight, or 85 percent of parity. By April 1972, however, it is expected that because of increased costs to dairy farmers the $4.93 a hundredweight support price will represent only about 79 percent of parity, showing in effect, a 7 percent decline in purchasing power.

My bill would correct this by requiring the Secretary of Agriculture to adjust the support price of milk in terms of dollars at 3-month intervals during the marketing year. Had this legislation been in effect this marketing year, for example, the support price of milk would have been increased three times to maintain the support level at 85 percent of parity—to $5.04 a hundredweight on July 1, to $5.08 a hundredweight on October 1, and to $5.11 on January 1.

Unfortunately declines similar to those experienced this year have been experienced through each of the past 6 marketing years, as shown by the table below:

Marketing year (Apr. 1 to Mar. 31)	Support price (per hundredweight)	Support as percent of parity, marketing year		Decrease, percent
		Beginning	End	
1965-66	$3.24	75	72.5	2.5
1966-67	3.50	78	[1] 78.0	
	4.00	[1] 89	86.6	2.4
1967-68	4.00	87	83.5	3.5
1968-69	4.28	89	83.1	5.9
1969-70	4.28	83	80.0	3.0
1970-71	4.66	85	80.5	4.5
1971-72	4.93	85	[2] 79.1	5.9

[1] As of June 30, 1966.
[2] Estimate for Mar. 31, 1972.

Mr. Speaker, in my judgment, this situation is unfortunate and unfair.

Dairy farmers lose ground throughout the year, not because of inefficiency or through fault of their own, but simply because a price support level for milk established once a year does not allow farmers to keep pace with inflationary increases in production costs.

The price dairy farmers receive for their milk must rise at least enough to offset increases in production costs if dairymen are ever going to maintain—let alone improve—their income position. And I for one believe the need for improvement in the income of our Nation's dairy farmers is clear.

Undersecretary of Agriculture Campbell pointed out recently that financial returns for dairying are presently so low that most dairymen do not recover their capital investment during their occupational lifetimes. I cannot think of anything that better illustrates just why we need improved incomes for these farmers.

I believe the proposal that I am introducing today makes a justified improvement in our dairy price support program. If this bill is enacted into law, and if the Secretary of Agriculture raises the support price for milk to the full 90 percent of parity, as I urged Secretary Butz in a recent letter, dairy farmers should finally be able to achieve the income gains which they deserve.

Mr. Speaker, a copy of my bill appears below.

H.R. 13584

A bill to amend the Agricultural Act of 1949, to provide for adjustments in the support price of milk during its marketing year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401(d) of the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.) is amended by adding at the end thereof the following new sentence: "Notwithstanding the first sentence of this subsection, the Secretary shall adjust the support price of milk at three month intervals during its marketing year in order to accurately reflect any increase in the parity price of milk as of the date of each such adjustment when compared to its parity price at the beginning of such marketing year.

BUSING

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

M. SCOTT. Mr. Speaker, as you know many Members of the House are concerned with the problem of busing to obtain racial balance and the House Judiciary Committee has now responded to the concern of the membership by holding hearings on the problem. I hope these hearings will be fruitful and are not being held in order to prevent additional Members from signing the discharge petition now at the Clerk's desk. In any event, I would like to share my own testimony today before the Judiciary Committee with my colleagues in the House which is set forth in full below:

TESTIMONY OF CONGRESSMAN WILLIAM L. SCOTT BEFORE HOUSE JUDICIARY COMMITTEE, SUBCOMMITTEE NO. 5, DURING PUBLIC HEARINGS ON HOUSE JOINT RESOLUTION 620 AND RELATED MEASURES PROPOSING AMENDMENTS TO THE CONSTITUTION WITH RESPECT TO THE TRANSPORTATION AND ASSIGNMENT OF PUBLIC SCHOOL PUPILS, HELD ON MONDAY, MARCH 6, 1972

Mr. Chairman, let me thank you and the members of this committee for holding these hearings. In my opinion the people of the country are more concerned with the busing problem than with any individual domestic problem in recent years. An indication of this is the result of an annual opinion poll sent to every home in my congressional district, in which the question was asked:

"Do you favor busing of school children to obtain racial balance:

A. Between cities and suburban areas?" and the answers were, "yes," 9 per cent; "no," 90 per cent, and "no opinion," 1 per cent;

"B. Solely within a city or county?" and the answers were, "yes," 14 per cent; "no," 85 per cent, and "no opinion," 1 per cent;

"C. Under any circumstances?" And the answers were, "yes," 7 per cent; "no," 91 per cent; and "no opinion," 2 per cent.

We received more than 50,000 replies to the over 275,000 questionnaires sent out to a district which includes urban, suburban, and rural areas.

While Virginia may have a stronger feeling than most States in view of the recent decision by Judge Merhige involving the Richmond area, I do feel that the overwhelming majority of the people of the country are opposed to busing. A recent editorial in the Richmond *Times-Dispatch,* which serves my congressional district, and one from the Ashland *Herald, Progress,* both suggest that busing is not the proper way to obtain quality education, and I would like to insert these two editorials in the record at this point. (Editorials attached.)

Mr. Chairman, a number of our colleagues are not signing the discharge petition because they believe in the committee system, and they believe that this committee will report a bill to the House for consideration. This may be a test as to whether our body is truly the people's legislative body and if sovereignty does reside in the people of the country collectively, because I am convinced that the American people want to stop the busing of school children for the purpose of achieving racial balance as a substitute for the neighborhood school concept.

In my opinion, there are a number of ways to carry out the will of the American people. The first is by the enactment of a law prohibiting the busing of children in our public schools. This concept is embodied in H.R. 914 which I co-sponsored with Mr. Mizell of North Carolina, and a number of other Members. Because of fear, however, that this would be declared unconstitutional, I also joined Mr. Mizell and others in co-sponsoring a constitutional amendment.

I would hope that the committee would weigh the concept of exercising the legislative will without amending the constitution against the need for an amendment to the constitution to accomplish this same result.

I know that some members of the committee will disagree with this premise, but there is no doubt in my mind that recent decisions of our Federal courts are contrary to the desires of the vast majority of the people of this country. Therefore, I have introduced measures in the 90th, 91st, and 92nd Congresses to limit the terms of our Federal judges to 10 years. The latest of these, H.R. Res. 286, was introduced on February 4, of 1971. It provides for an amendment to the constitution, providing for tenure with the right of reappointment and reconfirmation.

Although this committee has not held hearings on any of these measures, constituents have indicated their approval.

Under such a measure, judges would still retain their judicial independence but would not be inclined to act arbitrarily as they frequently do under lifetime tenure.

If ultimate sovereignty does reside in the people of the country, it seems reasonable that every public official, whether he be in the legislative, executive, or judicial branch of our Government, should periodically have to account to the people for his stewardship.

You and I face the electorate every two years. Members of the other body do this every six years; the President every four years; and the governors of the various States at regular intervals. Periodic accounting of all Government officials to the public, in my opinion, is the only way to retain our republican form of Government.

There is another manner in which we can curb the arbitrary action of our Federal courts, however, without an amendment to the Constitution. This is pursuant to the constitutional provision to the effect that Federal judicial power "shall be vested . . . in such inferior courts as the Congress may from time to time ordain and establish." This is a concept included in H.R. 12827 which I introduced on February 1, 1972, and an identical bill, H.R. 13176, introduced February 16, with co-sponsors. Its intention is to clarify the jurisdiction of Federal courts with regard to cases and controversies involving the public schools and provides that neither the Federal district courts nor the circuit courts of appeals shall have any jurisdiction to hear or decide cases and controversies involving the public schools but that jurisdiction with respect to such cases and controversies shall be vested in the courts of the respective States and territories, with the additional proviso that the Supreme Court of the United States shall retain appellate jurisdiction by writ of certiorari to the highest State or territorial court exercising jurisdiction.

The purpose of the bill, Mr. Chairman, is to insure that cases dealing with such a vital local issue as neighborhood schools be heard by judges attuned to the problems and the needs of our communities.

Protection of the constitutional rights of the parties to disputes over schools would still be available on appeal to the Supreme Court, and Federal supremacy would still be maintained.

There is no doubt of the power of the Congress to enact such legislation and to not only set up a federal judicial system below the supreme court but also to fix the jurisdiction of such courts.

The first Congress exercised the power granted in the constitution when it enacted the judiciary act of 1789. 1 Stat. 73. Congress did not grant to the federal courts the full judicial power of the United States. Jurisdictional amount requirements kept many litigants from federal courts and sent them instead to state courts to adjudicate federal claims. The 1789 act contained no grant of "federal question" jurisdictiton, so that suits arising, in the words of article III, section 2, "under this constitution, the laws of the United States, and treaties . . .", except where otherwise specifically and narrowly provided for, were required to be brought in the state courts until 1875. 18 Stat. 470. And a clause barring diversity jurisdiction where diversity had been created by the assignment of choses in action kept in state courts cases which the constitution would have permitted Congress to assign to federal courts.

In a case involving the "assignee clause," the court first announced the doctrine that Congress controlled much of its jurisdiction and all of that of the lower Federal Courts. In the words of Justice Chase: "The notion has frequently been entertained, that the Federal Courts derive their judicial power immediately from the constitution; but the political truth is, that *the disposal of the judicial power* (execpt in a few specified instances) *belongs to Congress.* If Congress has given the power to this court, we possess it, not otherwise; and if Congress has not given the power to us, or to any other court,

it still remains at the legislative disposal. Besides, Congress is not bound, and it would, perhaps, be inexpedient, to enlarge the jurisdiction of the Federal Courts to every subject, in every form, which the constitution might warrant." (Emphasis added.) *Turner* v. *Bank of North America*, 4 DALL. (4 U.S.) 8, 10 (1799). And in *Cary* v. *Curtis*, 3 HOW. (44 U.S.) 236, 245 (1845), it was said that "The Judicial Power of the United States, although it has its origins in the constitution, is (except in enumerated instances, applicable exclusively to this court) dependent for its distribution and organization, and for the modes of its exercise, entirely upon the action of Congress, who possess the sole power of creating the tribunals (inferior to the Supreme Court), for the exercise of the judicial power, and of investing them with jurisdiction either limited, concurrent, or exclusive, and of withholding jurisdiction from them in the exact degrees and character which to Congress may seem proper for the public good." For similar expressions, see, E. G., *Sheldon* v. *Sill*, 8 HOW. (49 U.S.) 441 (1850); *Plaquemines Tropical Fruit Co.* v. *Henderson*, 170 U.S. 511 (1898); *Kline* v. *Burke Const. Co.*, 260 U.S. 226 (1922); *Lockerty* v. *Phillips*, 319 U.S. 182 (1943); *South Carolina* v. *Katzenbach*, 383 U.S. 301, 331–332 (1966).

State Judges under the supremacy clause, Article VI, Cl. 2, are bound by oath to uphold the supremacy of the constitution as well as constitutional Federal laws and treaties. Today, all cases which might be brought under "Federal Question" and diversity jurisdiction in Federal Courts which do not involve the requisite jurisdictional amount must be brought in State courts. Litigants may on their own bring most cases in State courts which could be brought in Federal courts, excepting only a few classes of cases in which Congress has made Federal jurisdiction exclusive.

Mr. Chairman, my bill does not go to the question of the restriction of the appellate jurisdiction of the Supreme Court, which may be the subject of a difference of opinion because the U.S. Supreme Court would still be the court of last resort, even though cases or controversies involving the public schools would be decided initially in State courts.

While I have advocated amendments to the constitution and still do, this route is a longer and more uncertain one than the process of elimination of jurisdiction over the public schools from our Federal District and Circuit Courts.

In conclusion, Mr. Chairman, regardless of the vehicle used in its accomplishment—and I know that this committee has various proposals before it—the people of the country want the neighborhood school to be preserved.

When young couples are considering the purchase of a home in which to raise their children, they consider the location of churches, shopping centers, and schools, as well as the general condition of the neighborhood. Children make friends within this neighborhood, and it seems reasonable for them to attend school with the friends they develop over the years. In the event they are taken out of their neighborhoods into strange areas, they are not only less alert on arrival but also away from their friends, in strange neighborhoods and sometimes even among hostile groups. Emotional problems can develop from such an experience.

It seems against the interest of children to attempt to use them as pawns to solve social conditions for which they have no degree of responsibility.

Small children especially tire easily. I am advised that they have nap times during the school day; and kindergarten and first-graders sometimes even attend school for a lesser period of time than the older children.

Mr. Chairman, I am hopeful that the so-called strict constructionists who have been appointed to the Supreme Court in recent years will reverse the trial court in the Richmond case; but the House of Representatives cannot depend upon this being done without legislative action on our part. If we are interested in the welfare of children—and I believe each member of this committee is—and if we want them to receive the highest possible quality education, then we must find a solution to this problem. And I urge that this committee bring this matter to the floor for consideration at the earliest possible date so that sufficient time will remain in this session of the Congress to have the necessary legislation enacted into law before adjournment.

[From the Richmond Times-Dispatch, Feb. 27, 1972]

INVALID ARGUMENTS

Many liberal journalists and politicians are attempting to discredit the fight against compulsory busing by accusing opponents of this pernicious practice of exaggerating its dangers and of favoring a restoration of complete school segregation. It may be impossible to persuade the defenders of busing to alter their views, but the effort should be made.

Let us consider, point by point, some of their salient arguments:

(1) Objections to busing cannot be valid because buses have been used for decades to transport children to school. Currently, at least 18 million children go to school by bus daily.

The flaw in this argument is that it makes no distinction between necessary, nonracial busing and unnecessary, racial busing. Foes of busing do not object, per se, to the process of transporting children to school by yellow motor vehicles. Rather, they object to contrived busing plans that force children to attend a particular school solely to promote racial balance. They object to busing plans that remove a child from the school to which he logically should go and transport him to a school far away—solely to promote racial balance. They object, if you please, to the imbecility and unfairness of compulsory busing that is designed to transport children for sociological, not educational, purposes.

(2) Busing is a necessary but temporary evil.

According to this asinine argument, the hardships of busing are acceptable now because eventually busing will not be necessary. Within a few years, this argument continues, the residential areas of all communities will be fully integrated and it will not be necessary to bus children to promote racial balance in schools.

One of the major objections to this view is that it is indifferent to the effects of busing on the lives of children currently involved. It is cruel even to suggest that young children must suffer the hardships of busing today in order that young children will not have to suffer the hardships of busing tomorrow. Young years are precious, too precious to sacrifice upon yellow, motorized altars—to appease the gods of racial balance. Today's children like the children of tomorrow are entitled to be educated in a serene, orderly and constructive atmosphere.

(3) Opponents of busing are really segregationists who abhor the thought of black and white children going to school together.

The primary purpose of this cynical argument is to attempt to dissuade moderates from joining the antibusing crusade. The theory is that many people with sincere reservations about busing would rather accept the practice than be labeled rednecks.

Of course, the argument is false. Undeniably, many busing opponents are segregationists but most surely are not. Under Richmond's old freedom of choice plan, Negroes were accepted quietly in formerly all white schools. It was not until U. S. District Judge Robert R. Merhige, Jr. ordered busing for the city that a mass exodus of white pupils from the city's schools began. Integration of Chesterfield and Henrico County school did not touch off a panicky flight of whites to private schools, but the prospect of busing threatens to do precisely that. Many white parents who withdrew their children from city schools last year, and many who are considering withdrawing their children from public schools if Judge Merhige's metropolitan busing plan becomes effective, are racial moderates or liberals who have no objection whatever to integration as such. But they are profoundly disturbed by the adverse impact that busing is likely to have upon the physical and educational welfare of their children.

As the debate on busing intensifies in coming weeks, those who oppose it can expect to be the target of a fusillade of slander. They can only hope that the justice of their cause will prove to be armor enough to withstand the assault.

[From the Ashland Herald Progress, Feb. 24, 1972]

BUSING: WRONG ROAD TO QUALITY EDUCATION

Resolutions on busing will be adopted tonight by the Hanover County Citizens Committee on Education, and on March 9 by the Patrick Henry High School PTA. Although Judge Merhige's decision to consolidate the school districts of Richmond, Henrico and Chesterfield does not directly affect Hanover, the precedents which would be set by this decree are profound and far-reaching.

If a Federal court judge can indeed sweep away school districts and force citizens to be bussed 8–12 miles from their homes in order to achieve a racial balance in the schools, Richmond will be only the first of the ailing cities to fall in a domino-like reaction. Next will be Cincinnati, Chicago, San Francisco . . . And of course eventually Hanover could be tossed into the Richmond basket for good measure if, one of these days, the "balance" gets unbalanced near our lower borders—

In the coming weeks and perhaps months as the case is sent to the Supreme Court and public reaction continues to claim the headlines of the daily newspapers, we will all be hearing more and more arguments about busing—surely most of them against, as parents react most strongly to what seems to them to be a dictatorial decision affecting their homes and family lives. And we don't intend to add to the rhetoric any more than seems irresistible . . .

But here is our two cents worth.

Busing is taking a lot of things that don't have anything to do with each other and putting them all together and coming up with a totally unrelated answer.

Two apples and an orange don't make a peach. One long distance school bus plus one racially balanced classroom and one school teacher don't equal quality education. What you get instead is a long distance school bus with some disgruntled parents at one end and some tired children at the other, a volatile and highly explosive classroom as children adjust to an unaccustomed social condition, a nervous teacher, and anyone who thinks that equals "quality education" is a mathematical magician.

If the most important human achievement of the '70s is racial adjustment of school age children (a laudable goal, don't misunderstand us) then busing is certainly a drastic and dramatic means to that end—or if the problems of the inner city with its ghettos

and minority domination is the number one ailment to be dealt with in this decade then busing is certainly a cure—

But if, on the other hand, the education of this nation's children is the school system's chief reason-for-being, then the quality of education can be judged only by the academics offered and the abilities of the teachers. And busing has nothing whatsoever to do with it. Not only will it not help—it will do much harm.

If the quality of public education is to keep pace with the expansion of man's knowledge, the schools must increase and diversify their offerings, the curriculum must be flexible enough to adjust to the individual's needs, the trades should be available for those so inclined, and all human and financial resources should be geared toward the production of the educated man and woman. Wherever the socially integrated classroom fits into these goals, fine. But to divert this nation from its primary educational purpose to fit a mathematical racial quotient is to take the wrong road to a dead end.

We believe this is persuasive argument. There are others.

The burden of busing on little children is a consideration, and the loss of the neighborhood school is tantamount in many minds as a reason to deplore busing. And then there is also the overall fact that with thousands and thousands of parents actively protesting the decree, surely some persuasion should be given to the fact that, after all, this is their country and their school system and the determining role of the parents should not be assumed by a branch of the government over which they have neither control nor influence.

