estry with amendments on page 1, in line 8, strike out "V" and insert in lieu thereof "5".

On page 2, in line 5, strike out "V" and insert in lieu thereof "5".

On page 2, in the line 7, strike out "V" and insert in lieu thereof "5".

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Farm Credit Act of 1971 (85 Stat. 583; 12 U.S.C. 2001–2259) is amended as follows:

(a) The first sentence of section 5.11 is amended by striking out "in the Executive Pay Schedule" and inserting in lieu thereof "by the Federal Farm Credit Board without regard to the provisions of title 5 of the United States Code relating to classification and pay".

(b) The second sentence of section 5.13 is amended by striking out "not exceed the maximum schedule rate of the general schedule of the Classification Act of 1949, as amended" and inserting in lieu thereof "be at the rate fixed by the Federal Farm Credit Board without regard to the provisions of title 5 of the United States Code relating to classification and pay".

SEC. 2. Section 5314 of title 5 of the United States Code is amended by striking out paragraph (58).

The amendments were agreed to.

The bill was ordered to be engrossed for a third read, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the action by which both bills were passed.

Mr. GRIFFIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR RECOGNITION OF SENATOR BIDEN ON WEDNESDAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Wednesday, after the two leaders or their designees have been recognized under the standing order, that Senator BIDEN be recognized for not to exceed 15 minutes.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene at 9 o'clock tomorrow morning.

After the two leaders or their designees have been recognized under the standing order, there will be a period for the transaction of routine morning business with statements limited therein to 3 minutes each, the period to extend to no later than 9:15 a.m.

At 9:15 a.m. the Senate will resume consideration of the unfinished business, S. 707. Debate will ensue thereon for 4 hours, from 9:15 to 1:15 p.m., with the time to be equally divided between Mr. ALLEN and Mr. RIBICOFF.

At the hour of 1:15 p.m., the 1 hour for debate on the motion to invoke cloture under rule XXII will begin running.

At the hour of 2:15 p.m., the automatic quorum call will occur, and upon the establishment of a quorum, or at about 2:30 p.m., the automatic rollcall vote will occur on the motion to invoke cloture on S. 707.

What happens after the vote on the motion to invoke cloture will depend upon the outcome of that vote. If cloture is invoked, then the Senate will proceed to the further consideration of S. 707 to the exclusion of all other business until final action is taken thereon.

If the vote to invoke cloture fails, the Senate will then proceed to the consideration of H.R. 16243, an act making appropriations for the Department of Defense for the fiscal year ending June 30, 1975.

So at least one rollcall vote will occur tomorrow at about 2:30 p.m. and other rollcall votes may follow.

ADJOURNMENT UNTIL 9 A.M.

Mr. ROBERT C. BYRD. If there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 a.m. tomorrow.

The motion was agreed to, and, at 6:48 p.m., the Senate adjourned until tomorrow, Tuesday, August 20, 1974, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate August 19, 1974:

IN THE AIR FORCE

The following officers for appointment in the Reserve of the Air Force under the provisions of chapters 35 and 837, title 10 of the United States Code:

To be major general

Maj. Gen. John J. Pesch, [redacted] FG, Air National Guard.

To be brigadier general

Brig. Gen. John T. Guice, [redacted] FG, Air National Guard.

IN THE U.S. COAST GUARD

The following-named officer to be a permanent commissioned officer in the Coast Guard in the grade of captain having been found fit for duty while on the temporary disability retired list.

Hugh C. McCaffrey

The following-named officer to be a permanent commissioned officer in the Coast Guard in the grade of chief warrant officer, W4 having been found fit for duty while on the temporary disability retired list.

Russell A. Scruggs

The following-named officer to be a permanent commissioned officer in the Coast Guard in the grade of chief warrant officer, W3 having been found fit for duty while on the temporary disability retired list.