Much is being said about busing. For the sake of all our futures, we hope it is being heard.

THE FAA DICTATES—PART II

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

Mr. KARTH. Mr. Speaker, yesterday I took the opportunity to reply to some remarks concerning the judgment of many elected officials and thousands of taxpayer citizens that had been expressed publicly by John H. Shaffer, Administrator, Federal Aviation Administration. Today, I would like to move into more substantive issues that involve the Administrator's contradictions in letters to me and in interviews with reporters.

As with my remarks yesterday and in future reports to you and our colleagues, the purpose of this report is to record for them the arrogance of an Administrator who has obviously been affected by his power brought about in part, I suggest, by his own Government furnished airplane at great expense to the taxpayer.

Today's report begins in April 1968, when the Minneapolis-St. Paul Metropolitan Airports Commission recommended that a second major airport in the area be situated in northern Anoka County at Ham Lake. At that time the concern of local environmentalists and conservationists was raised due to the obvious damage that would result to a unique wildlife refuge that abuts the proposed airport site.

Concerned environmentalists contacted my office and sought both my assistance and the assistance of the Department of the Interior against the assault on the environment. It was my belief then, and still is now, that if an airport on the Ham Lake site would cause irreparable damage to a unique environmental feature of the Twin Cities area then it would be advisable for the metropolitan airports commission to turn its attention elsewhere. That was also the conclusion of several environmental studies commissioned by the metropolitan council. And it was with this in mind, I am sure, the metropolitan council subsequently rejected the Ham Lake site on December 10, 1970, by a 9-to-5 vote. Taking into consideration these environmental problems we were also encouraged by the passage of the National Environmental Policy Act of 1969 which requires Federal agencies to take into consideration environmental damage in the course of their decisionmaking.

The first response I received from the Interior Department came close to being a clearcut rejection of the Ham Lake site. The Department raised the question of the serious and detrimental impact of an airport on the wildlife refuge and noted that a Federal investment of $268,845 in the refuge would be lost if the airport was built there. The Department went on to say:

> You are aware that a 23,000 acre waterfowl management area, within 30 miles of a major metropolitan area, is a rare commodity. Replacement in kind would be relatively difficult. Suitable airport sites should be much easier to find.

I concurred with this opinion and forwarded it to both environmentalists and local officials concerned with the question.

Soon thereafter the FAA Administrator became a self-appointed environmental expert and after a visit to the Twin Cities he proclaimed that the second airport would be compatible with the birds and the wildlife at the refuge.

After that environmental study the Administrator was reported in the Minneapolis Star of September 21, 1970, as making the following threat:

> Minneapolis and St. Paul damn well better find a solution to the problem or they are going to get bypassed.

The implication seemed to be that if we did not build a second airport the Twin Cities would eventually become ghost towns.

By this time the Administrator had obviously decided that two airports were needed in Minneapolis and St. Paul and decided that the worst possible site would be a fine place to put it.

At this point I was still openminded about the question of a second airport, but I knew that such an airport should not destroy a unique wildlife refuge. As is apparent from my report yesterday I now believe there are priorities far more important than a second airport at this time.

Shortly after the Administrator's remarks were published, I received another letter from the Interior Department, this one more emphatic than the first and flatly rejecting the Ham Lake site. At that time, October 1970, the Department stated to me:

> Please be reassured that we are firmly opposed to the selection of the site adjacent to the Carlos Avery Wildlife Management Area for this airport. . . . The Department of the Interior agrees with the Minnesota Department of Conservation in its defense of the Carlos Avery Area against airport development.

I sent a copy of this letter to the FAA Administrator and pointed out the implications of the National Environmental Policy Act of 1969 and asked the Administrator to reconsider his support of the Ham Lake site.

A month later he wrote me saying that he intended to remain aloof from all pressures to not become personally involved in an essentially State and local matter. He additionally responded that the FAA would take into full consideration the possible environmental harm that the Ham Lake site would cause.

In that letter of October 29, 1970, the Administrator went on to say, and I do not know how more emphatic he could have been:

> We have no preconceived notion about where a second major airport for this region should be sited: we simply believe the site should be selected unemotionally on the basis of real hard facts.

Mr. Speaker, I was happy to receive that assurance from the Administrator. I told the concerned people in my district—who were now beginning to circulate petitions by the thousands against the Ham Lake site—and the news media that the Administrator had personally pledged neutrality on the issue.

That is why I was surprised about a month later to read in the December 12, 1970 Minneapolis Star that the Administrator had gone back on his noninterference pledge.

That contradiction will be the subject of my report tomorrow.

RADIO FREE EUROPE AND RADIO LIBERTY

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

Mr. DERWINSKI. Mr. Speaker, the junior Senator from Arkansas, who is the chairman of the Senate Foreign Relations Committee, is guilty of arbitrary action in blocking a bill that would continue the operations of Radio Free Europe and Radio Liberty.

Radio Free Europe has beamed native-language broadcasts at Poland, Czechoslovakia, Rumania, Hungary and Bulgaria since 1950. Radio Liberty started a year later, beaming its programs in Russian and a number of the non-Russian languages used in the Soviet Union. Their main purpose is to give the oppressed people behind the Iron Curtain factual information they cannot get via the rigidly controlled Communist radio and press.

These days, the main focus of the two stations is on "liberalizing" thought in the Eastern European Communist nations and in the Soviet Union, and there is substantial evidence that they do have profound effects on their many listeners. Despite the tight Communist control over all communications and press, East

Europeans are able to hear the news from the free world in a manner to inspire their longing for intellectual and political freedom.

The junior Senator from Arkansas contends that the Voice of America would serve the role fulfilled by Radio Free Europe and Radio Liberty, and this is obviously not the case. The role of the VOA is that of official Government spokesman, while Radio Free Europe and Radio Liberty concentrate on the unique information needs of the peoples behind the Iron Curtain. It is essential to the battle that continues to be fought for access to men's minds that we effectively maintain these facilities.

The United States has performed no greater act of information distribution than has been accomplished by these radio stations that tell what is happening all over the world, including events of international significance. This news reaching into Communist countries has been very effective in contradicting constant Red propaganda statements.

Senator FULBRIGHT is dead wrong, and is evidently willing to scuttle programs which are truly helpful in presenting free world information to people behind the Iron Curtain. Only the dictators of the Soviet Union are applauding his stand.

Mr. Speaker, there is no doubt as to the sentiment in the House for continuing the services of these two radio stations, and I believe that the resolution cosponsored by Senators CHARLES PERCY and HUBERT HUMPHREY, supported by more than half the Members of the other body, clearly indicates Senate views on the subject. The totally negative attitude of Senator FULBRIGHT cannot be allowed to stand in the way of the steps that Congress should take to continue the operations of Radio Free Europe and Radio Liberty.

THE MAINE MESS

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

Mr. GROSS. Mr. Speaker, several years ago I called attention to the shellacking taken by the citizens of the State of Maine as well as all U.S. taxpayers because of the construction of a sugar beet processing plant that was clearly destined to fail.

At my request the General Accounting Office investigated this multimillion-dollar boondoggle and, more recently, has completed a second report on the mess in Maine.

It appears, as I predicted, that not only has the Federal Government been left holding this expensive bag, but the people of Maine have also suffered because of the political cronyism that is responsible for it.

A major trout stream was turned into an open sewer because of the rush to build this plant; the economic hopes of hundreds were dashed because the plant's promoters promised much more than could ever be delivered and, I understand, an entire town was brought to near or actual bankruptcy as one of the side effects of the Maine Sugar Industries fiasco.

I hope that this sorry episode—and the latest General Accounting Office reminder of its details—will put the brakes on any similarly inspired acts of political expediency that may be brewing.

NORTHERN IRELAND

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

Mr. FRELINGHUYSEN. Mr. Speaker, hearings were conducted last week before the Subcommittee on Europe of the House Foreign Affairs Committee regarding the situation in Northern Ireland. Much of the testimony focused on the so-called Kennedy and Carey resolutions. These resolutions, among other things, call for the immediate withdrawal of all British troops from Northern Ireland, the dissolution of the Legislature of Northern Ireland, and the convening of a conference looking toward the unification of all Ireland. Senator Edward Kennedy, Democrat of Masschusetts, was the leadoff witness.

Because of its unusual interest, I submit for the RECORD an interview published in the Washington Post of March 3 with Prime Minister Jack Lynch of the Republic of Ireland. He specifically criticizes Senator KENNEDY for calling for the immediate withdrawal of British troops. As the Irish Prime Minister expressed it:

It requires some period of time before the soldiers can be pulled out, to dampen down feelings between the two communities.

The article follows:

LYNCH RAPS KENNEDY OVER ULSTER PULLOUT

(By Bernard D. Nossiter)

DUBLIN, March 2.—Prime Minister Jack Lynch of Ireland today criticized Sen. Edward Kennedy's call for the withdrawal of British troops from Northern Ireland.

In an interview with The Washington Post, Lynch said the soldiers must remain to protect both Catholics and Protestants in strife-ridden Ulster. As for the Democratic senator from Massachusetts, Lynch said: "I don't think he understands the situation as fully as we do."

"It requires some period of time" before the soldiers can be pulled out, the prime minister said, "to dampen down and reconcile feelings in the two communities."

Responsible officials here and in Britain fear that withdrawing the soldiers now would lead to a bloody civil war, one in which the half million Catholics would likely lose more lives than the one million Protestants.

A disaster on this order could compel the Irish republic to intervene, and the nightmare scenario could end in a war with Britain.

The Irish premier, however, did urge Britain's 15,000 soldiers in Ulster to adopt a lower profile as a means of reducing tensions. In areas heavily populated by Catholics—he mentioned Londonderry and the Falls Road section in Belfast—the soldiers should, he said, go back to their barracks and abandon patrolling.

"They are "provocation," Lynch said: "Unfortunately, some of the orders they carry out have alienated the Catholic population."

This was a reference to the 4 a.m. searches the soldiers make in Catholic homes, usually kicking down the door to gain entrance and ripping up floors and walls in their search for weapons.

A withdrawal to the barracks in sensitive areas, Lynch said, "would give people an opportunity to settle down. There would be less frequent gunbattles."

Quarreling with a Kennedy is not normally regarded as good politics here. In the dail or Irish parliament, a flag of the "fighting 69th regiment," (a New York unit in World War I consisting mostly of Irish Americans) given by the late President, hangs on the ground floor alongside a copy of the declaration of the 1916 Eastern rebels against Britain. The American Embassy's ground floor is decorated with a large bust of John F. Kennedy. Brother Edward, however, is not held in anything like the same esteem.

Along with everyone else here, Lynch is waiting for the long expected political initiative from British Prime Minister Edward Heath to provide at least an interim solution of the tangled Ulster problem. The betting now is that Heath will make his move in the next 10 or so days.

Lynch said he hoped Heath would come up with a "realistic policy towards solving the internment problem and a bold move on the Stormont (Ulster) government."

He did not spell out what this means. But other members of his government have. They want Britain to release a substantial number of those now held without charge or trial. The rest, officials here think, should be charged with specific offense. Dublin understands London's view that no Ulster jury with Catholic members would unanimously convict a member of the IRA. So officials informally suggest that there be no rush to bring hard-core gunmen to trial.

The "bold move on Stormont," the name applied to the Ulster provincial government, means in Dublin scrapping the present regime and replacing it with a commission representing both Protestants and Catholics.

If these two steps are taken, it is said here, the way will be opened for a dialogue between political leaders of the two communities.

The Irish minister received me in his simply furnished office in the Government Building. He spoke easily and directly, with a frankness rarely found in heads of governments.

Lynch made clear his view that Irish-Americans giving money for the IRA's guns were doing their homeland a deep disservice.

"Contributing money in this fashion" he said, "contributes more to disunity in Ireland than to unity because the acts of the IRA are divisive."

"The vast majority of the people in the republic disagree thoroughly with the actions of the IRA. But the vast majority aspire to what the IRA wants, a unified Ireland. Therefore, there is some sympathy for the ideas of the IRA, not their methods."

Here in Dublin, IRA officials openly boast that they are receiving large sums of money from the United States.

Lynch himself thinks that the unification of Northern and Southern Ireland can only be achieved slowly and might take as long as 20 years.

Some political observers here have questioned his sincerity on this goal, wondering if he does not fear that he would lose power in a unified state.

He firmly denies any such ambivalence. "I would be prepared to get out of public life if we could achieve reunification by it," he said.

His government has also been criticized for failing to make unification more attractive to Protestants, for preserving in law Catholic dogma on contraception, divorce, adoption, censorship and preserving the Church's domination of schools.

The special role of the Church is written

into the constitution here. Lynch said flatly: "I would have no problem about that. I would eliminate it."

He was less forthcoming on the other issues. These things, he said, should all be considered when leaders of the six northern counties and those in the 26 southern counties jointly sit down to write a constitution for a united Ireland.

MIZELL DISPUTES CIVIL RIGHTS COMMISSION STAFF REPORT ON COMMUNITY SUPPORT OF BUSING FOR RACIAL BALANCE IN WINSTON-SALEM, N.C.

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

Mr. MIZELL. Mr. Speaker, on March 1, the Reverend Theodore Hesburgh, president of Notre Dame University and Chairman of the U.S. Commission on Civil Rights, testified before the House Judiciary subcommittee currently conducting hearings on antibusing legislation.

In the course of his testimony, Reverend Hesburgh presented for the record a study prepared by the Civil Rights Commission staff related to desegregation efforts in Winston-Salem/Forsyth County, the largest school system in the Fifth District of North Carolina, which I represent.

There is a generally misleading tone that pervades the contents of that staff study, suggesting that the program of massive busing imposed this year to achieve a greater racial balance in the schools has won widespread support among the people of that area.

One paragraph of the study summarizes this mistaken view. It states:

> There also appears to be a substantial segment of the white community that feels that the school system is operating quite well, that the quality of educaion has not deteriorated, and that the reorganization of the grade structure of the schools has been beneficial. . . . Although these whites were not publicly expressing approval, they are supporting the system through their silent cooperation.

Mr. Speaker, I cannot imagine a greater distortion of the facts as they exist in my area than that presented in the paragraph I have just read.

A full 93 percent of my constituents, black and white, responding to my latest questionnaire expressed opposition to busing simply for racial balance. I do not have the figures for residents of Winston-Salem and Forsyth County alone, but on the basis of my 20-year association with these good people, and on the basis of reports from school board officials there, opposition in this specific area is as great or greater than that which exists districtwide.

The Civil Rights Commission's contention that the people of this area approve of this plan, simply because they are law-abiding citizens who have chosen not to create violent disruption, as has been the case in other areas of the country, is either an admission of ignorance of the realities in this situation or a victory of predilection over investigation.

The people I am privileged to serve in this great Chamber have demonstrated strong support for the amendment I have offered prohibiting the assignment of students to schools on the basis of race, and to portray them in any other light is to distort their image beyond recognition.

LAW OF THE SEA CONFERENCE

The SPEAKER pro tempore (Mr. RONCALIO). Under a previous order of the House, the gentleman from Massachusetts (Mr. KEITH) is recognized for 5 minutes.

Mr. KEITH. Mr. Speaker, in 1973 the United States will be participating in the Law of the Sea Conference at Geneva. The purpose of the Conference will be to amend and revise the existing law of the sea. It will consider the vast spectrum of man's affairs with the sea from fishing to mining, from transportation to oceanography, and from the exploration of all ocean resources to the development of those resources.

One of the most important issues, if not the most important, is that of the world's fisheries resources. This issue is tremendously complex. There are about as many positions and ideas on how to explore, harvest, and most importantly, conserve these resources as there are nations participating in the Conference. Our Nation's fisheries position is of dire concern to all Americans—not only consumers but especially those connected with our fishing industry, whose life and/or death could hinge upon that position. The question is: How do we assure both the conservation of the offshore fisheries resources and the survival now and in the future, of our fishing industries?

An editorial in the December 30, 1971, edition of the New Bedford Standard Times sheds some light on the thoughts of our highest ranking fisheries official, Ambassador Donald L. McKernan, on this matter, these issues and its related question.

The editorial recalls a conversation with Donald L. McKernan, Special Assistant for Fisheries and Wildlife, Department of State, almost 4 years earlier.

The editorial states that he—

> Does not have the confidence of the fishing industry because they accuse him of being more interested in the State Department than in the fishing industry.

The fact of the matter is that Mr. McKernan is making the best possible case for the industry under the circumstances confronting us, and that most of the leaders in the industry do have confidence in him.

In the conversation recalled by the New Bedford Standard Times editorial, Mr. McKernan stated his recognition of the need—in the national interest—for a self-improvement program to protect the U.S. fishing industries. The Standard Times quoted the Ambassador as saying:

> If this program is not begun within the next five to ten years (including a "much greater" infusion of federal money), in my view, the opportunity will be lost.

Mr. Speaker, we must act soon, or the opportunity will be lost—in some cases forever. We cannot allow the interests of these industries to be sacrificed for other goals. The fisheries resources must be saved. The rights of our fishermen must be protected. To this end, I commend the efforts of all my colleagues. The upcoming Law of the Sea Conference may well be man's last chance to protect the oceans' resources—and our last chance to protect our fishing industries.

The Standard Times editorial follows:

WHO LISTENS TO US?

In March, 1968, The Standard-Times interviewed Donald L. McKernan, special assistant for fisheries and wildlife, Department of State, the highest-ranking fisheries official in the United States government.

Mr. McKernan acknowledged that:

1. The American fishing industry does not have "the same kind of preference" given to oil producers, farmers and others. He advocated a "much greater" infusion of federal money and said the government must "become more of a partner" with the fishing industry.

2. The relatively small industry (126,000 fishermen; 5,214,000 farmers), hamstrung by fragmentation, cannot mount a major lobbying effort, adding, "You have to get the country to respond; you just can't blame the President or the Congress if the public isn't interested in the welfare of the fishing industry. We fishery people haven't made the case strong enough . . ."

3. We must find alternatives (to a 200-mile fisheries limit around the United States) in self-improvement to protect the U.S. fishing industry. This is desirable from the standpoint of our national interest. "If this program is not begun within the next five to 10 years (including a "much greater" infusion of federal money), in my view, the opportunity will be lost."

Now, we have come to a serious impasse. The industry here, disenchanted and disillusioned, has little enthusiasm for keeping logbooks that the federal government wants in connection with catch data and enforcement of International Northwest Atlantic Fisheries catch regulations.

Moreover, important elements of the industry are pressing for American withdrawal from ICNAF, because they can see no value in staying in.

Mr. McKernan implicitly revealed the key to the present serious and deplorable situation.

Because the fishing industry is relatively small and has no great lobbying strength, its interests have traditionally been sacrificed both by the Congress and the State Department whenever those interests interfered or competed with either the massive farm bloc or international relations.

If domestic spending cuts were in order, farm subsidy never suffered, because there were lots of legislators who relied on farm votes. But the fisheries couldn't even get a comparable subsidy and budgets related to their industry have always been pared razor-thin.

If another nation, Communist or non-Communist, discovered a confrontation with our fishing industry, the State Department, and, eventually, the Executive Branch, therefore, inevitably gave the other nation the nod, in order to preserve friendly relations.

ICNAF, of course, is comparable to the United Nations; it is a bumbling, toothless creation hamstrung by the veto powers of its members, and principally capable of passing regulations to which we adhere and our foreign competitors ignore. A classic example is the Soviet catching of yellowtail flounders; they aren't supposed to be doing it, and it took months for our government to admit that our fishermen were correct in accusing the Soviets of doing it.

Mr. McKernan, who does not have the confidence of the fishing industry because they accuse him of being more interested in the

State Department than in the fishing industry, put his finger on the pulse of the matter in 1968:

If the American government wants a domestic fishing industry—if he reflected Washington's view when he said protection of this industry "is desirable from the standpoint of our national interest," then the time to start protecting and aiding it is now. Otherwise, we agree with Mr. McKernan that within a relatively few years, "the opportunity will be lost."

Is anybody at all listening in Washington, or do they listen only to farmers and foreigners—and never to fishermen?

ILLEGAL DRUG TRAFFIC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, I have suggested on several occasions that one definite answer to the awesome problem of the illegal drug traffic which plagues our country is a cooperative effort by the entire family of nations. We have long known that no matter what the United States does acting alone, it will not be enough.

Last Thursday French customs in Marseilles seized 935 pounds of pure heroin, the largest drug seizure ever made. The heroin is worth more than $100 million in street sales and is enough to supply every American addict for 1 month. The importance of the haul is illuminated when one considers that the largest U.S. seizure ever is 247.5 pounds, taken at San Juan, Puerto Rico, in June of 1971.

The 60-ton shrimp boat on which the heroin was found had made crossings to Miami in 1970 and 1971 and appeared to be bound there again. The captain of the ship has admitted delivering 220 pounds of heroin to Miami in 1971.

This seizure shows that with an all-out effort, trafficking in illegal drugs can become so unprofitable and risky that the flow will be greatly curtailed. Within the last week, Israeli police seized $1 million worth of hashish and arrested four members of an international drug smuggling ring. The United Nations is planning a worldwide campaign over the next 5 years to check illicit production, traffic, and consumption of drugs. Also within the last week, the Bureau of Narcotics and Dangerous Drugs announced that the United States is training and equipping special police in Thailand and Laos to control the so-called golden triangle border area between Thailand, Burma, and Laos.

All of these recent occurrences provide hope in eliminating what has been called our public enemy No. 1: Illegal drugs. All deserve our support and our praise.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's pioneers of progress and in so doing renew our faith and confidence in ourselves as individuals and as a nation. In 1884, George Eastman devised the first workable system of photography on transparent paper strip film and 3 years later, fellow American Hannibaol Goodwin developed photography on celluloid film.

SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. MILLS) is recognized for 5 minutes.

Mr. MILLS of Arkansas. Mr. Speaker, I take this time merely to point out to the membership of the House that some statements, which have been made might have misled some people to believe that the bill I had introduced would jeopardize the social security fund itself.

The most serious objections that have been raised to this legislation I have introduced have been in connection with its financing. I want to make it clear that this legislation is financed on a conservative basis. It is based largely upon recommendations made to the Congress by the Social Security Advisory Council in 1971 for improvements in the methods used in determining the actuarial condition of the social security system. What is more, my bill contains an additional safety margin in its financing provisions. The Council was assisted in its review by a separate panel that included nationally recognized actuaries and economists among its members.

What we are doing here in simply putting into the law what Congress has actually done over the past 20 years. That is to set the rates of social security contributions and taxes at a level which will provide sufficient reserves in the social security trust funds to assure that benefit payments will continue to be made in the future.

More specifically, Secretary of the Treasury Connally and Budget Director Shultz have questioned the soundness of the approach to financing the social security system which my bill adopts. In my opinion, these gentlemen are thinking more about the condition of the Federal unified budget for fiscal 1973 than they are about the condition of the social security trust funds, since the effect of my bill would be to increase the unified budget deficit by approximately $6 billion in fiscal 1973.

Every expenditure of Government from all of the trust funds, as well as the general funds, now go into the unified budget. For the life of me I have not been able really to appreciate this new concept of a unified budget. I do not think we should view social security amendments in the light of the effect that they might have on this so-called unified budget. I think we must look at the suggested changes in the light of the effect they have on the social security trust fund and the actuarial soundness of that fund.

While it is true that the unified budget deficit would be increased by my bill, it is also undeniably true that the amount of the assets in the social security trust funds will continue to grow and never decline in the future under it. According to the figures supplied by the administration's own actuaries, the assets in the trust funds during each of the next 5 years would be the equivalent of approximately 9 months' benefit payments, reaching $51.5 billion by the end of 1977. At no time would they be less than $42 billion during this 5-year period. These amounts are without question sufficient to assure benefit payments during the next 5 years. After the 5-year period, the amount of assets in the trust funds would gradually build up to the point where there would be a full year's benefit payments in the trust funds.

I made my decision to introduce this legislation only after giving it careful and lengthy deliberation. I have introduced it now in order that it may be enacted as part of the pending social security bill, and I am very pleased that the Senate Finance Committee is giving consideration to it. I am also convinced that it is fully financed.

I repeat what I said the other day. At no time during the course of the 75 years—the period for which estimates are made—will there be paid out more than will be taken into the social security trust fund under the tax provisions of the bill.

I am taking this occasion to clarify the record so that the Members themselves may not be misled by any statement that has been made involving it and conclude that anything has been done to jeopardize the actuarial soundness of the social security system itself. Of course, I admit it does add to the deficit in 1973 under the unified budget concept, but it does not mean one additional dollar of borrowing as far as I can understand it. On the contrary, it means that $6 billion that would be borrowed from the social security trust fund would merely be transferred into the public sector outside of Government. It is not adding to the total amounts borrowed.

The 27 million Americans who depend on social security benefits need this increase and they need it as soon as possible. This increase is essential now to give these people the purchasing power they need. The Nixon economic policies have created these problems, so I find it difficult to understand why the administration opposes this increase, but they do. Phase II controls are not slowing down inflation enough and they have not slowed down food prices at all.

Social security benefits are the major source of support for the majority of retired workers and the only source of income for about half of these beneficiaries. The 20-percent increase legislation I introduced, along with the other provisions of H.R. 1, would increase the average benefits of retired workers from $133 to $162 a month. The average benefits of aged widows would be increased from $114 to $153 a month. Even these increased benefit payments are close to or barely above present poverty levels for such individuals and couples.

WALTER HELLER ENDORSES "JOBS NOW" BILL TO PROVIDE 500,000 PUBLIC SERVICE JOBS

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, I have just received an excellent letter from Walter Heller, Chairman of the Council of Economic Advisers under Presidents Kennedy and Johnson, endorsing legislation that would create 500,000 public service jobs.

This "Jobs Now" bill, H.R. 12011, would create these jobs by amending and expanding the Emergency Employment Act of 1971. It was introduced in the House on December 2, 1971—CONGRESSIONAL RECORD, volume 117, part 34, page 44359—and it now has 62 Democratic cosponsors. It was introduced in the Senate on January 31, 1972, by Senator WALTER MONDALE and 20 other Democratic Senators (S. 3092).

The 62 House cosponsors are:

LIST OF COSPONSORS

James Abourezk (S. Dak.), Brock Adams (Wash.), Les Aspin (Wis.), Herman Badillo (N.Y.), Nick Begich (Alaska), Jonathan B. Bingham (N.Y.), Edward P. Boland (Mass.), John Brademas (Ind.), Frank J. Brasco (N.Y.), Phillip Burton (Calif.), Hugh L. Carey (N.Y.), Charles J. Carney (Ohio).

Frank M. Clark (Pa.), George W. Collins (Ill.), William R. Cotter (Conn.), George E. Danielson (Calif.), Ronald V. Dellums (Calif.), Robert F. Drinan (Mass.), Thaddeus J. Dulski (N.Y.), Don Edwards (Calif.), Joshua Eilberg (Pa.), Walter E. Fauntroy (D.C.).

William D. Ford (Mich.), Donald M. Fraser (Minn.), Sam Gibbons (Fla.), Ella T. Grasso (Conn.), William J. Green (Pa.), Richard T. Hanna (Calif.), Michael Harrington (Mass.), William D. Hathaway (Maine), Ken Hechelr (W. Va.), Henry Helstoski (N.J.).

Joseph E. Karth (Minn.), Peter N. Kyros (Maine), Robert L. Leggett (Calif.) Romano L. Mazzoli (Ky.), Lloyd Meeds (Wash.), Ralph H. Metcalfe (Ill.), Abner J. Mikva (Ill.), Parren J. Mitchell (Md.), Morgan F. Murphy (Ill.), David R. Obey (Wis.)

Edward J. Patten (N.J.), Claude Pepper (Fla.), Bertram L. Podell (N.Y.), Melvin Price (Ill.) Charles B. Rangel (N.Y.), Peter W. Rodino, Jr. (N.J.), Robert A. Roe (N.J.), Benjamin S. Rohenthal (N.Y.), Edward R. Roybal (Calif.), William F. Ryan (N.Y.).

Fernand J. St. Germain (R.I.), Paul S. Sarbanes (Md.), John F. Seiberling (Ohio), B. F. Sisk (Calif.), Louis Stokes (Ohio), Frank Thompson, Jr. (N.J.), Robert O. Tiernan (R.I.), Charles A. Vanik (Ohio), Jerome R. Waldie (Calif.), Lester L. Wolff (N.Y.).

The 21 Senate sponsors of S. 3092 are:

LIST OF SENATE SPONSORS

Walter Mondale (Minn.), Alan Cranston (Calif.), Birch Bayh (Ind.), Quentin Burdick (N. Dak.), Fred Harris (Okla.), Philip Hart (Mich.), Vance Hartke (Ind.), Harold Hughes (Iowa), Hubert Humphrey (Minn.), Henry Jackson (Wash.), Edward Kennedy (Mass.), George McGovern (S. Dak), Lee Metcalf (Mont.), Frank Moss (Utah), Edmund Muskie (Maine), Gaylord Nelson (Wis.), Claiborne Pell (R.I.), Jennings Randolph (W. Va.), Adlai Stevenson (Ill.), John Tunney (Calif.), and Harrison Williams (N.J.).

In his letter Dr. Heller writes that:

Given the continued intolerably high unemployment and sluggishness of the economy under Mr. Nixon's present policy, the need for your jobs program becomes more urgent with each passing day.

Your letter continues:

Your public service jobs bill recognizes that the shortest distance between two economic points is a straight line, that if we want to use Federal money to create jobs, the quickest and least expensive way to do it is to fund and fill jobs that are waiting to be done.

Furthermore, Dr. Heller goes on, a jobs now program can zero in on the women and young people who make up a growing percentage of the unemployed, giving them jobs rather than trying to define their unemployment away as the administration seems bent on doing.

The administration's game plan for dealing with the unemployment they can neither excuse nor define away apparently is simply to run enormous budget deficits. However, as Dr. Heller points out, the resulting demand pressure from techniques such as this,

Will create shortages of skilled workers, generate bottlenecks, and boost prices long before its blessings reach the less skilled and least experienced members of the labor force.

Finally, Dr. Heller notes, H.R. 12011, would create productive, not make-work jobs that need to be done at the State and local level, but which State and local treasuries are too depleted to fund. "To match these jobs that are beginning to be done with workers who are beginning to do them comes close to qualifying as an economic marriage made in heaven," Dr. Heller observes.

The full text of Dr. Heller's letter follows:

UNIVERSITY OF MINNESOTA,
DEPARTMENT OF ECONOMICS,
Minneapolis, Minn., March 1, 1972.

The Honorable HENRY S. REUSS,
Rayburn House Office Building,
Washington, D.C.

DEAR HENRY: Since I have repeatedly endorsed your proposal for 500,000 public service jobs in public, it is high time that I communicate my views directly to you. Indeed, given the continued intolerably high unemployment and sluggishness of the economy under Mr. Nixon's policy, the need for your jobs program becomes more urgent with each passing day. That need has at least five facets.

First, the need for greater economic stimulus: even if the Nixon forecast for an $1145 billion GNP for 1972 is realized, output would still fall $60 billion short of our productive capacity. Under these circumstances, the increased authorization proposed by H.R. 12011—to $2 billion for fiscal 1972 and $4 billion for fiscal 1973 (from the $1 billion for 1972 and $1.25 billion for 1973 now authorized under the Emergency Empolyment Act of 1971)—would be a modest but welcome tonic for an economy that still has tired blood.

Second, the need to meet our biggest single economic problem, unemployment, head-on: your public service jobs bill recognizes that the shortest distance between two economic points is a straight line, that if we want to use Federal money to create jobs, the quickest and least expensive way to do it is to fund and fill jobs that are waiting to be done. Funding and filling 500,000 public service jobs goes straight to the heart of the unemployment problem. It's a logical and necessary counterpart to expansionary fiscal and monetary policies.

Third, the need to tailor jobs to the changing structure of the jobless: the "Jobs Now" programs zeroes in on the less skilled, less experienced jobless—the teenaged, female, and minority-group workers—who are a growing proportion of the unemployed. Viewing the rising tide of youth and women in the labor force, some observers (including high officials of the Nixon Administration) have concluded that the 4% unemployment goal is "a myth," that "6% is not critical" because unemployment of teenagers and women does not have a high hardship quotient anyway, and that we have to settle for a more modest unemployment target like 5% in order to contain inflation.

Granted, it's tougher to get to 4% than it used to be. But that's no excuse for ignoring the social costs and tensions that go with 10% unemployment rates for blacks, 17% for teenagers, and over 30% for black teenagers. Tossing in the sponge and taking a "you-can't-get-there from-here" attitude, as the White House seems to be doing, is precisely the wrong response. Instead, we need to redouble our efforts, supplement our aggregate measures with segmented and more sharply focused measures like your public service jobs program. It gets at the unemployment problem "where it lives." To do less is defeatist.

Fourth, the associated need to do a better job of reconciling full employment with reasonable price stibility: if we try to solve the unemployment problem solely through general fiscal and monetary stimulus, the resulting demand pressure will create shortages of skilled workers, generate bottlenecks, and boost prices long before its blessings reach the less skilled and least experienced members of the labor force. To employ them without creating new demand-pull pressure calls for carefully targeted measures like "Jobs Now" that require, not $2 or $3 of spending, but only $1 (plus administrative expenses) to create $1 of unskilled job opportunity. Again, the right course is not to wring our hands and lower our job sights because of inflation fears but rather to find ways of creating jobs with minimum inflationary pressure. This, your public service jobs program would help us do.

Fifth, the need to create productive, not make-work jobs: myriad jobs of the kinds listed in H.R. 12011 are crying to be done, but hardpressed state-local treasuries—depleted by recession—simply cannot cope. These service jobs, being neither supported by expanding revenue sources like the federal income tax or ear-marked taxes like payroll and gas taxes, nor saleable in the market place like private goods, bring up the rear of the budgetary queue. To match these jobs that are begging to be done with workers who are begging to do them comes close to qualifying as an economic marriage made in heaven. To provide urgently needed support to the state-local enterprise in this process counts as an extra bonus.

The Nixon Administration is fond of scornful references to "dead-end WPA jobs." This reflects not only a woeful ignorance of history but a distressing lack of understanding of the nature and needs of the unemployed. For although youth, women, and minorities do make up a larger part of the jobless today than 10 or 15 years ago, their average level of education and training is significantly higher. As Otto Eckstein has shown, the proportion of the 18–64 age group with education of 12 years or more rose from 48% in 1957 to 57% in 1964 and 68% in 1971, and the number of individuals in work and training programs rose from 135,000 in 1964 to over a million in 1969. But education and training—as well as unemployment compensation, income maintenance, and work incentives for the unemployed—all lose their point unless there are decent jobs for them at the end of the line. It was Calvin Coolidge who in 1928 made the profound observation that "for a man to have a job, someone has to hire him." He had something there. And "Jobs Now" has something here.

Sincerely,

WALTER W. HELLER,
Regents' Professor of Economics.

WESTERN HEMISPHERE IMMIGRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 5 minutes.

Mr. RODINO. Mr. Speaker, I wish to advise the House that the Subcommittee on Immigration and Nationality, Committee on the Judiciary, will commence hearings the latter part of May on legislation to establish a preference system for immigration from the countries of the Western Hemisphere.

The hearings will furthermore be concerned with the need for a realistic revision of the present preference system which will be applicable on a world-wide basis.

As my colleagues will remember, natives of the Western Hemisphere enjoyed a nonquota status prior to the 1965 amendments to the Immigration and Nationality Act. Since enactment of those amendments, there was established a numerical ceiling of 120,000 immigrants on all the Western Hemisphere without regard to any preference category or per country limitation.

The ceiling placed upon Western Hemisphere immigration was rather hastily considered. Notwithstanding the recommendations of the Select Commission on Western Hemisphere Immigration opposing the ceiling, it did become effective in June 1968, without any formula for the distribution of the 120,000 visa numbers.

Consequently, many families experience great hardship, waiting approximately 18 months before they are able reunited with relatives in the United States.

I trust that we will be able to correct these inequities in the near future.

PROPOSAL TO REVIEW ALL TAX EXEMPTIONS EVERY 2 YEARS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 10 minutes.

Mr. ASPIN. Mr. Speaker, today I am introducing in the House legislation that would require Congress to review every 2 years about $47 billion worth of tax exemptions and loopholes.

This legislation would, first, terminate $47 billion of tax exemptions by January 1, 1974, and second, establish as the policy of Congress that all tax exemptions passed after the enactment of the bill would be authorized for a period not to exceed 2 years.

As you know, Mr. Speaker, at present most tax bills that give breaks to special groups or interests are authorized for an indefinite period of time. Thus, even if a tax break makes sense when it is passed, it may not make sense 5 or 10 years later. Yet, there is no mechanism for Congress to review them and, thus, they are almost never repealed. This is particularly unfortunate since there are many tax loopholes for the rich on the books, which raid the Treasury for billions of dollars each year.

If Congress must formulate a new Federal budget each year, then it should at least be required to review over $40 billion in tax breaks every 2 years.