Thomas L. Wofford

CONFIRMATION

Executive nomination confirmed by the Senate August 19, 1974:

COUNCIL OF ECONOMIC ADVISERS

Alan Greenspan, of New York, to be a member of the Council of Economic Advisers.

(The above nomination was approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

HOUSE OF REPRESENTATIVES—*Monday, August 19, 1974*

The House met at 12 o'clock noon.

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

My voice shalt Thou hear in the morning, O Lord; in the morning will I direct my prayer unto Thee and will look up.—Psalms 5: 3.

Eternal God, our Father, we thank Thee for Thy mercies which are new every morning and fresh every day and for the word that they who wait upon Thee shall renew their strength. As we wait upon Thee do Thou come anew into our hearts with wisdom to walk wisely, with truth to think truly, and with love to live loftier lives.

Direct us in all our endeavors on behalf of our country that we may be just and kind and determined to do the right as Thou dost reveal the right to us.

To this end grant us the courage of our convictions and the strength to stand firm for all that is good and true and beautiful.

In the spirit of Christ we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 10044. An act to increase the amount authorized to be expended to provide facilities along the border for the enforcement of the customs and immigration laws;

H.R. 15936. An act to amend chapter 5, title 37, United States Code, to provide for continuation pay for physicians of the uniformed services in initial residency; and

H. Con. Res. 603. Concurrent resolution authorizing the Secretary of the Senate to correct the enrollment of the bill S. 3066.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3190. An act authorizing funds for the Board for International Broadcasting for fiscal year 1975.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15842) entitled "An act to increase com-

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pensation for District of Columbia policemen, firemen, and teachers; to increase annuities payable to retired teachers in the District of Columbia; to establish an equitable tax on real property in the District of Columbia; to provide for additional revenue for the District of Columbia; and for other purposes."

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

H.R. 8352. An act to establish the Cascade Head Scenic-Research Area in the State of Oregon, and for other purposes;

H.R. 13261. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Hungarian Claims Agreement of March 6, 1973, and for other purposes.

H.R. 13595. An act to authorize appropriations for the Coast Guard for the procurement of vessels and aircraft and construction of shore and offshore establishments, to authorize appropriations for bridge alterations, to authorize for the Coast Guard an end-year strength for active duty personnel, to authorize for the Coast Guard average military student loads, and for other purposes;

H.R. 14402. An act to amend the act of September 26, 1966 (Public Law 89-606), as amended, to extend for 2 years the period during which the authorized numbers for the grades of lieutenant colonel and colonel in the Air Force are increased; and

H.R. 15572. An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1975, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12281) entitled "An act to continue until the close of June 30, 1975, the suspension of duties on certain forms of copper," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG, Mr. TALMADGE, Mr. HARTKE, Mr. BENNETT, and Mr. CURTIS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15572) entitled "An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1975, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PROXMIRE, Mr. PASTORE, Mr. STENNIS, Mr. BAYH, Mr. CHILES, Mr. MCCLELLAN, Mr. MOSS, Mr. MATHIAS, Mr. CASE, Mr. LONG, Mr. BROOKE, Mr. STEVENS, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 355) entitled "An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 to promote traffic safety by providing that defects and failures to comply with motor vehicle safety standards shall be remedied without charge to the owner, and for other purposes," agree to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HARTKE, Mr. MOSS, Mr. GRIFFIN, and Mr. COOK to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3044) entitled "An act to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CANNON, Mr. PELL, Mr. PASTORE, Mr. LONG, Mr. KENNEDY, Mr. ALLEN, Mr. CLARK, Mr. HUGH SCOTT, Mr. BENNETT, Mr. GRIFFIN, Mr. STEVENS, and Mr. MATHIAS, to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3792) entitled "An act to amend and extend the Export Administration Act of 1969," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STEVENS, Mr. CRANSTON, Mr. HATHAWAY, Mr. BIDEN, Mr. PACKWOOD, Mr. BROCK, and Mr. BROOKE to be the conferees on the part of the Senate.