Under my legislation, those tax exemptions Congress did not reenact by January 1, 1974, would terminate. Thus, the burden of proof would be on those who believe the particular tax exemptions are still justified to persuade Congress and the public that they ought to be continued. I believe that, with a much better public awareness today of the importance of tax reform, it is quite clear that many of the present tax loopholes could not stand up under the public scrutiny of recorded votes in the House and Senate.

I am not saying that all of these $47 billion of tax exemptions are unjustified. But there are clearly many that are highly questionable and would be very hard to publicly defend. It is not hard to find examples, such as: Exemptions that are given to U.S. corporations overseas, capital gains incentives to cut trees, and the special percentage of depletion allowance—which alone costs the taxpayers $1.3 billion per year.

In short, Mr. Speaker, I believe that requiring Congress to review tax exemptions every 2 years would be the most important step Congress could take in effectuating meaningful and long-range tax reform.

COAL GASIFICATION—PROCESS OF FUTURE—PROBABLE SOLUTION TO THE ENERGY CRISIS

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, in the past few weeks, we have seen a spate of articles extolling the potential of coal gasification as the means of solving our nagging national energy crisis. One such article appeared in the New York Times on February 27 and I bring it to your attention as indicative of the strides made in the "clean coal" campaign which I have long advocated and struggled for during my years in the Congress.

Inasmuch as I have a number of converging interests in the subjects of protecting our natural environment, the mining of coal, coal gasification, and the Office of Coal Research, it is satisfying to inform my colleagues and the public that a great oak is growing from the tiny acorn the Congress planted when the OCR was founded almost 12 years ago. The article in the Times reflects only a small part of the total picture and unfortunately ignores other gasification research progress.

One of the processes with particular applicability to our shortages of natural gas is being studied intensively by OCR with the cooperation of Bituminous Coal Research, Inc., at a plant which is to be built in my congressional district at Homer City, Indiana County, Pa. The development of the "Bi-Gas" process for the production of high-B.t.u. pipeline gas from coal is the primary objective of the gas generator research and development program at Homer City. The initial phase of the program was a survey of available and proposed coal gasification processes. That survey resulted in a two-volume compendium on gasification processes and in the conceptual design of a two-State, superpressure, oxygen-blown system for producing high-B.t.u. pipeline gas from coal. I am naturally proud that such important work is being conducted in my district, but more important, it is a measure of deep satisfaction that the press is finally noticing that the potential solution to coal-based pollution is feasible and offers an exciting alternative to the dismal forecasts we all too often see and hear. Coal gasification, as an alternative to other forms of energy production, is something many of us who study our national energy problems on a day-to-day basis have known about and fought diligently for for many years.

One can conjure up limitless possibilities for conserving natural resources, protecting our environment, and solving near- and long-term energy problems, were the Office of Coal Research, the Bureau of Mines, and the Department of the Interior to receive the public, congressional, and executive support for research and development that is currently lavished on the atomic energy industry. I believe the figures are still close to accurate—at last count, the AEC spends more money each year for education and training than does the Office of Coal Research for all its operations.

The time has come to shift our eyes from the uncertain promises of the nuclear "magic" and concentrate on reality. The reality is that we need a clean, safe means of running the motors of America. That means is at hand and from our most abundant natural resource—coal.

The facts and figures have been with us for years, but to date few people, outside the dedicated few, have bothered to acknowledge the simple fact that, by using coal, we can reduce energy production pollution in the foreseeable future and without the horrible consequences and indefensible costs associated with the rush to nuclearization. The facts and figures I spoke of appear annually in the reports of the Office of Coal Research. The report for fiscal year 1972, which has been delivered to all Members of Congress, should be required reading for all concerned with our Nation's energy-environment problems.

The OCR report, combined with a reading of the recent article in the New York Times, should prompt many Members of Congress and individual citizens throughout the country to demand a reordering of public-supported energy research priorities.

The Times article follows:

A "NEW" FUEL: COAL—PROCESS WOULD CONVERT IT TO GAS

(By Gene Smith)

Paradox: There's a growing energy shortage. At the same time, there's an awful lot of coal—more than any other fossil fuel supply—most of which can't be used because of its air-polluting qualities. How can it be used?

That's the research target of some of the biggest companies in the nation, including the Westinghouse Electric Corporation and the General Electric Company.

Last Thursday the American Gas Association reported that gas had been made from coal in a large-scale experimental plant in Chicago. Ultimately, it is expected to produce 1.5 million cubic feet of gas a day.

The plant used the "Hygas" process and was financed by the trade association and the Department of Interior's Office of Coal Research. The process—a contraction of hydro gasification—is designed to make gas equivalent in quality to natural gas.

In operation, the coal is mixed with light oil and this mixture is then injected into the top of a 140-foot-tall hydro gasification reactor. The light oil is driven off and recovered, and as the coal particles flow downward, hydrogen is introduced into the bottom of the reactor. The hydrogen interacts with the carbon in the coal to produce methane, the chief ingredient of natural gas, which is then piped off the top of the reactor.

The group intends to operate the plant for several years and conduct various tests that would be used to build an operating plant with a daily capacity of about 250 million cubic feet of gas from 17,000 tons of coal.

F. Donald Hart, president of the gas group, said:

"This will open the way to convert our most abundant source of energy into our cleanest source of energy."

Basically, all of the research efforts are aimed at reverting to the gas works of old. There are several different methods available. It remains only to decide whether it's best to produce the gas at the coal supply and ship it through pipes or to produce it at the power plant and use it there.

Both G. E. and Westinghouse believe that it's more economical and practical to bring the coal to the power-producing site, convert it to gas and use all of its heat there.

Arthur M. Bueche, vice president-research of G. E. said the company had been approached by quite a few people who wanted to "put in demonstration plants using our gas turbines and their gasifiers.

"We've got a lot of research on the coal gasification problem, but we also want to tie it in with refuse, garbage and other sources to produce a low-British-thermal-unit gas right next to the turbine," Dr. Bueche said.

He emphasized that the techniques were not new and that coal gasifiers were in widespread use in Europe today. The aim is to develop an economical large-scale process for domestic usage.

"A good gasifier must be able to operate continuously without clogging up, and we must be able to get the sulphur out, too," Dr. Bueche said. He added that G. E. was working on a proposal to submit to the Government soon.

Westinghouse seems to be more advanced in the search. It has already made an unsolicited proposal for funds to the Office of Air Programs in the Environmental Protection Agency. It has formed a team with the Public Service Company of Indiana, the Ayrshire Coal Company, The Northern Indiana public and Bechtel Corporation. Tennessee Valley Authority Service Company and they have also joined as associate members.

Bruce W. Morrison, general manager of Westinghouse's heat transfer division, estimated the program would take 8 years and would result in the testing of a full-scale unit. The timetable calls for construction of an advanced pilot gasifier to be operating early next year. It would have a daily capacity to supply a power plant with a 10,000 to 30,000-kilowatt capacity. The full-scale unit to be built later would have up to 240,000-k.w. capacity.

Westinghouse also envisions combining coal gasification with a cycle power-generating system that uses both gas and steam turbines in a packaged plant to produce electricity cheaply.

Mr. Morrison is confident that by 1980 gasifier-gas turbine combinations would be available that would generate electricity at a significantly lower cost than a conventional steam plant with the necessary stack cleanup systems

He also noted that Westinghouse planned to use bituminous coal, which is in abundant supply, to form a fuel gas of low heating value as opposed to gas industry proposals to produce high B.T.U. content gas to be shipped through pipelines.

Mr. Morrison said that Westinghouse had asked the Government to fund approximately 40 per cent of the program. Meanwhile the company is proceeding on its own within research budgets.

John W. Simpson, president of Westinghouse Power Systems, said he believed that his company was well ahead of its competition in the quest for an operating coal gasification system.

"If the Government had acted six months or so ago, then we're sure we would have gotten the contract. In the meantime we elected to keep spending our money to hold onto our lead," he said. "I would certainly hope that something would be done by summer at the latest. I just don't see how the Government can avoid taking a stand on coal gasification."

Mr. Simpson said it was a simple matter of priorities and clear thinking:

"Natural gas is practically dead as a fuel for producing electricity. We can't really depend on oil from an unstable Mid-East, and we can't burn coal with sulphur content. Coal gasification provides the one way to use an indigenous natural resource. To be able to do it is vital to our future."

Where other proponents are planning to use fixed-bed gasifiers, Westinghouse proposes a new fluidized-bed system. It would introduce lime or limestone particles in the bed to remove the sulphur as calcium sulfide.

Mr. Morrison acknowledged that the Westinghouse concept was unique. "But it is composed of subsystems that have been successfully operated by others," he said. He pointed out that Consolidation Coal Company had successfully used the desulfurization system, while the FMC Corporation had used multiple fluidized stages to produce char.

The Office of Emergency Preparedness has stated in talks with various segments of the energy industry that coal gasification is "an extremely important consideration" in its thinking and planning.

F. Norman Woodruff, speaking at the annual meeting of the United States National Committee of the World Energy Committee earler this month said:

"I would like to single out coal as the natural resource which, I believe, offers the most immediate and short-range support to our lagging internal energy resources. Not only is coal more abundant than all others of our conventional energy resources combined, but the technology for its production and use has been with us for many years. With a minimum of time, effort and expense, coal can be converted into a desirable fuel category."

FUNDS URGENTLY NEEDED FOR DEVELOPMENTAL DISABILITIES PROGRAM TO AID THE MENTALLY RETARDED AND DISABLED

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, March 1, 1972, in a letter to my colleague from Pennsylvania, Mr. DANIEL J. FLOOD, I presented a statement urging that his Appropriations Subcommittee on Labor, Health, Education, and Welfare, support a supplemental appropriation of $83,215,000 in Federal aid to the mentally retarded.

The Congress and the President are both pledged to improving the life of the mentally retarded. Yet, this commitment has been seriously undercut in the Federal budgetary process. Requests for funds under the developmental disabilities program—Public Law 91-517—the major new Federal aid program for faciilties and services for the mentally retarded—have surpassed Federal aid 10 to one. This year, the Congress has approriated only $22 million compared with the authorized level of $105 million. In my statement, I urged that the committee fund the developmental disabiilties program up to the authorized level.

Recently, along with other Members, I visited the Willowbrook State School for the mentally retarded in New York City. This school has been the focus of attention in the past few months because residents—mainly children—are forced to live under outrageous conditions of filth, disease, and despair. But many other such institutions, both in and out of New York, are in the same situation, and lack of funds is the main cause of the trouble. I am convinced that increased Federal aid to Willowbrook, and scores of their State schools like it, is essential if the mentally retarded are to be treated with compassion so that they may live in dignity and realize whatever potential they have.

I urge every Member of Congress to impress upon the members of the Health Apporpriations Subcommittee their support for additional assistance to this class of poor, defenseless American citizens, who have been shut up and away from the rest of our society, and to support this aid when the supplemental budget comes before the House of a vote.

The following is the text of my letter and statement on increased Federal aid for the mentally retarded:

WASHINGTON, D.C.,
March 1, 1972.

HON. DANIEL J. FLOOD,
Chairman, House Labor, Health, Education, and Welfare Subcommittee on Appropriation, Washington, D.C.

DEAR CHAIRMAN FLOOD: I am pleased to have the opportunity to present the enclosed statement to your subcommittee for consideration as you prepare recommendations for supplemental appropriations for FY '72. My remarks are directed to the urgent need to fund the Developmental Disabilities Act of 1970 at the authorized level of $105 million. This program is the main new hope for improving the desperate plight of the mentally retarded and disabled in our state institutions. Without full finding, thousands of helpless retarded persons will be forced to live indefinitely under dehumanizing and brutal conditions. My recommendations seek to have the Congress appropriate an additional $83,285,000 in the supplemental FY '72 budget to assist the mentally retarded.

With warmest wishes,
Sincerely,

JONATHAN B. BINGHAM.

STATEMENT BY HON. JONATHAN B. BINGHAM

I wish to thank you, Mr. Chairman and the Members of this Committee for providing me this opportunity to present my views as you consider supplemental appropriations for health programs. I want to address my re-

marks particularly to the Developmental Disabilities Services and Facilities Construction Amendments of 1970 (P.L. 91-517).

My interest in the field of Mental Health goes back many years. In 1959 and 1960 I served on the New York State Mental Health Council and visited many of the institutions around New York State. I was also, for two years, President of the Bronx County Society for Mental Health.

Today, as never before, the Federal Government is pledged to upgrading the living conditions for the mentally retarded and developmentally disabled. When the Congress passed the Developmental Disabilities Act in 1970, it recognized mental retardation as "a major social, education and economic problem" and set as a goal the fostering of vital services and the construction of new community facilities. President Nixon clearly reflected the urgency of the problem last November when he spoke of the need to reduce "the cruel bane of mental retardation" and set as a national goal "to enable one-third of the more than 200,000 retarded persons in public institutions to return to useful lives in the community."

This Federal commitment to helping the mentally retarded and their families has been seriously undercut in the Federal budgetary process. The Developmental Disabilities Program, which assists states ready to act on these pledges, is creeping along with an appropriation but one-fifth of the present authorization. Meanwhile, helpless children and adults sit unattended and deprived in hostile and dehumanizing institutions.

The problems in the mental retardation field are varied. Some states, like Massachusetts, are attempting to coordinate the activities of various state agencies and eliminate flaws in their fiscal apparatus in order to disburse funds more effectively for construction and services in the coming years. Other states, like New York and Pennsylvania, have made a concerted effort to reduce the population of the resident schools by placing in the community those moderately or midly retarded who can function outside the large institution. But the very effort to humanize conditions for these people and diminish the residential population, has exacerbated the critical shortage of personnel in these institutions. Specifically, by removing those mildly retarded residents who assist ward staff, the already overworked personnel are left attending a uniformly more demanding group of mental retardates without the help of capable residents.

Overcrowding and understaffing results in seriously brutal conditions. News reports have documented how children are left crying and soiled without any supervision. Poor eaters, who need patient feeding attention, are undernourished and children are subjected to diseases, like hepatitis and measles which claim many lives needlessly.

This committee, Mr. Chairman, is in a unique position to have a profound and immediate effect upon the lives of some of the most needy and helpless American citizens. Throughout the nation, state mental health offices in charge of dispensing funds under the Developmental Disabilities Program have been receiving requests for projects far in excess of their allotment. For example, Massachusetts turned away over $6-million in requests under its FY '71 allotment. Even this $6-million figure, however, does not reflect the full need in that state. State officials set a ceiling on applicant requests of $40,000. As most requests were close to that figure, officials believe that applicants were asking for less than they actually needed. This pattern of requests outstripping allotments is repeated in state after state. A few other examples, supplied by the National Association of Coordinators of State Programs for the Mentally Retarded in response to one part of a questionnaire which appears below, further reveal the nature of the financial lag in the Developmental Disabilities Program funding:

1. New Jersey was allotted $304,000 in FY '71, and it received requests for $1,876,000—a shortage of $1,572,000.

2. New York was allotted $1.4 million in FY '72, and it received requests for $17-million—a shortage of $15.6 million.

3. Texas was allotted $640,000 in FY '72, and it received requests for $1.5-million—a shortage of $860,000.

3. Texas was allotted $640,000 in FY '72, Coordinators of State Programs for the Mentally Retarded has compiled a list, which also appears below, reflecting preliminary estimates on FY '73 needs for 25 states for formula grant funds under Title I of the Developmental Disabilities Act. These states are recipients of about one-half of the current FY '72 allotment of $21,715,000. Based on the information collected, these 25 states will need over $75-million in FY '73. Translated into an estimate for the entire nation, the need will approximate $150-million—or about 15% more than what the Congress has authorized for FY '73. These figures reveal that when the Congress set authorized levels for the Developmental Disabilities Program in 1970, it was quite accurate in its three-year projections. However, as I have already said, current appropriations fall far short of the authorized level. If we are to meet our commitment to the mentally retarded, it is imperative that the Congress appropriate in the supplemental budget an additional $83,285,000 to provide full funding for this program.

I would expect, Mr. Chairman, that you and the members of the Committee have some question, at this point, as to whether the states can utilize so significantly a supplemental appropriation for the current fiscal year. I would say, most assuredly, they can.

To begin with, the Committee should keep in mind that current rulings on the Developmental Disabilities Act permit service and construction project grants for FY '72 appropriations to be obligated in FY '73. Thus, even if a state receives additional funds late in this fiscal year, there would be no time-pressure to disburse the money without the requisite care and under authorized procedures. But even more important, states have the present capacity to spend more money in the care and treatment of the mentally retarded.

In New York, for example, a state which spends over $600-million on care for the mentally retarded, fiscal crises have taken a critical toll at state schools for the mentally retarded. Willowbrook State School has lost hundreds of employees in the past few months because of the intolerable working conditions and needs 900 additional staff members to bring the work force up to authorized level. These workers would help to improve the drastic living conditions for patients. Throughout the entire state, New York needs 3800 more employees at state schools. Vacant staff positions further aggravate the serious overcrowding problem because many new facilities, built with state and federal funds, are unstaffed and cannot open. In this context, it is also important to note the recent remarks of New York State Mental Hygiene Commissioner, Alan D. Miller. In February of this year, Dr. Miller said that one in four inmates at Willowbrook and other state schools for the retarded could be released immediately if proper facilities were provided for them.

The Massachusetts State Office of Planning and Program Coordination has provided me with basic information on programs which could be acted upon immediately if funds were available. That office details a cost estimate of $30-million for adequate provision of domiciliary and special living arrangements and sheltered workshops to the mentally retarded under the Developmental Disability State Plan. The report which I include below, also stresses that current federal funds totalling almost $400,000 under HIP-HIST (Hospital Improvement Program-Hospital Inservice Training Program) will be lost to the state in FY '73, as federal policy calls for the phasing out of these programs. Unless grants are increased under the Developmental Disabilities Program—and increased substantially—states are going to be worse off in the coming years than they are at present. The Congress must not countenance any further deprivation of the mentally retarded and disabled.

In order to provide the Committee with a clear idea of what additional money would mean for one institution, I am including in my statement a report I received from Dr. Oleh Wolanski, Director of Letchworth Village in New York. The problems at Letchworth are fairly representative of those at large institutions in virtually every state.

Dr. Wolanski outlines six specific projects which would be implemented immediately if adequate financing were provided:

(1) Opening additional space in the new facility.

(2) Expanding community service programs.

(3) Expanding the operant conditioning program.

(4) Expanding a special feeding program for problem eaters.

(5) Developing a better educational program for the residents.

(6) Placing mildly retarded residents in the community and replacing them with new staff.

It is programs like these, Mr. Chairman, which would make the critical difference for those in state institutions. The Congress cannot turn its back on the poor and defenseless retarded and disabled who have been shut up and away from the rest of society. We must dedicate ourselves and our Nation to making their lives more meaningful and bearable. Only full funding of the Developmental Disabilities Act will prove that commitment.