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

S. 2149. An act to amend title 10, United States Code, to provide certain benefits to members of the Coast Guard Reserve, and for other purposes;

S. 3289. An act to amend the act of August 10, 1939 (53 Stat. 1347), and for other purposes;

S. 3308. An act to amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes; and

S. 3906. An act to amend title 10, United States Code, by repealing the requirement that only certain officers with aeronautical ratings may command flying units of the Air Force.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

EMERGENCY TOBACCO PRICE SUPPORT INCREASE

The Clerk called the bill (H.R. 16056) to provide for emergency increases in the support level for the 1974 crop of Flue-cured tobacco.

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

Mr. ROSE. 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 North Carolina?

There was no objection.

AUTHORIZING THE CONVEYANCE TO THE CITY OF SALEM, ILL., OF A STATUE OF WILLIAM JENNINGS BRYAN

The Clerk called the bill (H.R. 5507) to authorize the conveyance to the city of Salem, Illinois, of a statue of William Jennings Bryan.

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

H.R. 5507

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey, by quitclaim deed, and without monetary consideration, to the city of Salem, Illinois, all right, title, and interest of the United States in and to the statue of William Jennings Bryan authorized by the Act of June 18, 1930 (46 Stat. 783). Such conveyance shall be on condition that the city of Salem, Illinois, shall suitably display and maintain within such city such statue as a memorial to William Jennings Bryan, onetime Member of the House of Representatives of the United States, Secretary of State of the United States, and three times nominated by his party for President of the United States.

With the following committee amendments:

Page 1, line 4, strike the words "to convey, by quitclaim deed," and insert in lieu thereof "to donate, by appropriate cooperative agreement,".

Page 1, line 8, strike the word "conveyance" and insert in lieu thereof "donation".

The committee amendments were 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.

AUTHORIZING THE ERECTION OF A MONUMENT TO THE DEAD OF THE 1ST INFANTRY DIVISION, U.S. FORCES IN VIETNAM

The Clerk called the Senate joint resolution (S.J. Res. 66) to authorize the erection of a monument to the dead of the 1st Infantry Division, U.S. Forces in Vietnam.

There being no objection, the Clerk read the Senate joint resolution as follows:

S.J. RES. 66

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Society of the First Infantry Division—First Division Memorial Committee is authorized to erect (at no cost to the United States or the District of Columbia) a monument to the dead of the First Infantry Division, United States Forces in Vietnam, on the public grounds of the United States in the District of Columbia previously set aside for memorial purposes of the First Infantry Division, adjacent to the monument to the dead of the First Infantry Division, American Expeditionary

Forces in World War I, and adjacent to the monument to the dead of the First Infantry Division, United States Forces in World War II.

SEC. 2. The design and plans for such monument shall be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts, and the National Capital Planning Commission.

SEC. 3. The Secretary of the Interior shall be responsible for the maintenance and care of any such monument, in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935.

The Senate joint resolution 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.

PROVIDING FOR THE REAPPOINTMENT OF DR. WILLIAM A. M. BURDEN AS CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The Clerk called the Senate joint resolution (S.J. Res. 220) to provide for the reappointment of Dr. William A. M. Burden as citizen regent of the Board of Regents of the Smithsonian Institution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone who is familiar with this bill what these Regents of the Smithsonian Institution do, the duties they perform, how they are paid, and what they are paid.

Mr. BRADEMAS. Mr. Speaker, if the gentleman will yield, I might say that 20 U.S.C. 42 directs that the general policy of the Smithsonian is set by the Board of Regents. The Regents act as a board of directors, set general policy, and guide the overall operation of the Institution by the Secretary.

I might say further that the Board of Regents is composed of the Vice President, the Chief Justice of the United States, three Members of the Senate appointed by the President of the Senate, three Members of the House appointed by the Speaker, and nine other persons other than Members of Congress.

The subject of the resolution now under consideration is the reappointment of Dr. William A. M. Burden as a member of the Board of Regents. The purpose of Senate Joint Resolution 220 is to provide for his extension for one more 6-year term.

Mr. GROSS. What do these so-called public members do?

Mr. BRADEMAS. They meet in January, May, and September of each year with the other members of the Board of Regents to discuss policy problems that come before the Smithsonian Institution.

As the gentleman from Iowa knows, the Smithsonian Institution is an institution of some lengthy history, and of some size here in Washington, D.C. The Institution receives upward of $100 million in Federal funds, and the Regents provide indispensable guidance on the prudent disposition of these funds.

Mr. GROSS. Are not the Members of Congress competent to handle this? What does it cost to support the Board of Regents?

Mr. BRADEMAS. Congress, in the Act of 1846, determined that a mixture of both public and private persons on the Board of Regents would insure that the Institution would be operated with maximum efficiency and responsiveness to the American people. In any event, the purpose of the three resolutions that are before us today is not to change the manner of operation of the Board of Regents.

Mr. GROSS. I am trying to find out what they have been doing in the past to justify their positions. Do they do a lot of traveling?

Mr. BRADEMAS. No. Most of their meetings are held in Washington. The Regents do not often travel. I do not represent myself as a particular authority on the operation of the Board of Regents in that I am responding today in the stead of Mr. NEDZI, chairman of the subcommittee that deals with the Smithsonian, but I would make clear to the gentleman from Iowa that membership on the Board of Regents of the Smithsonian is not a way for an American citizen to get rich. Indeed, pursuant to 20 U.S.C. 44, the Regents serve without salary and are authorized to receive only reimbursement for actual travel and other expenses incurred with respect to these meetings. In fact, no Regent has requested such reimbursement in recent years.

Mr. GROSS. I suspect there are a good many jobs in the Federal Government, including those of Members of Congress, on which, if one pays his taxes, one does not get very rich, but I doubt that that is very much of an argument in support of the Board of Regents. I am just trying to find out what they are paid, what they do for what they are paid. The reports are completely silent as to their duties or anything else.

Mr. BRADEMAS. Their duties are to determine the overall policy of the Smithsonian Institution, and to oversee the implementation of that policy by the Secretary of the Institution.

Mr. GROSS. Does the gentleman mean they collect no per diem?

Mr. BRADEMAS. No. They are paid no salary. As I pointed out previously, they are entitled only to reimbursement of incurred related expenses.

Mr. GROSS. I thought we had decided they did not travel.

Mr. BRADEMAS. No. I said I did not believe members of the Board of Regents are required to travel often. Most of their meetings are here in Washington.

Mr. GROSS. It seems there is a good deal of—not necessarily secrecy—but very little understanding, as far as I am concerned, of what this Board of Regents actually does. I do not know whether this is an operation in which a number of people, including Members of Congress and public appointees do the work, or whether the Directors do the work.

Mr. BRADEMAS. If the gentleman from Iowa will yield further——

Mr. GROSS. Yes, of course.

Mr. BRADEMAS. The Smithsonian Institution has been in existence for a long time now. To reiterate, the members of this Board are customarily persons who have been distinguished in some significant area of national life. For example, the subjects of the two other resolutions that are to come before the House today are Dr. Murray Gell-Mann, a mighty distinguished theoretical physicist, and Dr. Caryl P. Haskins, who has served with great distinction as head of the Carnegie Institute. These are outstanding and eminent scholars and public citizens who, with the Vice President and the Chief Justice, and those appointed by the President of the Senate, and Speaker of the House, give of their own time, energies, and talents, without remuneration, to serve in making policy for the Smithsonian Institution.

Mr. GROSS. I thank the gentleman. I would hope, I will say to the gentleman from Indiana, when the gentleman comes before the House to offer further public appointments to the Board of Regents of the Smithsonian Institution, that there would be some information for the Members of the House, telling us what they collect by way of per diem, how much they travel, and so forth, what the bill of upkeep is and the necessity for these public members in view of the fact that there are Members of both the House of Representatives and the U.S. Senate on the Board of Regents.