Therefore, Mr. Chairman, I respectfully ask the Committee to recommend that the Congress appropriate in the supplemental budget an additional $83,285,000 for the Developmental Disabilities Act.

RESPONSES OF SELECTED STATES TO QUESTION ON NEED UNDER THE DEVELOPMENTAL DISABILITIES ACT PREPARED BY THE NATIONAL ASSOCIATION OF COORDINATORS OF STATE PROGRAMS FOR THE MENTALLY RETARDED

In your opinion, what amount of federal funds would be required under Title I of the DDSA program in order to have a meaningful initial impact on closing the existing gaps in services to the mentally retarded and other developmentally disabled persons in your state? Is the state in a position to make wise use of this amount in FY 1973 given the present status of planning and development of services? If not, what lesser amount could be used effectively in FY 1973?

NEW JERSEY

We received requests for $901,000 for programs under DDSA.

We received requests for $975,000 for construction under DDSA.

DDSA allotment for the entire State of New Jersey for both programs and construction was $304,000.

MISSOURI

Perhaps it would be fair to estimate that $1,000,000 per year might more adequately provide the needed services as outlined on the enclosed Attachments 5.2B and 5.3A. Judging from the present status of planning and development of services and the progress Missouri has made in administering federal DDA funds, the State is definitely in a

position to make wise use of an increased allotment for Fiscal Year '73.

PENNSYLVANIA

It would appear that more than $30 million annually would be needed to even meet the targets itemized in Number 3 for the mentally retarded. This sum should substantially be increased as other kinds of disabling conditions under developmental disabilities are included. If these funds were made available with enough advance notice, we could reasonably use all or part of it in a wise and expeditious manner.

NEW YORK

The question of what amount of 1973 Federal funds New York State could use to make a meaningful impact on our service needs for the developmentally disabled is difficult to answer. Certainly we could effectively use more funds than our $1.4 Million 1972 allocation. About one-third to one-half of this amount is obligated for continuation of 1971 fund commitments. This means that we can expect to approve no more than 14 new projects for 1972 in addition to continuing our 14 1971 projects.

At the present time we have over 100 letters of intent submitted for 1972 funding with an estimated budget of $17 Million! While some of these projects will be disapproved because they are not consistent with our State priorities or for other factors, this figure does indicate that we could use a substantial increase in funds for the Developmental Disabilities program.

TEXAS

During the FY 71 period, a total of 130 applications were made, totaling $633,070. Only 68 awards were made with the more limited amount of $250,586 which had been earmarked for service projects.

Similarly, during FY 72, a total of 113 applications were received, totaling $1.5 million. Only 51 awards were granted from the $640,000 earmarked for services.

This analysis indicates that for the two fiscal years combined an additional $1,222,484 was needed to fund all requests from the field. The wisdom of funding every request can be questioned, of course, as many applications were of dubious quality. It does point up the fact, however, that there has been a tremendous response to this program, and that the need far exceeds the available funds. The same holds for construction requests.

KANSAS

If the Developmental Disabilities Funds are to have a meaningful impact in closing the existing gaps of services, I would estimate that Kansas could very conservatively expend two or three million dollars on grants for service expansion and service improvement with the goal being an efficient system of quality services. The state could very adequately expend this money within our current statue of planning mindful of the current level or even increased expenditures by other state agencies having responsibility for serving the developmentally disabled such as the education, vocational rehabilitation, welfare, etc.

Following is text of letter from the Massachusetts Office of Planning and Program Coordination:

THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE, OFFICE OF PLANNING AND PROGRAM COORDINATION,

Boston, February 16, 1972.

Congressman JONATHAN BINGHAM,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BINGHAM: In response to your request for an estimate of federal funds that might effectively be utilized in Massachusetts, the Bureau staff has computed a total of $30,404,401 which represents (a) HIP, HIST, and staffing money; (b) a cost estimate on potential applicants for FY '71 Developmental Disabilities funds who were turned away for various reasons which will be explained later and; (c) a cost estimate on the adequate provision of residential care and long-term sheltered workshops for mentally retarded individuals between the ages of 21–65 in the Commonwealth.

A breakdown of HIP, HIST, and staffing funds received in the Commonwealth in FY '72 shows that $217,254 were received under HIP; $73,565 under HIST; and $98,582 under staffing. This represents a total of $389,401 lost to Massachusetts in FY '73 unless Federal policy is reversed.

With respect to the second figure, a cost estimate of potential applicants who were turned away for FY '71 Developmental Disabilities funds, the figure derived by the staff is $6,000,000. The Bureau staff had prepared a summary of requests for funds under P.L. 91–517 most of which did not lead to formal application. The $6 million figure is, however, as mentioned earlier a biased figure. It should be noted that the nature of applications was very much affected by publicity relative to the eligibility of acceptable applications. Although the "priority goals" in the 1971 State Plan were not exclusive, after service areas were received. In addition, as the 1971 State Plan policies requesting planning projects of statewide significance became known, there was a notable decrease in the requests for funds for local service support and construction. A further bias was established by a suggested ceiling on requests for project funds of $40,000. Thus applicants in many cases asked for approximately $40,000, although they could have used more. Finally the $6 million total represents one year requests.

Finally, an estimate was made of projected costs for the adequate provision of domiciliary and special living arrangements and sheltered workshops to those mentally retarded individuals between the ages of 21–65. The total figure for construction and staffing costs for one year would be $30,265,000. This figure was derived by the following steps:

1. An estimate was made of those in need of domiciliary and sheltered workshop services. Based on a study done by Burt Blatt and reported in his plan for the reformation of services one-tenth of 1 percent of the population is in need of residential services and sheltered employment. (p. 19)

a. population in Massachusetts is approximately 5,500,000.

b. one-tenth of 1 percent is thus 5,500.[1]

c. 50 percent of the 5,500 is between the ages of 21–65 [2] is 2,250.

2. An estimate of cost of construction of 225 group homes at 10 people per home each with staff support for one year.[3]

3. An estimate of cost of construction of 22 sheltered workshops at 100 individuals per workshop with staff support for one year.[4]

The domiciliary and sheltered workshop services are two of the priority goals in the 1971 Massachusetts Development Disability State Plan, and thus cost data was compiled for these two services.

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[1] Blatt, Burton Ed. D., *A Plan for Reformation of Services for the Mentally Retarded in Massachusetts*, p. 19

[2] Based on 1970 Census data that 50% of the general population is between the ages of 21 and 65.

[3] Based on actual cost estimates prepared for the Northhampton Housing Authority, Northhampton, Massachusetts.

[4] Hospital and Medical Facilities Survey, Hill-Burton Program opportunities for Planning and Construction of Medical, Mental Retardation and Other Facilities. Proceedings of Surgeon General November 1964.

I hope you are successful in your efforts to raise the level of appropriations.

If you would like further information please call.

Sincerely,

SUSAN RUBENSTEIN,
Principal Planner, Bureau of Developmental Disabilities.

COSTS

SHELTERED WORKSHOP

25,000 square feet/facility for 100 employees.
Based on a cost of $15 a square foot.
Cost of one facility=$375,000.
Total cost, 22 facilities, $8,250,000.
Staff/facility=$70,000.
Total cost, 22 facilities=$1,540,000.
Total cost=$9,790,000.

GROUP HOME

$90,000/home.
Total cost for 225 homes=$20,250,000.
Staff/facility=$10,000.
Total cost, 225 homes=$225,000.
Total cost=$20,475,000.

PRELIMINARY ESTIMATES ON NEED FOR STATE FORMULA GRANT FUNDS UNDER TITLE I OF THE DEVELOPMENTAL DISABILITIES ACT (PUBLIC LAW 91–517)

State	Fiscal year 1972 allotment	Estimated need, fiscal year 1973 [1]
Alabama	$439,030	[2]
Arizona	[3]	[3]
California	1,387,494	[4] $4,100,000
Colorado	183,314	1,450,000
Connecticut	226,680	[2]
Georgia	482,220	[5] 5,500,000
Kansas	205,408	2,000,000–3,000,000
Minnesota	359,108	510,000
Missouri	447,609	1,000,000
Montana	100,000	[2]
Nevada	100,000	[2]
New Jersey	547,134	[6] 1,876,000
New Mexico	103,415	2,500,000
New York	1,413,340	17,000,000
North Carolina	594,422	1,000,000
Ohio	937,362	[3]
Oregon	187,154	1,300,000
Pennsylvania	1,115,313	30,000,000
Rhode Island	100,000	1,000,000
South Dakota	100,000	400,000
Texas	1,067,287	[7]
Vermont	100,000	375,000
Virginia	461,271	1,500,000
Wisconsin	425,408	1,500,000–3,000,000
Wyoming	100,000	500,000

[1] All estimates are based on the preliminary results of a survey of State DDSA officials conducted by the National Association of Coordinators of State Programs for the Mentally Retarded, Inc.

[2] No specific estimate provided. In most instances, however, other descriptive information supplied in the questionnaire would tend to include a level of need comparable to the other states.

[3] Not participating in the developmental disabilities program.

[4] This estimate includes only the amount necessary to meet the immediate need for expansion of one aspect of State services—the network of 13 regional centers. The State estimates that approximately 100,000 retarded children and adults need services but are not presently receiving them. In order to provide such services the State's present budget would have to be supplemented by an estimated $180,000,000.

[5] The State estimates that the total cost of providing needed community services to all mentally retarded citizens would be an additional $31,325,500 annually. It's worth noting that this figure does not include the cost involved in improving care in State institutions nor does it encompass the costs of providing services to other developmentally disabled (the cerebral palsied, the epileptic, etc.).

[6] This figure reflects only the total amount requested for service and construction projects in fiscal year 1971 (when the State's allotment totaled $304,000). A 1969 survey indicated that two-thirds of the over 70,000 retarded citizens in New Jersey were not receiving the diagnostic, treatment, educational, day training or vocational services they needed.

[7] No specific estimate provided; however, during both fiscal years 1971 and 1972 requests for funds have exceeded the amount of Federal dollars available by 2 to 3 times.

Following is text report from Dr. Oleh Wolanski, director of Letchworth Village, Rockland County, N.Y.:

REPORT ON LETCHWORTH VILLAGE TO CONGRESSMAN JONATHAN BINGHAM

Letchworth Village has been for some time and still is the most overcrowded and one of

the most understaffed New York State institutions for the mentally disabled. The efforts on the part of the Letchworth Village administration, who took over this facility in September 1970, were directed towards converting it from a largely custodial institution managed on a medical model, into a progressive habilitative center for the retarded. It was felt that the decrease of the severe overcrowding, which is 100% according to medicaid standards, was our primary goal. We hoped to accomplish this by (1) preventing unnecessary admissions; (2) returning to the community as many of Letchworth Village residents as possible.

Since Letchworth Village had close to 4,000 residents living in the institution who were segregated primarily on a sex and ambulation basis, we have embarked on the ambitious program to review individually the whole resident population and to place it in some 12 smaller units with more homogenous population based on similarities in age, disability and potential for habilitation. This we called "unitization" which would ultimately decentralize this huge facility and produce programs geared to the need and potential of each individual. By using some of existing competent staff and by hiring several highly qualified professionals we created positions of "Chief of Service" who were heading 13 units to coordinate decentralization. However, in December 1970 the imposed "budget freeze" has, to a large extent, thwarted our efforts and resulted in many frustrations. Despite this we however were able to move slowly in the direction of our goal and to habilitate a large number of residents, subsequently placing them in the community. In this way we have decreased our overcrowding by some 300. By doing so, however, we have created for ourselves a new problem which is a real dilemma. The residents placed in the community were, so to say, the "cream of the crop" and since most of them for many years have been assisting our very limited staff in its operations their loss has placed a tremendous burden on the existing personnel. As a result of this we have to practically cancel our intensive efforts in that direction since we felt that although the residents were entitled to the opportunity of community living, we could not deprive our total care residents from minimal, basic human services, and as a whole seriously impair Letchworth Village operations. As a result of our present situation the morale of Letchworth Village personnel is at its lowest as indicated by 100% turnover in the ward service and by very high unscheduled absenteeism.

In view of the above, we would appreciate assistance from the Federal Government in the following programs:

1. We have, at the cost of five million dollars, a newly constructed modern hospital building, fully equipped, but half of it remaining unoccupied because of lack of personnel items. If staffed, we could (a) open 20 beds "reception" service where the retarded, admitted after a thorough evaluation in our outpatient clinic, would be able to adjust gradually to their new setting, where the possibility of bringing into the institution a communicable disease would be largely eliminated by keeping new admissions for a few weeks on this service and, which is probably the most important, we would be able to provide short term admissions, so called "respite" service and in this way substitute a short term hospitalization for a continuous one; (b) open 30 beds physical therapy ward which would enable to admit some of our many physically disabled like C.P., post-fracture cases, etc., and speed up their rehabilitation; (c) we could open an additional 26 bed ward for the children under five. At present many of them have been placed, at State expense, in private nurseries where they have little of physical therapy, education, or self-care programs.

2. Since there are insufficient services for the retarded in our catchment area our community services program is in need of augmentation. We need more personnel to provide alternative solutions to admissions by dealing with rather uncoordinated agencies in this area and by guiding the parents in our clinic or at home.

Our Family Care program needs more personnel for home finding, supervision and activity program. I would like to stress that the cost of a resident in family care is half of the cost in the institution.

Our social habilitation effort needs expansion, particularly in the area of sheltered workshop and vocational counselling. We need more people to provide supervision for residents placed on "community status" in preparation for independent living and we would like to have at least two more "half way" houses.

3. Two thirds of Letchworth Village population are profoundly or severely retarded, many with associated behavior problems. Since there is limited chance for their placement in the community we would like to develop a program to make them better citizens and provide for them a more wholesome environment. We feel that by considerable expansion of our present very limited operant conditioning program we could enable some 50 children in school age to be habilitated to the point that they could be enrolled in our educational program. We feel that a very large number of adults could be toilet trained and could achieve progress in their personal habits including their psychiatric condition.

4. We have a rather large number of residents who present special problems in feeding; they are extremely poor eaters, have difficulties in chewing, swallowing or retaining food. Because of shortage of personnel, particularly of the skilled ones to handle such special disabilities, many of these residents are undernourished and have a high morbidity and mortality rate.

5. We need very much to expand and upgrade our employees' in-service and continued education program. To do this we would very much like to have a professional who would be "Chief of Education and Training."

6. We are in dire need of replacing the working residents placed in the community by additional employees. As of this point, any loss in this area cannot be replaced.

By implementing all the mentioned new or expanded programs we expect to:

1. decrease the resident population by at least 500.

2. humanize and normalize the life of the retarded remaining in the school.

3. habilitate a large percentage of the physically and psychiatrically disabled residents.

4. make most of the residents more useful and productive citizens, eventually at less cost to the society.

OLEH M. WOLANSKY, M.D.,
F.A.P.A. Director.

THE ROAD LESS TRAVELED BY

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASPINALL. Mr. Speaker, I wish to submit for the RECORD the text of an address delivered by the President of the University of Northern Colorado located in Greeley, Colo.

I am pleased and refreshed by the remarks so eloquently delivered by Dr. Richard R. Bond during those ceremonies marking his recent installation as president of the university.

I am confident that those who will take the time to read his message, will have gained a new sense of values and disciplines, creating a new perspective for reaching goals of achievement whether that goal be in the home, the community, or the Nation:

THE ROAD LESS TRAVELED BY
PROLOG

Before beginning, permit me to pause to pay tribute to those faculty who have gone before us here who have made this the fine university which it is. Inevitably, these able and dedicated people are symbolized and represented by their presidents, each of whom left his mark, but each of whom served remarkable terms—Thomas Gray, Z. X. Snyder, John Grant Crabbe, and George Frasier, whom I expect very few of those here remember.

To all the living former presidents, whom I have come to know, William Ross, Darrell Holmes, and Interim President Frank Lakin—I can personally express my gratitude and through them to those faculty who served with them. As a direct token of this gratitude and as a symbol of the office I have asked that gavels similar to the one I received be made. Two of them I present now. Dr. Holmes' will be mailed to him.

That the president becomes a symbol of the University and all who serve with him is awesome, made bearable only by the immense dedication, talent and support of the faculty and staff whom he serves. We, who hold this institution in trust, can only hope to build well upon the foundation laid by those who have gone before us.

Mr. Chairman, on behalf of such able colleagues, I accept the responsibilities and charge you have given me on behalf of the people of Colorado.

Unlike public invocations, which are usually addressed more to the audience than to God, inauguration addresses, I have observed, are often, equally hypocritically, addressed to God—or at least to the wild blue yonder—instead of to the situation at hand. In regard to the former, I ask no public prayers, but I do ask your private prayers, as I pledge my own, for wisdom, compassion, love and strength for all in whose hands the destiny of this institution rests. This inauguration time, like President George Frasier's in 1924, at Homecoming, departs from the traditional in being a simple installation ceremony without medieval pomp and circumstance. The cost of a more traditional ceremony will be diverted to the acquisition of library books. This address also will be stripped to its essential elements—warm humanism and cold realism.

Cold realism impels us to recognize the current state of higher educations. During the post-Sputnik years and the decade of national awareness of social ills, higher education expanded and was supported as never before—almost as a panacea for both international and domestic problems. When these problems were not solved, when the higher education community itself exploded internally, and when the fiscal and seemingly insatible demands of higher education came up against the competing demands and limited resources of society, the bloom rapidly fell from the rose. Those who pay the bill have become disenchanted. Similar disenchantment has arisen inside the academy with students becoming increasingly cynical and dissatisfied with their education. In many cases it neither speaks to their deepest personal concerns nor adequately prepares them for an apparently increasingly selective job market. No institution, no faculty or administrative staff, entering the seventies can ignore the overwhelming facts of both external and internal loss of confidence.

During the coming decade those institutions will achieve distinction which set their goals firmly and set about with dispatch in achieving them. Further, in this day of in-

creased homogenization of higher education, those institutions will stand out whose goals are distinctive, whose actions during the next few years catch the spirit of Robert Frost and who take "the road less traveled by." This, I believe, is our challenge. I will speak this morning to this challenge in three dimensions. I hope, in so doing, to set a tone for this administration.