Mr. Speaker, I withdraw my reservation.

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

There being no objection, the Clerk read the Senate joint resolution, as follows:

S.J. RES. 220

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor William A. M. Burden, of New York, New York, on July 2, 1974, be filled by the reappointment of the present incumbent for the statutory term of six years.

The Senate joint resolution 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.

PROVIDING FOR REAPPOINTMENT OF DR. CARYL P. HASKINS AS CITIZEN REGENT OF BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The Clerk called the Senate joint resolution (S.J. Res. 221) to provide for the reappointment of Doctor Caryl P. Haskins as citizen regent of the Board of Regents of the Smithsonian Institution.

There being no objection, the Clerk read the Senate joint resolution, as follows:

S.J. RES. 221

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor Caryl P. Haskins of Washington, District of Columbia, on May 30, 1974, be filled by the reappointment of the present incumbent for the statutory term of six years.

The Senate joint resolution 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.

PROVIDING FOR APPOINTMENT OF DR. MURRAY GELL-MANN AS CITIZEN REGENT OF BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The Clerk called the Senate joint resolution (S.J. Res. 222) to provide for the appointment of Dr. Murray Gell-Mann as citizen regent of the Board of Regents of the Smithsonian Institution.

There being no objection, the Clerk read the Senate joint resolution as follows:

S.J. RES. 222

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor Crawford H. Greenewalt of Washington, Delaware, on May 30, 1974, be filled by the appointment of Doctor Murray Gell-Mann of California for the statutory term of six years.

The Senate joint resolution 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.

Mr. MINSHALL of Ohio. Mr. Speaker, as author of the House joint resolutions identical to Senate Joint Resolutions 220, 221, and 222, before us today, I wish to heartily endorse the appointment of three distinguished Americans to the Board of Regents of the Smithsonian Institution, on which I am privileged to serve.

Messrs. William Armistead Moale Burden and Caryl Parker Haskins are well known as longtime regents, whose reappointment to the Board is recognition of their superior and devoted service to the great Institution. Mr. Murray Gell-Mann, Nobel Prize winner and brilliant theoretical physicist, will be an important new addition.

In support of the appointment of these eminent gentlemen, I submit herewith their impressive biographies:

Burden, William Armistead Moale, financier; b. N. Y. C., Apr. 8, 1906; s. William A. M. and Florence Vanderbilt (Twombly) B.; A. B. cum laude, Harvard, 1927; D. Sc., Clarkson Coll. Tech., 1953; LL. D., Farleigh Dickinson U., 1965, Johns Hopkins U., 1970; m. Margaret Livingston Partridge, Feb. 16, 1931; children—William A. M. (dec.), Robert Livingston, Hamilton Twombly, Ordway Partridge, Analyst aviation securities Brown Bros., Harriman & Co., N. Y. C., 1928–32; charge of aviation research Scudder, Stevens & Clark, N. Y. C., 1932–39; v.p., dir. Nat. Aviation Corp., aviation investment trust, N. Y. C., 1939–41; v.p. Def. Supplies Corp. (subsidiary RFC), 1941–42; spl. aviation asst. Sec. of Commerce, 1942–43; mem. NACA, 1942–47, asst. Sec. Commerce for Air, 1943–47; U.S. del. Civil Aviation Conf. 1944; chmn. U. S. delegation interim assembly Provisional Internat. Civil Aviation Orgn., 1946; aviation cons. Smith Barney & Co., Inc., 1947–49; partner William A. M. Burden & Co., 1949—; spl. asst. for research and devel. to sec. of Air Force, 1950–52; mem. Nat. Aeros. and Space Council, 1958–59; U. S. ambassador to Belgium, 1959–61; mem. U. S. Citizens Commn. for NATO, 1961–62; dir. Am. Metal Cilmax, CBS, Inc., Mfrs. Hanover Trust Co. (hon.). Chmn. bd. Inst. for Def. Analyses, 1961—; trustee, past pres., chmn. Mus. Modern Art; gov. Soc. of N. Y. Hosp., 1950—; trustee Columbia, 1956—, Fgn. Service Edn. Found., French Inst. in U. S. Regent Smithsonian Instn., 1962—; bd. dirs. Atlantic council U. S., 1961—; bd. govs. Atlantic Inst., 1964—.