CLIMATE

The tenor of the sixties may be described by words prevalent in the vocabularies of that era—"alienation," "anonymity," "just a number," "impersonal." Colleges and universities contributed to the feelings of hopelessness with their burgeoning sizes, their growing bureaucracies, the tortoise-pace of curricular change, and their responses to a plethora of pipers' tunes. Let us, on this campus, be about the task of creating a total climate for learning and living which will counteract these trends. I do not think it is accidental that this institution is perpetually overenrolled—students want to go to school here. They get good education in a warm environment. We have a solid base upon which to build an unusual climate for an institution this size or its projected modest increase. I am speaking of nothing less than a total community in which every effort is made to make students feel "at home," where they have a sense of belonging, where there is a strong sense of personal worth, of genuine warmth and concern. It is only in such a climate that each student can achieve our national goal of his realizing his full educational potential.

Let me elaborate upon the concept—this dream, if you will. A total community includes all who teach and all who learn. Students learn from professors—but also from other students, from administrators, janitors, secretaries, cooks, yes, and from townspeople. None but the dead can fail to learn from students. Each person brings to this community his own experience, his length of living, his education, his sex, his cultural or racial background. If each of us conceives of himself as a teacher and as a learner, if we commit ourselves to the notion that those who appear most different can teach us most, and yet, strangely, have the most need to feel "at home," if we develop a singular commitment to the growth of each of us as human beings, students will achieve a sense of belonging. What is more, we will all feel "at home." We will indeed have chosen the "road less traveled by," and society needs what we will have found.

Ashley Motagu stated it beautifully: "By education it is to be understood the nourishment of the student's potentialities for growth and development as one who is able to work, to love, and to play. These are the . . . criteria of mental health. That . . . should be the purpose and goal of all education: the development of a human being who lives as if to live and love were one. For it seems to me," he continues, "that unless we learn to live not only with our fellow human beings everywhere, but also with the whole of nature, man will in the not-to-distant future destroy himself."

Let us build on this campus upon the solid beginnings we have made.

But lest I be misunderstood, let us not confuse being "at home" with the ease of nonaccomplishment: an extended vacation for students or premature retirement for faculty. Our climate must be one of high learning expectations, of the discipline of the mind, where intellectual models abound, and where the cultural and esthetic surroundings of the campus community form a complementary milieu for learning. I would merely assert that these expectations should be in a climate of human concern and that our academic rules and standards should be humanely conceived, based upon sound educational concepts, and individually administered.

And let us not confuse being "at home" with "anything goes." In any social group, rules of behavior are essential to its functioning as a group. Such rules must be sensible, explicit, and cognizant of the freedoms of the group members. Activities or actions which inhibit or disrupt the freedom of others to learn cannot and will not be tolerated.

DIRECTION

With this kind of climate to set the educational tone, let us turn now to institutional direction. How do I see the future of the University of Northern Colorado over the next decade?

Again, cold realism compels us to look carefully at the mistakes of others and the tenor of the times. Scores of institutions in this country have changed their names to university. Most of them will hover in the shadows of their older sister institutions, becoming pale limitations, achieving neither distinction nor quality, because they attempt to be all things to all people. A few—a very few—will take a "road less traveled by" and achieve distinction in their own right. Let us be one of those.

It is neither financially nor educationally feasible during the next decade for us to be a comprehensive university like the University of Colorado or Colorado State University. It would be tempting for us to imitate such institutions, for our own training is a comfortable and familiar path. There are other viable models, however, which should attract us.

I see this University as a Teaching University, multipurpose at the undergraduate and master's levels and sharply focused at the doctoral level. While it will be essential that we be at the leading edge of research in those areas where we offer the Ph. D. and at the leading edge of practice in those areas offering the Ed.D. or D.A., and that there be reasonable support for research for faculty members to keep abreast of their fields, we should be unashamedly committed to teaching in all its aspects. Those students who go from here to teach should have been exposed to the best, most creative and most up-to-date teaching in the country. Let us be at the forefront in the study of the process of teaching and in the study and application of learning theory. Let us draw upon the latest in educational technology and communication theory. Let us draw upon the relevance of experience as well as the tradition of degrees. Let us lead in the distillation and synthesis of that, from the growing body of knowledge, which should be taught. Let us, in other words, become a teaching laboratory, to be used as we improve ourselves and as we prepare teachers at all levels.

Given this milieu, this institution has four major opportunities. The first is to become the undergraduate university of the state. It is doubtful to me that more than 20% of our student body by 1980 will be graduate students. Lest we follow the faltering footsteps of Berkeley or Columbia (or others closer home) we must concentrate heavily, consciously and pointedly at the undergraduate education. At the very heart of that enterprise are the arts and sciences, including the fine arts. Knowledge in the arts and sciences is central to the preparation for any profession; understanding in the arts and sciences is central to the education of any human being. Excellence in the arts and sciences without course and program proliferation, must be one of our commitments. What an unusual university we would be if our scholars in the traditional disciplines were absolutely committed to the teaching-learning process, to experimenting with and improving teaching in their own fields and to truly humane, sensitive and relevant education. We would indeed by taking the "road less traveled by."

A second opportunity and major goal is to strengthen and reassert our state and national leadership in teacher education. Where are the national leaders in this area? I would assert that there is a huge vacuum, into which we should step with confidence. This aspiration will involve a sizeable portion of our undergraduate effort and virtually the entire effort of our graduate programs. We must strengthen our relationship with the public schools and community colleges as we prepare and service their teachers. We should explore innovations in education opened by industry and the public schools. That they have entered the lists creatively is a sad reflection of the pedantry and conservatism of universities. Let us take the lead in bold and wide experimentation and innovation both in the preparation of teachers and the improvement of the educational system. And let us encourage our best students to go into teaching. The schools are vital to our nation and deserve the best; and, I might add, the best *do* find jobs.

There are several areas of teacher preparation which deserve our special attention. One is special education, where supply is much less than demand. A second is early childhood education, which is receiving sizeable national recognition. In both these areas we have a sound base and imaginative programs upon which to build. A third relates to minority education. The failure of institutions to provide adequate teachers for the culturally different is a national, as well as local, disgrace. We have the nucleus of something significant here, with modest programs with Mexican American, black and Indian children. Let us take the initiative in two directions. On the one hand, let us expand our efforts in the identification, recruitment, support and preparation of minority groups to teach. In so doing, we must recognize cultural differences and be willing to substantially overhaul our educational processes to accommodate these differences. And on the other, let us see to it that non-minority teachers are prepared to handle the culturally different in their own classrooms. I believe that every non-minority student graduating from the University of Northern Colorado should have a basic understanding of one minority group and its culture, and should have experience in working with children of that group.

The third major opportunity—no, essential—for this university is to expand career opportunities for our students. The surplus of teachers makes it imperative that we be multi-purpose at the undergraduate level. I have pointed out some unmet needs in teacher education; in the more general or usual areas it will probably be necessary for us to establish quotas. It is unfair to our students and to the state to guide large numbers of our students to unemployment. Here again, let us build upon our strengths. Our students come to us with a high degree of service orientation. We are in or near an area with sizeable health, business, social, environmental and cultural facilities and needs. We should be actively exploring and expanding, selectively, where our studies so indicate, such people-oriented areas as the allied health fields, social welfare, business systems, environmental control, recreation and the performing arts as possible career options and programs.

A fourth opportunity and direction for this university exists precisely because it is a Teaching University. Let us continue to be unashamedly involved in the preparation of college teachers. As a teaching laboratory, we have a unique milieu in which to educate humanely the teachers of college students. The new Doctor of Arts degree, designed for this purpose instead of the preparations of researchers, has a greater chance for success here than in virtually any university in the country, because we can devote full attention to it, if we dare strike out in uncharted

territory and not make it a Ph.D. in disguise. I am personally committed to that end. Graduate education is probably the most pedantic and unreconstructed portion of higher education. The need is great for college teachers absolutely knowledgeable in their subject areas, humanely educated, who are committed to teaching, who care about it and their students, and who work at it. The D.A., properly conceived, is an appropriate degree for four-year institutions, community colleges and some universities. With their help and input, we can design programs nationally unique and attractive. With its background, the University of Northern Colorado should be the institution in the state to experiment with this degree in a limited number of fields.

As we think through our directions, two underlying commitments can help us along the "road less traveled by." One is the commitment to work closely with other institutions. Too long has American higher education consisted of jealously isolated units going their separate directions. The possibilities of working closely with the University of Colorado and Colorado State University in an intellectual triangle are almost limitless. Already, there is cooperation at the graduate deans' level and in other areas. With free exchange of students, for example, a D.A. program at the University of Northern Colorado would not necessitate duplication of specialized faculty. Cooperation in vocational education is another fruitful possibility. In addition to these, I can visualize strong and interesting joint or articulating programs with Metropolitan State, especially in the inner city, and with several community colleges in the state, particularly those in the northeastern sector.

The other commitment must be to institutional flexibility and experimentation. The pattern of delivery in higher education is changing rapidly. Concepts such as a three-year baccalaureate, credit for experience, more liberal use of credit by examination, easier transferability of credits and "universities without walls" are in the air, to which we have already made some imaginative contributions of our own. Let us not permit our tendencies toward the maintenance of the status quo or "education as we have known it" get in the way of innovation and experimentation. Rather, as a teaching university, let us continue to be in the vanguard of educational change.

IMPLICATIONS

As we look to the future, what are the implications of what I have been saying, and what are the implications of becoming a university? I see four major ones, two of which require immediate overt action.

First, to effect the goals which I have outlined will require not only some degree of consensus and commitment, but also some realistic examination of resources. Programs expanded during the sixties both by rapid growth in student bodies and by heavy infusions of funds. Not so, the seventies. Our growth will be of the magnitude of perhaps 2% per year. Cold realism forces us to conclude that financial support will be limited. Our chief source of funds, then, in the near term, must be internal. We, as other universities, have grown and proliferated without adequate self-evaluation—more by accretion than by substitution, more by accident than by overall design. Consequently, it is imperative that we examine our programs to see that they are lean, current and relevant and that we examine our priorities to see that our most viable and pertinent programs are adequately supported and that our least promising are pruned sharply.

I will, consequently, establish a Presidential Commission on Program Review and Priorities to examine all program and cost centers, both academic and non-academic. No program or operation can be free from rigorous scrutiny and sharp questioning. I have asked Dr. Barbara Mickey to coordinate the work of the Commission and will ask the Faculty Senate to join me in appointing members to it and giving it its charge.

Second, a major implication of becoming a university is the necessity for a greater performance expectation and for a higher order of differentiation. It is difficult for a new university to recognize that old levels of uniformity are no longer applicable. A single salary schedule, for example, and uniform promotion criteria breed mediocrity. Promotions must be based upon performance, not upon degrees, credit or longevity. Salary increments must reward excellence, not encourage anything less, either explicitly or implicitly. Tenure decisions must be made ruthlessly, with careful protection of academic freedom and with concern for helping locate other jobs, for a tenure decision is for 30–40 years and is worth nearly a half-million dollars. And we must not burden the concept of tenure with the protection of inadequate performance, lest we lose its protection of academic freedom.

These assertions mandate a different level of sophistication of the evaluation of performance, not only here but in all of higher education, and greater discrimination in its application to promotion, tenure and salary decisions. I shall ask the Faculty Senate, through appropriate mechanics, to initiate a hard-nosed study of the evaluation of performance. Our decisions must be directly and demonstrably related to performance and must be consciously related to the stature we desire in 1980 and 1990. As a Teaching University, it must involve breaking new ground in the systematic, objective evaluation of teaching, our prime responsibility. Research is measurable; that is why universities "cop out" in the evaluation of teaching. We must apply our collective judgment and expertise to this question—our future as a university depends upon it. Because becoming a university commits us to an even higher level of quality than we have known, we must have the capacity and courage to judge it.

The third implication of becoming a university is a different level of accountability. All of higher education suffers from a credibility problem; some institutions have greater credibility problems than others. It is my intention to close that gap as much as possible. One method is complete openness and candor, which I shall employ, both internally and externally. Another is to be certain that we manage our funds and internal decisions demonstrably well. The establishment of more sophisticated methods of evaluation of both faculty and administration is another. In each case, accountability is most easily demonstrated when it is fixed upon individuals, rather than upon committees. It is when higher education re-establishes public confidence in what it is doing, when we demonstrate our accountability, that we will reach the levels of budgetary support which we so desperately need and will regain the freedoms to shift internal resources—desirably local decisions which have been encroached upon or usurped by others external to the universities.

The final implication of becoming a university takes us back, full-circle. The name "uni-versity" implies a commonality, a singleness of purpose which many institutions have lost. In this sense, we can move down a "road less traveled by." While I am mildly distressed with what I have seen here in incipient hardening of lines between departments and colleges, I am encouraged by strong evidences of cross-disciplinary and cross-collegiate cooperation. It has been accurately said that colleges and universities are organized for the convenience of the faculty and not for the education of students. We must maintain close contact with each other and allow students to use the resources of the entire institution in designing programs which make sense to them.

As I promised, I have been coldly realistic—at times brutally so, for we must face together the public image of higher education in general, though not necessarily specifically directed at this university. I hope this realism has not obscured my profound respect for the past and present quality and stature of this university, its faculty, its staff, its students. It is a great and good place to be and I am honored and proud to be a part of it. I also hope that the message of warm humanism has been equally visible, without obscuring the fact that our job is neither easy nor completed. If, indeed, we can set our sights to some singleness of purpose similar to that which I have sketched, thereby becoming a "uni-versity," and if we can commit ourselves to the greatness of our potential, the University of Northern Colorado, whose future is in our hands, can become a distinctive and distinguished university.

"Two roads diverged in a wood, and I—
I took the one less travel'd by,
And that has made all the difference."

EXPROPRIATION IN THE DOMINICAN REPUBLIC

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, on January 19, President Nixon announced a new, firmer administration policy concerning expropriation of American property by countries which are also recipients of U.S. foreign assistance. The administration will be more forceful with foreign governments who ignore their responsibilities to U.S. citizens under international law, yet simultaneously seek U.S. foreign aid.

The U.S. Congress also issued a strong admonition through the conference committee convened last September to resolve differences between the House and Senate versions of the Sugar Act Amendments of 1971 (H.R. 8866, 92d Congress, first session). This admonition dealt, again, with expropriation of U.S. property by countries who received a direct legislative benefit from the U.S. Congress in the form of a sugar quota. Speaking of claims by U.S. citizens arising from expropriations in sugar-quota countries, the conference committee stated:

The conferees wish to make their intention clear and unmistakable that these claims must be satisfactorily settled with expedition. The Congress is mindful of the fact that this is a 3-year extension of the Sugar Act. Sugar-supplying countries are therefore put on notice now that their record of settlement of outstanding claims by U.S. citizens will be a factor in future Congressional determinations of quotas. (Report No. 92–381, p. 20.)

Both the President's statement and the conference report underline the growing determination within our Government that Americans be given due process by those foreign governments which have a substantial interest in continuing harmonious relations with all branches of our Government. Basic notions of equity support this determination.

It is true that we have other foreign policy considerations militating toward

these same good relations. But the Presidential statement has put a high priority amongst all foreign policy considerations on fair treatment of American nationals—and their property—abroad. The law remains the same, but the emphasis and the priorities within the administration has clearly changed. Congress Sugar Act pronouncement is aimed very much at the same high priority goal.

I say these things now because it is clear that the Dominican Republic has not, and does not, get the message. A corporation domiciled in my home State, Seaway Lines, Inc., has been embroiled with the Government of the Dominican Republic in a perfect example of what the President was talking about, and what the Congress was warning about.

The facts of this case are simple enough. Indeed, they may well be a classic example of the risks Americans take when they attempt business in good faith in certain expropriating countries.

Seaway Lines, the Florida corporation I have described, shipped large quantities of Dominican fruit to the mainland for a Dominican fruit grower. The grower then failed, throwing hundreds of farm laborers out of work in Azua, a Dominican province. Prior to its failure, the grower owed Seaway over a half million dollars in shipping charges—a debt acknowledged by the president of the Dominican fruit company to Seaway in writing and under oath. To secure this debt, the shipping company took mortgages over a substantial portion of the fruit company's lands, and bought $250,000 worth of the Dominican company's equipment in satisfaction of the remainder of the debt. Both the mortgages and the bill of sale—for the equipment—were properly recorded in the official registry, remain untouched as to validity today, and were notice to the world of Seaway's ownership of the equipment and mortgage interest in the land.

The Dominican Government then began negotiations with Seaway Lines to buy the land and the equipment as one step in bailing out the Dominican fruit company and keeping the labor force employed and the fields working. At all times during these negotiations the Dominican Government recognized the American ownership of the equipment and its mortgage interest in the lands.

Legally on notice of the American mortgages and ownership of this equipment, having negotiated with the Americans to buy both, the Dominican Government decided it had an opportunity to save close to half a million dollars by ignoring its own laws and what had just transpired. The Government then entered into an unconscionable contract, which should be declared fraudulent, transferring all of the assets of the Dominican fruit company to the Government. Listed among the assets were the equipment—already sold to the Americans—and the land—already mortgaged to the Americans. A necessary accomplice was the president of the fruit company. Although his company had just failed, he was given $500,000 personally, in gold for his part in signing over to the Government equipment he did not own and lands which were under mortgage to the Americans.

To do so, the Dominican Government defied an injunction, issued by one of its own courts, against passage of funds to the Dominican fruit company, sued out on the petition of the startled Americans. The Dominican Government has sat on the land and the equipment ever since. Not a penny of compensation has ever been paid to Seaway Lines for property taken from it worth over $527,000. An amount of Dominican Government bonds—representing less than one-third of the value of the American property—was set aside by the Dominicans in this strange arrangement to satisfy any American claims, but even these bonds were subject to the release of the president of the Dominican fruit company—who has stated throughout that he will act in concert with the Government to hold up release of a single penny to the Americans unless they split these bonds with him. Seaway has refused to compound the conspiracy. And the Dominican Government has fulfilled its threat for almost 4 years. It has paid nothing.

Legal action against the Dominican Government seems to be an empty exercise; it can ignore any judgment against it and can resist any foreclosure of land held by it under Dominican law. The Government's preferred business ally, the fruit company official, has long since gotten his gold out of harm's way. Seaway's equipment, and its lands, have been exploited by the Dominican Government for about 4 years without a payment of a penny to Seaway, the legal, acknowledged, but North American owner.

The Dominican Government has never seen fit to explain its conduct. It has never offered a single defense of what occurred. Under the laws of any land, this conduct would invoke criminal penalties against both the private individual and Government officials, both of whom knowingly participated to deny Seaway its property and compensation. Indeed, this was no private hard-nosed business deal. It was an official act of an instrumentality of the Government of the Dominican Republic. For about 3 years, the company, by itself, attempted to resolve the conflict. Finally, in April 1971, because it was getting nowhere, it asked for help from the U.S. Government. The U.S. State Department has found it impossible to this date to get the Dominican Government to respond factually that this dispute even exists. On January 28, 1972, the United States delivered a U.S. Embassy note to the Dominican Foreign Secretariat as follows:

SUBSTANTIVE TEXT OF U.S. EMBASSY NOTE TO DOMINICAN FOREIGN SECRETARIAT

As the Secretariat of State for Foreign Relations is aware, Seaway Lines, Inc., an American Corporation, is seeking reimbursement from the Government of the Dominican Republic for certain land and equipment in which Seaway claims that it had a secured and recorded interest at the time the land and equipment were sold to the Government of the Dominican Republic in 1968. The Government of the United States was first informed of this matter in April 1971 and since that time has on a number of occasions requested the Government of the Dominican Republic to give Seaway full information as to its position on its claim.

In June 1971 Seaway representatives traveled to Santo Domingo in order to attempt negotiation of a settlement with representatives of the Government of the Dominican Republic. In spite of those efforts and attempts by the Department of State and the Embassy to secure from representatives of the Government of the Dominican Republic a clear statement of the substantive Dominican Government position on the claims, the Government of the Dominican Republic has not formally replied to Seaway. In December 1971, a report concerning one of those claims was provided to the Department of State and made available by the Department to Seaway.

The report so provided addressed the claim relating to land which had been mortgaged to Seaway, although it is our understanding that Seaway is not in accord with the position of the Government of the Dominican Republic on that matter. Unfortunately, the report fails entirely to address another major Seaway claim, pertaining to the equipment transferred to Seaway by the Dominican Fruit Company under bill of sale in satisfaction of Seaway's damage claim arising out of shipping space which had been secured for Dominican Fruit at an approximate cost of $250,000. According to Seaway, this equipment has been valued at $243,000 by representatives of the Government of the Dominican Republic. Seaway has supplied substantial documentation in support of this claim, copies of which have been provided to the Government of the Dominican Republic by the Embassy.

In view of the time which as passed, the Embassy requests the Government of the Dominican Republic to furnish the Embassy and Seaway with a prompt and complete statement of its views regarding the equipment claim including, if appropriate, an indication as to whether and under what conditions it will make the payment requested by Seaway on the basis of that company's ownership of the equipment.

On February 22, 1972, the Dominican Foreign Secretariat delivered the following note to the U.S. Embassy:

INFORMAL TRANSLATION OF SUBSTANTIVE TEXT OF DOMINICAN FOREIGN SECRETARIAT'S FEBRUARY 22, 1972, NOTE TO U.S. EMBASSY

The Secretariat has been informed that the Agricultural Bank of the Dominican Republic is not involved as a party in the lawsuit between Seaway Lines, Inc. and the Dominican Fruit and Steamship Co., C por A. the RD$200,000 (two hundred thousand pesos) which the Bank has retained from the company in state bonds, series 1980, has been withheld in order to comply with the sentence of Dominican courts, and will be turned over to the party which wins the lawsuit in question. Consequently, the Agricultural Bank of the Dominican Republic cannot pay Seaway Lines, Inc., directly nor reach an agreement with it because there is no transaction pending between these institutions. The RD$200,000 will be handed over of the party winning the lawsuit, after a definitive decision has been reached by the competent court.

And there, after 4 years, the matter stands. The North American company without its property or its compensation, and the Dominican Republic Government, which has had the property all these years, turns its back on a just claim.

It seems to me that this sort of conduct is precisely what the President was talking about in his January 19 message when he stated:

Thus, when a country expropriates a significant U.S. interest without making reasonable provision for such compensation to U.S. citizens, we will presume that the U.S. will not extend new bilateral economic ben-

efits to the expropriating country unless and until it is determined that the country is taking reasonable steps to provide adequate compensation or that there are major factors affecting U.S. interests which require continuance of all or part of these benefits."

A copy of these remarks are being filed with the appropriate committees of both Houses to record the record of the Dominican Republic in settling outstanding U.S. claims.

HON. JOHN M. KIRKPATRICK

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, on February 24, 1972, the Honorable John M. Kirkpatrick of East St. Louis, Ill., died in the John Cochran Veterans Hospital in St. Louis, Mo. His death is a deep personal loss for me. His death is a great loss to the people of East St. Louis.

Newspaper publisher, civic leader and church leader, John Kirkpatrick etched a brilliant career in his 57 years. Founding the Crusader newspaper in 1941, John Kirkpatrick became the articulate voice of reason and hope for the black people in East St. Louis. His service as executive director of the East St. Louis Human Relations Commission placed him in the forefront of the struggle for human rights. His chairmanship of the board of trustees of the Mount Zion Baptist Church nurtured the moral leadership he exercised continuously.

John Kirkpatrick is best described as a giant of a man. His intellectual prowess, his leadership, his compassion and his steadfastness placed him as one of the great men of Illinois. He was bequeathed a rich legacy to the people of East St. Louis. His influence will continue to be felt for years to come.

My knowledge of John Kirkpatrick's ability goes back to 1943 when both of us were in the Army at Camp Lee, Va. Since that time John Kirkpatrick and I had a close relationship that brought us together many times on many different problems. His counsel and his inspiration were always welcomed.

To the very end John Kirkpatrick crusaded for the things he believed: human justice and dignity for all; a life of promise and fulfillment for all; and an enduring belief that all men can live together in peace.

His newspaper, the Crusader, was named appropriately. John Kirkpatrick was a crusader all his life. His deeds and his words will not be forgotten.

Mr. Speaker, at this point in the RECORD I request unanimous consent to include the proclamation of the City of East St. Louis memorializing John Kirkpatrick:

Whereas John M. Kirkpatrick parted this life on Thursday, February 24, 1972 and, Whereas John M. Kirkpatrick during his life time exemplified the fine characteristics of humaneness, social involvement, empathy, and appreciation for his fellow man and, Whereas John M. Kirkpatrick gave unselfishly of his time and his effort in behalf of the citizens of East St. Louis, Illinois, and Whereas John M. Kirkpatrick respected and honored those who were rich as well as poor; those who were black as well as white; those who were learned as well as unlearned; those who were old as well as those who were young and those who were Catholic, Jew, Gentile, or any religious denomination or those of no religious denomination and, Whereas John M. Kirkpatrick was an active member of many civic, social, business, and professional organizations, local, state, and national and, Whereas John M. Kirkpatrick was the only Human Relations Director for the City of East St. Louis from its inception until his death and, Whereas John M. Kirkpatrick diligently and courageously fought against bias, prejudice, bigotry and all types of human oppression and wrong both as Human Relations Director for the City of East St. Louis, and as a crusading newspaperman for many years in the City of East St. Louis and, Whereas it is fitting that the citizens of East St. Louis honor this respected citizen, now Therefore, be it resolved that February 28, 1972 be observed as John M. Kirkpatrick observance day whereby all citizens are urged to pay rightful respect to a most worthwhile and dedicated citizen. Be it further resolved that on February 28, 1972, a city flag shall rest at half mast.

EMPLOYMENT OF THE HANDICAPPED: HOW WELL IS MY COMMUNITY INFORMED?

(Mr. ALBERT (at the request of Mr. MCKAY) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ALBERT. Mr. Speaker, for the second consecutive year, I am proud to report that a student from the high school in my hometown of McAlester, Okla.—the high school from which I was graduated—has won first place in the annual "Ability Counts" essay contest sponsored by the Governor's Committee on Employment of the Handicapped in Oklahoma.

This year's top winner is Miss Joni Stipe, 17-year-old daughter of Mr. and Mrs. Clyde Stipe, McAlester, Okla. Her entry was selected from hundreds of entries from all over Oklahoma and will now compete for the top prize nationally. Last year, Miss Sydnee Thompson of McAlester was the top winner in Oklahoma and placed second in the national competition. Both Miss Stipe and Miss Thompson used our hometown as the theme for their outstanding essays.

In addition to Miss Stipe, McAlester High School produced three of the 10 top winners in the State contest this year. Ron Chism, son of Mr. and Mrs. Thomas Chism, won fourth place, and Lee Ann Garvin, daughter of Mr. and Mrs. Clyde Garvin, placed ninth. Four other McAlester students won honorable mention, givng our hometown more than one-fourth of the 25 top placings in the State contest. Winning honorable mention were Jessica Gail Johnson, Frank Jonathan Lilly, Steve Kent Anderson and Mary Louise Rodd. All of the McAlester winners are seniors.

I am extremely proud of these fine young people. Under the unanimous-consent request, I include at this point in the RECORD Miss Stipe's winnng essay:

EMPLOYMENT OF THE HANDICAPPED: HOW WELL IS MY COMMUNITY INFORMED?

McAlester, Oklahoma, is a growing city, prospering each day from much-needed urban renewal developments. Not only are the buildings getting a face-lifting, but the people, by learning to accept others, are also. Part of those employed in McAlester, as in any other city, have the job of finding jobs for the unemployed. Out of a population of twenty thousand, an estimated one-tenth are handicapped people. Those employed to find jobs for the unemployed inform employers of McAlester firms about the advantages of a handicapped worker. Those already employing handicapped workers tell their friends that hiring the handicapped worker is good business. McAlester employers hire the handicapped people because they know about them through local radio stations, newspapers, television announcements, and experienced employers.

McAlester helped sponsor the "Hire the Handicapped" week, October 3–10, of this year. A local radio station, KNED, played several spots a day concerning the handicapped veteran. One such sport was "Disabled veterans have many problem; they must learn to live with their handicaps—adjust to many changes. A big step forward is finding jobs where they can prove their worth. Remember this, Mr. Employer, hire the handicapped." Another local station, KTMC, sponsored a big campaign, also, running several spots a day.

In cooperation with this week, *The McAlester Daily Democrat* did a feature story each day about a handicapped person. The *Democrat* also cooperates in any way possible with promoters of hiring the handicapped. *The McAlester News Capital* employed two deaf printers for two years. When the News Capital moved to a new location, one of the handicapped workers, Mr. J. R. Whiteside, went to work with the *Tulsa World;* the other went to the Naval Ammunition Depot.

Without its own television station, McAlester receives televised programs from out-of-town stations which run short spots each day about hiring the handicapped veteran. The impact of each spot inspires several to think about the unemployed handicapped veteran.

Mr. Charles Null, of the Employment Office in McAlester, has the job of finding jobs for other people, able and disabled. Mr. Null introduces prospective employers to new employees. Mr. Bobby Glover, employed by Tick Tock Tucker's Jewelry Store, is a good example. Mr. Glover used to be a truck driver for the Superior Feeds Mill in Oklahoma City. In 1958, a tragic accident occurred that would affect him the rest of his life—he was to be paralyzed from the waist down. Realizing nothing could be done. Mr. Glover began to remold his life by attending horology school at Southwestern State College in Weatherford, Oklahoma, until April 1962.

At this point, Mr. Null introduced Mr. Glover to Mr. Ewell Tucker, owner of Tick Tock Tucker's, who immediately hired Mr. Glover, June 5, 1962. Mr. Glover drives his own car each day to work from Adamson, where he lives alone. Someday, he hopes to work for himself.

Mr. Tucker says that Mr. Glover is an "excellent, efficient, honest, and agreeable worker, with a good personality." Mr. Tucker also stated that McAlester is very well informed about hiring the handicapped and that he would recommend hiring the handicapped to anyone interested in good business. *The McAlester Daily Democrat* featured Mr. Glover's story, which many McAlester residents read.

Mr. Joe Crowl, one of the owners of Diamond Hardware, had his left arm severed in an automobile accident in 1955. Realizing he had to accept this disability, he missed only five days of work. He does not require any help in doing anything. Every year, he drives his own car more than twenty-five thousand miles across the country. After talking to Mr. Crowl, friends and acquaintances realize that handicapped workers do

not sit around and mope over their tragedy or even need any special attention: they just want to do a good job.

Inhabitants of McAlester are aware of the handicapped. After talking to a hundred people, or more, in gathering information for this paper, I found that everyone knew at least something about the handicapped worker. Fifty-two of the hundred were men old enough to be employers; some were. These fifty-two knew much about the handicapped worker; some had hired handicapped persons. The other forty-eight were mostly housewives and teenagers, who knew something of the handicapped worker, even if it was just that handicapped people do as well as, if not better than, normal employees.

My community certainly hires the handicapped people because they know about them through the various news media and through experienced employers in this area. Many McAlester firms already employ disabled people. Some of our handicapped have taken over the ownerships of businesses. This employment shows McAlester to be a helpful and understanding community for these people who need our help. Yes, proudly I can say, McAlester is well informed about the handicapped.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GAYDOS (at the request of Mr. DENT), for an indefinite period, on account of being hospitalized for surgery.

Mrs. GRASSO (at the request of Mr. O'NEILL), for today, on account of death in the family.

Mr. PEPPER (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. KLUCZYNSKI (at the request of Mr. O'NEILL), for Monday, March 6, and Tuesday, March 7, on account of committee official business.

Mr. FOUNTAIN (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. YOUNG of Florida (at the request of Mr. GERALD R. FORD), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FORSYTHE) and to revise and extend their remarks and include extraneous matter:)

Mr. FINDLEY, for 15 minutes, on March 7.

Mr. KEITH, for 5 minutes, today.

Mr. EDWARDS of Alabama, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. MCKAY) and to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 10 minutes, today.

Mr. RODINO, for 5 minutes, today.

Mr. ASPIN, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. FRASER, for 5 minutes, today.

Mr. MILLS of Arkansas, for 5 minutes, today.

Mrs. HECKLER of Massachusetts (at the request of Mr. DU PONT), for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. JONES of North Carolina, immediately following the message from the Senate today.

Mr. DON H. CLAUSEN to extend his remarks during consideration of Consent Calendar No. 116, today.

Mr. GRAY in two instances and to include extraneous matter.

(The following Members (at the request of Mr. FORSYTHE) and to include extraneous matter:)

Mr. MILLS of Maryland.
Mr. STEELE.
Mr. ROBISON of New York.
Mr. DAVIS of Wisconsin.
Mr. DERWINSKI in two instances.
Mr. DEL CLAWSON.
Mr. FRELINGHUYSEN.
Mr. MCCLORY.
Mr. DU PONT.
Mr. WYMAN in two instances.
Mr. HOSMER in two instances.
Mr. HUNT.
Mr. SMITH of New York.
Mr. FRENZEL.
Mr. CLANCY.
Mr. SCHMITZ in two instances.
Mr. BAKER.
Mr. HORTON in two instances.
Mr. BROTZMAN.
Mr. ESCH.
Mr. MINSHALL in two instances.

(The following Members (at the request of Mr. MCKAY) and to include extraneous matter:)

Mr. DIGGS in three instances.
Mr. HICKS of Washington in two instances.
Mr. FRASER in five instances.
Mr. ROONEY of New York in three instances.
Mr. CORMAN.
Mr. BADILLO.
Mr. ABOUREZK in five instances.
Mr. ANNUNZIO in two instances.
Mr. CONYERS in 10 instances.
Mr. HAMILTON in two instances.
Mr. ROGERS in five instances.
Mrs. HICKS of Massachusetts in two instances.
Mr. FOUNTAIN in two instances.
Mr. KLUCZYNSKI in two instances.
Mr. MILLER of California in five instances.
Mr. BOLAND in two instances.
Mr. DENT.
Mr. WOLFF.
Mr. MCFALL.
Mr. RARICK in five instances.
Mr. HAGAN in three instances.
Mr. EVINS of Tennessee in three instances.
Mr. BOGGS in two instances.
Mr. MATHIS of Georgia in three instances.
Mr. RODINO in two instances.
Mr. NATCHER in two instances.
Mr. CELLER.
Mrs. GRASSO in 10 instances.
Mr. O'HARA.
Mr. STOKES in three instances.
Mr. DINGELL in two instances.
Mr. BINGHAM in three instances.
Mr. DELANEY.
Mr. WALDIE in six instances.
Mr. SCHEUER.
Mr. DOWNING.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 907. An act to consent to the Interstate Environment Compact; to the Committee on the Judiciary.

S. 2094. An act for the relief of Col. Charles V. Greffet; to the Committee on the Judiciary.

S. 2713. An act to amend title 18 of the United States Code to authorize the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released; to the Committee on the Judiciary.

S. 3160. An act to provide for the modification in the par value of the dollar, and for other purposes; to the Committee on Banking and Currency.

S. 3248. An act to consolidate, simplify, and improve laws relative to housing and housing assistance, to provide Federal assistance to local governments in support of community development activities, and for other purposes; to the Committee on Banking and Currency.

S.J. Res. 117. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 12067. An act making appropriations for Foreign Assistance and related programs for the fiscal year ending June 30, 1972, and for other purposes.

ADJOURNMENT

Mr. MCKAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 9 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 7, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1695. A letter from the Secretary of Defense, transmitting an interim report on the ecological and physiological effects of the military use of herbicides in Vietnam, prepared by the National Academy of Sciences; to the Committee on Armed Services.

1696. A letter from the Deputy Secretary of Defense, transmitting a report on special pay for duty subject to hostile fire during 1971, pursuant to 37 U.S.C. 310; to the Committee on Armed Services.

1697. A letter from the Secretary of the

Air Force, transmitting a report on military construction contracts awarded by the Department of the Air Force without formal advertisement for the period July 1 through December 31, 1971, pursuant to section 804 of Public Law 90–110; to the Committee on Armed Services.

1698. A letter from the Chairman of the Board of Governors, Federal Reserve System, transmitting the economic and financial analysis section of the Board's annual report, together with a Digest of Principal Federal Reserve Policy Actions in 1971; to the Committee on Banking and Currency.

1699. A letter from the Director, U.S. Information Agency, transmitting a draft of proposed legislation to provide certain basic authority for the U.S. Information Agency; to the Committee on Foreign Affairs.

1700. A letter from the President, Overseas Private Investment Corporation, transmitting an interim report on the Community Credit Guaranty program, pursuant to section 240 of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1701. A letter from the Governor of the Canal Zone, President, Panama Canal Company, transmitting a report on the disposal of foreign excess property by the Panama Canal Company and the Canal Zone Government for the year ended December 31, 1971, pursuant to 63 Stat. 398; to the Committee on Government Operations.

1702. A letter from the Chairman, National Water Commission, transmitting the third interim report of the Commission, covering activities carried out during 1971; to the Committee on Interior and Insular Affairs.

1703. A letter from the Chairman, U.S. Water Resources Council, transmitting the views of the Council on the 1971 interim report of the National Water Commission, pursuant to Public Law 90–515; to the Committee on Interior and Insular Affairs.

1704. A letter from the Secretary of Health, Education, and Welfare, transmitting an explanation of the delay in presentation of the first annual report on activities and expenditures under the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 and part C of the Community Mental Health Centers Act; to the Committee on Interstate and Foreign Commerce.