Decorated comdr. Cruzeiro do Sul (Brazil), comdr.'s cross Order of Merit (Fed. Republic Germany), grand official El Sol del Peru (Peru), grand officer French Legion of Honor, comdr.'s cross Order of Merit (Italy), grand cordon Order of Leopold (Belgium), asso. comdr. (Bro.) Order of St. John Mem. Council Fgn. Relations (dir.), Am. Inst. Aeros, and Astronautics, France-Am. Soc. (press.), Confrerie des Chevaliers du Tastevin. Clubs: Somerset (Boston, Mass.); The Brook, Racquet and Tennis, River, Links, Century, Downtown Assn. (N. Y. C.); Metropolitan, Chevy Chase, Cosmos (Washington); Bucks's and White's (London); Travelers (Paris). Author: The Struggle for Airways in Latin America, 1943. Address; 630 Fifth Av. New York City N. Y. 10020.

Gell-Mann, Murray, theoretical physicist; b. N.Y.C., September 15, 1929; s. Arthur and Pauline (Reichstein) Gell-M.; B.S., Yale, 1948; Ph. D., Mass. Inst. Tech., 1951; m. J. Margaret Dow, April 19, 1955; children-Elizabeth, Nicholas. Mem. Inst. for Advanced Study, 1951; instr. U. Chicago, 1952–53, asst. prof., 1953–54, asso. prof., 1954, research dispersion relations, developed strangeness theory; asso. prof. Cal. Inst. Tech., Pasadena, 1955–56, prof., 1956– , now R. A. Millikan prof. physics, research theory of weak interactions, developed eightfold way theory and Quark scheme. NSF post doctoral fellow, vis. prof. Coll. de France and U. Paris, 1959–60. Recipient Dannie Heinemann prize Am. Phys. Soc., 1959; E. O. Lawrence Meml. award AEC, 1966; Franklin medal, 1967; Carty medal Nat. Acad. Scis., 1968; Research Corp. award, 1969; Nobel prize in physics, 1969. Fellow Am. Phys. Soc.; mem. Nat. Acad. Scis., Am. Acad. Arts and Scis. Club: Cosmos. Author (with Y. Ne'eman) Eightfold Way. Home: 1024 Armada Dr., Pasadena, California 91103.

Haskins, Caryl Parker, educator, research scientist; b. Schenectady, Aug. 12, 1908; s. Caryl Davis and Frances Julia (Parker) H.; Ph.B., Yale, 1930; Ph. D., Harvard, 1935; D. Sc., Tufts Coll., 1951, Union Coll., 1955, Northeastern U., 1955, Yale, 1958, Hamilton Coll., 1959, George Washington U., 1963 LLD., Carnegie Inst. Tech., 1960. U. Cin., 1960, Boston Coll., 1960, Washington and Jefferson Coll., 1961, U. Del., 1965; m. Edna Ferrell, July 12, 1940. Staff mem. research lab. Gen. Electric Co., Schenectady, 1931–35; research asso. Mass. Inst. Tech. 1939–45; pres., research dir. Haskins Labs., Inc. 1935–55, dr., 1935– , Chmn. bd., 1970– ; pres. Carnegie Instn. of Washington, 1956–71, also trustee.

Dir. E.I. duPont de Nemours & Co. Asst. liaison officer OSRD. 1941–42, sr. liaison officer 1942–43; exec. asst. to chmn. NDRC, 1943–44, dep. exec. officer, 1944–45; sci. adv. bd. Policy Council, Research and Devel. Bd. of Army and Navy, 1947–48; cons. Research and Develop. Bd., 1947–51, to sec. of def., 1950–60, to sec. of state 1950–60; mem. President's Sci. Adv. Com., 1955–58, cons., 1959—; mem. President's Nat. Adv. Commn. on Libraries, 1966–67; mem. JointU.S.-Japan Com. on Sci. Coop., 1961–67, cons., 1967—, Internat. Conf. Insect Physiology and Entomology; panel advisers Bur. East Asian and Pacific Affairs, Dept. of State, 1966–68.

Trustee Carnegie Corp. N.Y., 1955—, Rand Corp., 1955–65, 66—; fellow Yale Corp., 1962—; regent Smithsonian Instn., 1956—; bd. dirs. Council Fgn. Relations, 1961—, Population Council, Ednl. Testing Service, Center for Advanced Study in Behavioral Scis., Inst. Current World Affairs, Arctic Inst. N.Am., Schenectady Trust Co., Woods Hole Oceanographic Instn., Nat. Geog. Soc., Franklin Book Programs, 1953–58, Council on Library Resources, Pacific Sci. Center Found., Asia Found., Marlboro Coll. Mem. vis. coms. Harvard Overseers Com., Johns Hopkins U.; bd. visitors, Tulane U. Recipient Certificate of Merit (U.S.), 1948, Kings Medal for Service in Cause of Freedom (Gt. Britain), 1948. Fellow Am. Phys. Soc., A.A.A.S. (dir.), Am. Acad. Arts and Scis., N.Y. Zool. Soc., Pierpont Morgan Library, Royal Entomol. Soc. (Gt. Britain), Entomol. Soc. Am.; mem. Washington Acad. Scis., Royal Soc. Arts (Benjamin Franklin fellow), Faraday Soc., Mets. Mus. Art, Am. Mus. Natural History, Am. Philos. Soc., Brit. Assn. Advancement Sci., Audubon Soc., Save-the-Redwoods League, West Australian Naturalist Soc., Biophys. Soc. Nat. Acadm. Sci. N.Y. Acad. Scis., N.Y. Bot. Garden, P.E.N., Pilgrims, Sigma Xi (nat. pres. 1967-69), Delta Sigma Rho, Omicron Delta Kappa, Phi Beta Kappa, Episcopalian. Clubs: Century, Coffee House (N.Y.C.); Mohawk (Schenectady); Metropolitan, Cosmos, Chevy Chase, Federal City, University (Washington). Author: Of Ants and Men, 1939; The Amazon, 1943; Of Societies and Men, 1950; The Scientific Revolution and World Politics, 1964; contbr. to anthologies and tech. papers. Editor: The Search for Understanding, 1967; (with others): Am. Scientist, 1971—. Home: 1545 18th St., N.W., Washington, D.C. 20036, Office: 2100 M St., N.W., Washington, D.C. 20037 also: 22 Green Acre Lane Westport Ct. 06880.

GENERAL LEAVE

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks following the Senate joint resolutions with respect to appointment of the three members of the Board of Regents of the Smithsonian Institution.

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

There was no objection.

SUBORDINATION AGREEMENT FOR CERTAIN SOUTH CAROLINA LANDS

The Clerk called the bill (H.R. 9054) to amend the act entitled "An Act to authorize the Secretary of Agriculture to execute a subordination agreement

with respect to certain lands in Lee County, South Carolina".

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

H.R. 9054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize and direct the Secretary of Agriculture to execute a subordination agreement with respect to certain lands in Lee County, South Carolina", approved November 6, 1969 (83 Stat. 183), is amended—

(1) by striking out "an agreement subordinating" and inserting in lieu thereof "a quitclaim deed conveying and releasing";

(2) by striking out "is" and inserting in lieu thereof "and the Secretary of the Interior are"; and

(3) by striking out "288" and inserting in lieu thereof "228."