1705. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of January 31, 1972, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

1706. A letter from the Chairman, Federal Trade Commission, transmitting the 57th Annual Report of the Commission, covering fiscal year 1971; to the Committee on Interstate and Foreign Commerce.

1707. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1708. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

1709. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered under the authority of section 13(b) of the act of September 11, 1957, pursuant to sectior 13(c) of the act; to the Committee on the Judiciary.

1710. A letter from the Chairman, American Revolution Bicentennial Commission, transmitting a draft of proposed legislation to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended; to the Committee on the Judiciary.

1711. A letter from the National Corporation Agent, Legion of Valor of the U.S.A., Inc., transmitting a copy of the financial statement of the Legion for the year ended July 31, 1971, pursuant to Public Law 84–224; to the Committee on the Judiciary.

1712. A letter from the Chairman, Board of Governors, U.S. Postal Service, transmitting the Final Annual Report of the Post Office Department, covering fiscal wear 1971, pursuant to the Postal Reorganization Act; to the Committee on Post Office and Civil Service.

1713. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a proposed amendment to H.R. 12826 which would authorize appropriations to the Atomic Energy Commission for fiscal year 1973, pursuant to 42 U.S.C. 2017; to the Joint Committee on Atomic Energy.

RECIEVED FROM THE COMPTROLLER GENERAL

1714. A letter from the Acting Comptroller General of the United States, transmitting a list of reports issued or released by the General Accounting Office during February 1972, pursuant to section 234 of Public Law 91–510; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIESTER:

H.R. 13568. A bill to assure protection of environmental values while facilitating construction of needed electric power supply facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELSON:

H.R. 13569. A bill to amend the Federal Election Campaign Act of 1971 concerning the manner in which filing requirements apply; to the Committee on House Administration.

H.R. 13570. A bill to amend the Federal Election Campaign Act of 1971 to clarify the manner in which filing requirements apply; to the Committee on House Administration.

By Mr. GERALD R. FORD:

H.R. 13571. A bill to amend the Foreign Assistance Act of 1961 to expand American exports by utilizing U.S.-owned foreign currencies to pay import duties on such goods, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HASTINGS:

H.R. 13572. A bill to require that an additional $4 per month (reflecting post-1970 across-the-board increases in social security and railroad retirement benefits) be passed along to public assistance recipients, either by disregarding such amount in determining their need or otherwise; to the Committee on Ways and Means.

By Mr. HASTINGS (for himself, Mrs. ABZUG, Mr. BEGICH, Mr. BINGHAM, Mr. BRASCO, Mr. BROWN of Michigan, Mr. BUCHANAN, Mrs. CHISHOLM, Mr. COTTER, Mr. DERWINSKI, Mr. DINGELL, Mr. DOW, Mr. FLOWERS, Mr. FREY, Mr. GARMATZ, Mr. HALPERN, Mr. HELSTOSKI, Mr. HORTON, Mr. HOSMER, Mr. KEITH, Mr. KEMP, Mr. KUYKENDALL, Mr. LENT, Mr. MCCULLOCH, and Mr. MCDADE):

H.R. 13573. A bill to amend the Public Health Service Act so as to provide prevention and control of venereal disease; to the Committee on Interstate and Foreign Commerce.

By Mr. HASTINGS (for himself, Mr. MATSUNAGA, Mr. MORSE, Mr. NIX, Mr. PEPPER, Mr. PODELL, Mr. RANGEL, Mr. SEIBERLING, Mr. ST GERMAIN, Mr. WARE, Mr. WHITEHURST, Mr. WINN, and Mr. WOLFF):

H.R. 13574. A bill to amend the Public Health Service Act so as to provide prevention and control of venereal disease; to the Committee on Interstate and Foreign Commerce.

By Mrs. HICKS of Massachusetts:

H.R. 13575. A bill to amend the National Labor Relations Act to provide that retirees' benefits are a mandatory subject of collective bargaining; to the Committee on Education and Labor.

H.R. 13576. A bill to provide Federal citizen anticrime patrol assistance grants to residents' organizations; to the Committee on the Judiciary.

H.R. 13577. A bill to amend the Internal Revenue Code of 1954 to permit certain employees to establish qualified pension plans for themselves in the same manner as if they were self-employed; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 13578. A bill to make an appropriation for fiscal year 1973 for the narcotic addict treatment programs of the Bureau of Prisons of the Department of Justice; to the Committee on Appropriations.

H.R. 13579. A bill to amend section 712 of title 18 of the United States Code, to prohibit persons attempting to collect their own debts from misusing names in order to convey the false impression that any agency of the Federal Government is involved in such collection; to the Committee on the Judiciary.

By Mr. KOCH (for himself and Mr. ROE):

H.R. 13580. A bill to amend the Child Nutrition Act of 1966 to permit the waiver of matching requirements in special and unusual circumstances; to the Committee on Education and Labor.

By Mr. LUJAN:

H.R. 13581. A bill to provide for the creation of the National Fire Academy, and for other purposes; to the Committee on Science and Astronautics.

By Mr. MAZZOLI:

H.R. 13582. A bill to amend the Public Health Service Act to authorize the establishment of medical emergency transportation and service programs; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 13583. A bill to provide an immediate and effective response to the needs of older Americans for suitable housing and related services; to the Committee on Banking and Currency.

By Mr. OBEY:

H.R. 13584. A bill to amend the Agricultural Act of 1949, to provide for adjustments in the support price of milk during its marketing year; to the Committee on Agriculture.

By Mr. O'KONSKI:

H.R. 13585. A bill to provide price support for milk at not less than 90 percent of the parity price therefor; to the Committee on Agriculture.

By Mr. PEPPER:

H.R. 13586. A bill to amend the Library Services and Construction Act, and for other purposes; to the Committee on Education and Labor.

H.R. 13587. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

By Mr. PRICE of Illinois:

H.R. 13588. A bill to amend title II of the Social Security Act to eliminate the 6-month waiting period which is presently a prerequisite of eligibility for disability insurance ben-

efits or the disability freeze; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 13589. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either; to the Committee on Veterans' Affairs.

H.R. 13590. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments and annuity and pension payments under the Railroad Retirement Act of 1937 shall not be included as income for the purpose of determining eligibility for a veteran's or widow's pension; to the Committee on Veterans' Affairs.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER of North Carolina, Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, and Mr. HASTINGS):

H.R. 13591. A bill to amend the Public Health Service Act to designate the National Institute of Arthritis and Metabolic Diseases as the National Institute of Arthritis, Metabolism, and Digestive Diseases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS (for himself, Mr. SATTERFIELD, Mr. KYROS, Mr. PREYER of North Carolina, Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, and Mr. HASTINGS):

H.R. 13592. A bill to amend the Public Health Service Act to provide for the prevention of sickle cell anemia; to the Committee on Interstate and Foreign Commerce.

By Mr. SPENCE:

H.R. 13593. A bill to amend title II of the Social Security Act to remove the existing $255 limitation on the amount of the lump-sum death payment; to the Committee on Ways and Means.

By Mr. STEPHENS:

H.R. 13594. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

By Mr. STUCKEY:

H.R. 13595. A bill to improve the laws relating to the regulation of insurance in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. TEAGUE of Texas (by request) (for himself and Mr. KYROS):

H.R. 13596. A bill to amend title 38 of the United States Code to provide increased awards of service-connected compensation to certain blinded veterans who are suffering from additional disabilities; to the Committee on Veterans' Affairs.

H.R. 13597. A bill to amend title 38 of the United States Code to provide an additional aid and attendance allowance to certain service-connected blinded veterans; to the Committee on Veterans' Affairs.

By Mr. THOMSON of Wisconsin (for himself and Mr. ZWACH):

H.R. 13598. A bill to amend the Internal Revenue Code of 1954 to provide that in the case of certain corporations net losses from farming shall not be deductible; to the Committee on Ways and Means.

By Mr. VEYSEY (for himself and Mr. WINN):

H.R. 13599. A bill to establish a Federal program to encourage the voluntary donation of pure and safe blood, to require licensing and inspection of all blood banks, and to establish a national registry of blood donors; to the Committee on Interstate and Foreign Commerce.

By Mrs. ABZUG:

H.R. 13600. A bill to amend title XVIII of the Social Security Act to authorize the provision of home health services under the insurance program established by part A thereof without a prior stay in a hospital; to the Committee on Ways and Means.

By Mr. ASPIN:

H.R. 13601. A bill to provide that existing Federal tax subsidies will terminate on January 1, 1974, and to provide for a maximum duration of 2 years for Federal tax subsidies hereafter enacted; to the Committee on Ways and Means.

By Mr. BADILLO:

H.R. 13602. A bill to establish Comprehensive and Developmental Child Care Services in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. BROOMFIELD:

H.R. 13603. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

By Mr. BROTZMAN:

H.R. 13604. A bill to amend the Internal Revenue Code of 1954 with respect to certain charitable contributions; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 13605. A bill to permit certain participation by persons having attained the age of 18 years in interstate and foreign commerce without legal disability on account of age; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 13606. A bill to promote the foreign policy and security of the United States by providing authority to negotiate commercial agreement with any country, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 13607. A bill to provide that a Federal building being constructed in the District of Columbia shall be named the "J. Edgar Hoover F.B.I. Building"; to the Committee on Public Works.

By Mr. GREEN of Pennsylvania:

H.R. 13608. A bill to amend title 13, United States Code, to establish within the Bureau of the Census a National Voter Registration Administration for the purpose of administering a voter registration program through the mail, and for other purposes; to the Committee on House Administration.

By Mr. GUDE:

H.R. 13609. A bill to enable the blind and the otherwise physicially disabled to participate fully in the social and economic life of the District of Columbia; to the Committee on the District of Columbia.

H.R. 13610. A bill to amend chapter 313, title 18, United States Code, to provide for the commitment of certain individuals acquitted of offenses against the United States solely on the ground of insanity; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 13611. A bill to amend title 5, United States Code, to authorize the payment of increased annuities to secretaries of justices and judges of the United States; to the Committee on Post Office and Civil Service.

By Mr. MCCOLLISTER:

H.R. 13612. A bill to provide for the establishment of the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROE:

H.R. 13613. A bill to authorize the National Science Foundation to conduct research, education, and assistance programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. ROSTENKOWSKI:

H.R. 13614. A bill to amend the Internal Revenue Code of 1954 to provide that the investment credit shall apply to certain commuter cars; to the Committee on Ways and Means.

By Mr. SCHEUER:

H.R. 13615. A bill to amend the Library Services and Construction Act in order to provide assistance to programs for older Americans; to the Committee on Education and Labor.

H.R. 13616. A bill to establish a National Criminal Justice Statistics Center; to the Committee on the Judiciary.

H.R. 13617. A bill to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. DAVIS of Wisconsin:

H.J. Res. 1090. Joint resolution authorizing the President to proclaim the week in which Thanksgiving occurs in each year as "American Home and Family Week" and the Sunday of such week as "Family Sunday-U.S.A."; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.J. Res. 1091. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

By Mr. MILLER of California (for himself, Mr. MOSHER, Mr. DAVIS of Georgia, Mr. BELL, Mr. FUQUA, Mr. PELLY, Mr. CABELL, Mr. WYDLER, Mr. SYMINGTON, Mr. WINN, Mr. HANNA, Mr. FREY, Mr. FLOWERS, Mr. GOLDWATER, Mr. SEIBERLING, Mr. ESCH, Mr. RANGEL, Mr. COUGHLIN, Mr. MCCORMACK, Mr. CAMP, Mr. DAVIS of South Carolina, Mr. BERGLAND, Mr. MCCLORY, Mr. PETTIS, and Mr. GIBBONS):

H.J. Res. 1092. Joint resolution to establish a national policy relating to conversion to the metric system in the United States; to the Committee on Science and Astronautics.

By Mr. HAYS:

H. Con. Res. 552. Concurrent resolution to provide for the printing of the Constitution of the United States together with the Declaration of Independence; to the Committee on House Administration.

By Mr. TEAGUE of Texas:

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

By Mr. HANSEN of Idaho (for himself, Mr. ASPIN, Mr. ALEXANDER, Mr. ANDERSON of California, Mrs. ABZUG, Mr. BUCHANAN, Mr. BIESTER, Mr. BARING, Mr. CLEVELAND, Mr. CÓRDOVA, Mr. COUGHLIN, Mrs. CHISHOLM, Mr. CAMP, Mr. DUNCAN, Mr. DERWINSKI, Mr. DRINAN, Mr. DANIELSON, Mr. DOW, Mr. DINGELL, Mr. EILBERG, Mr. FULTON, Mr. FISHER, Mr. FREY, Mr. FISH, and Mr. GUDE):

H. Res. 866. Resolution commending the Girl Scouts of the United States of America on its 60th birthday; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho (for himself, Mrs. GRASSO, Mr. GALIFIANAKIS, Mr. HATHAWAY, Mr. HASTINGS, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mr. HAMMERSCHMIDT, Mrs. HICKS of Massachusetts, Mr. HOSMER, Mr. HALPERN, Mr. JOHNSON of Pennsylvania, Mr. KEMP, Mr. LONG of Maryland, Mr. MCCLORY, Mr. MATSUNAGA, Mr. MCKAY, and Mr. MANN):

H. Res. 867. Resolution commending the Girl Scouts of the United States of America on its 60th birthday; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho (for himself, Mr. MILLER of California, Mr. MURPHY of New York, Mr. MOORHEAD, Mr. MAYNE, Mr. MCCLURE, Mr. MAZZOLI, Mrs. MINK, Mr. MCDADE, Mr. MORSE, and Mr. MYERS):

H. Res. 868. Resolution commending the Girl Scouts of the United States of America on its 60th birthday; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho (for himself, Mr. O'HARA, Mr. PEPPER, Mr. PETTIS, Mr. PIRNIE, Mr. PICKLE, Mr. RHODES, Mr. ROBINSON of Virginia, Mr. ROE, Mr. ROYBAL, Mr. RAILSBACK, Mr. RUNNELS, Mr. ST GERMAIN, and Mr. SCOTT):

H. Res. 869. Resolution commending the Girl Scouts of the United States of America on its 60th birthday; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho (for himself, Mr. SNYDER, Mr. TERRY, Mr. TAYLOR, Mr. THONE, Mr. VEYSEY, Mr. VIGORITO, Mr. YOUNG of Florida, Mr. WYLIE, Mr. WILLIAMS, Mr. BOB WILSON, Mr. WHITEHURST, Mr. WARE, Mr. WYDLER, Mr. WYMAN, and Mr. ZWACH):

H. Res. 870. Resolution commending the Girl Scouts of the United States of America on its 60th birthday; to the Committee on the Judiciary.

By Mr. ABOUREZK (for himself, Mr. BERGLAND, Mr. BURTON, Mr. DANIELSON, Mr. DORN, Mr. DRINAN, Mr. FOLEY, Mr. KEMP, and Mr. KYROS):

H. Res. 871. Resolution expressing the sense of the House of Representatives that the full amount appropriated for fiscal year 1972 for the Farmers Home Administration's farm operating loan program and waste facility grant program authorized by the Consolidated Farmers Home Administration Act of 1961, be released and made available by the administration to carry out the objectives of these programs; to the Committee on Appropriations.

By Mr. TEAGUE of Texas:

H. Res. 872. Resolution to provide funds for the further expenses of the investigation and study authorized by House Resolution 20; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KEE:

H.R. 13618. A bill for the relief of the Appalachian Regional Hospitals, Inc.; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 13619. A bill for the relief of Francesco Sita; to the Committee on the Judiciary.

By Mr. WYATT:

H. Res. 873. Resolution commending the Hillsboro Union High School Band of Hillsboro, Oreg., for being invited to participate in the 1972 International Band Festival; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

321. By the SPEAKER: A memorial of the Legislature of the State of Wisconsin, relative to alleviation of the shortage of persons delivering health care to certain areas; to the Committee on Armed Services.

322. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to the rights of Soviet Jews; to the Committee on Foreign Affairs.

323. Also, memorial of the Legislature of the State of Florida, relative to issuing a commemorative postage stamp in honor of Spanish-American War veterans; to the Committee on Post Office and Civil Service.

324. Also, memorial of the Legislature of the State of Wisconsin, relative to Federal highway trust funds; to the Committee on Public Works.

325. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to increasing certain social security benefits; to the Committee on Ways and Means.

326. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to financing public transportation costs through the Federal-aid highway systems fund; to the Committee on Ways and Means.

SENATE—*Monday, March 6, 1972*

The Senate met at 10 a.m. and was called to order by Hon. JOSEPH M. MONTOYA, a Senator from the State of New Mexico.

PRAYER

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

O God our Father, at the day's beginning we bow before Thee seeking thy sustaining strength and guiding light. Lead Thy servants here by the wisdom of Thy word as it is illumined by Thy spirit. Help us to work as though everything depended upon our efforts but to trust as though all depended upon Thee. Take from our souls the strain and stress, and let our ordered lives confess the beauty of Thy peace.

And to the people of this Nation give the moral fiber and the spiritual sinews to match the stern demands of the age until justice prevails and peace abides.

In Thy holy name, we pray. Amen.

DESIGNATION OF THE 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., March 6, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JOSEPH M. MONTOYA, a Senator from the State of New Mexico, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

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

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, March 3, 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.

RADIO FREE EUROPE AND RADIO LIBERTY

Mr. SCOTT. Mr. President, I ask unanimous consent that an editorial from the Wilkes-Barre Times Leader on the importance of the continued operation of Radio Free Europe and Radio Liberty be printed in the RECORD.

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

SCOTT IN APPEAL FOR FREEDOM RADIO FUNDS

Our senior U.S. Senator, Hugh Scott, was on firm ground yesterday afternoon when he called for an end to the obstructionist attitudes which could end the effective Radio Free Europe and Radio Liberty programs beamed behind the Iron Curtain.

Both the Senate and House have passed legislation to continue operation of the stations, but the versions differed. As is customary, they went to a House-Senate conference to iron out the differences. Then the roadblocks arose.

Chairman J. W. Fulbright, D-Ark., of the Senate Foreign Relations Committee opposes the funding of the two radio agencies, and has gained sufficient support to block their funding. Yesterday was the last day government funds could be used to pay 3,200 employes, and other funds would expire within a week unless action is taken.

Since their inception, and despite harsh attacks, Radio Free Europe and Radio Liberty have been beacons of the Free World illuminating the dark recesses of Communist-dominated nations. Responses smuggled out from those subjugated nations have attested to the value of the captive people's place on the station programs.

A study made by Senator Fulbright's own committee also cited the profound effect both stations have had on the liberalization of the Soviet world, particularly in the fields of literature, art, and allied pursuits. To snuff out the effort at this point is unrealistic.

In his plea to the Congress, Senator Scott yesterday pointed out that the legislation