With the following committee amendments:

Page 2, line 2, strike out the word "and" following the word "are".

Page 2, line 4, change the period (.) following "228" to a semicolon (;) and add the word "and".

Page 2, insert the following after subsection (3):

(4) by adding a new sentence at the end thereof as follows:

The Secretary of Agriculture and the Secretary of the Interior are further authorized, in their discretion, to execute and deliver to the Board of Education of Lee County, South Carolina, its successors and assigns, a quitclaim deed or deeds conveying and releasing all right, title, and interest of the United States of America in and to one or more of parcels numbered 1, more particularly described in the above-mentioned deed dated December 14, 1945, and numbered 7, 9, and 11, more particularly described in the above-mentioned deed dated July 15, 1946, upon documentation satisfactory to said Secretaries that buildings, facilities, or improvements for educational or other related community purposes are planned for the parcels involved.

The committee amendments were 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.

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

DUTY-FREE ENTRY OF TELESCOPE AND ASSOCIATED ARTICLES FOR CANADA-FRANCE-HAWAII TELESCOPE PROJECT

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11796) to provide for the free entry of a 3.60 meter telescope for the use of the Canada-France-Hawaii telescope project to Mauna Kea, Hawaii, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. SCHNEEBELI. Mr. Speaker, reserving the right to object, and I shall not object, I take this time to ask our chairman if he will explain to our colleagues the meaning of this legislation, and I yield to the chairman for that purpose.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 11796, as reported by the Committee on Ways and Means, is to permit the duty-free entry of a 3.60 meter telescope, and the laboratories, equipment, and installations necessary for its operation, in the Canada-France-Hawaii telescope project at Mauna Kea, Hawaii.

The Canada-France-Hawaii telescope project is a non-profit international cooperative scientific undertaking by the Centre National de la Recherche Scientifique of France—National Center of Scientific Research—the National Research Council of Canada, and the University of Hawaii. The installation and development of a major astronomical observatory and facility at Mauna Kea, Hawaii, is provided for in a memorandum of understanding signed by the three agencies in Ottawa on October 25, 1973.

As provided by the memorandum of understanding among the three agencies, the project's total cost of approximately $20 million, which includes the telescope, its basic instrumentation, its dome, and associated buildings, is to be borne equally by the scientific agencies of Canada and France. The initial contribution of the University of Hawaii will consist of a long-term lease of the site and provision of certain support services and facilities. Your committee is informed that Mauna Kea may be one of the best observatory sites in the world.

Upon completion of the project's construction, the operating costs and observing time will be shared on the proportional basis of 42.5 percent each for the French and Canadian scientific agencies and 15 percent for the University of Hawaii.

Mr. Speaker, H.R. 11796 would enable the University of Hawaii to carry out its commitment to seek "relief from taxes, sales taxes on all goods imported specifically for use in the realization of the project and its continuing operation." Thus, as reported by your committee, the bill would provide for the duty-free entry of imported articles—limited to the optical telescope, and the laboratories, equipment and installation necessary for its operation—required by the Canada-France-Hawaii telescope project.

Your committee has amended H.R. 11796 to provide that only articles certified by the executive director of the project—or the associate executive director—as being necessary for the project's completion may be accorded duty-free treatment when entered on or before June 30, 1980. Upon that date, the duty-free treatment for such articles will terminate.

Mr. Speaker, the committee has determined that the favorable consideration of H.R. 11796, as reported, is not a departure from, but rather is consistent with, public policy established under Public Law 89-651, which implements the so-called Florence Agreement providing for the duty-free exchange of cultural, scientific and educational material. Under that law, Congress provided that scientific instruments imported for use by nonprofit institutions may be afforded duty-free entry if it is determined that no instrument of equivalent scientific value is available from domestic sources.

However, the Canada-France-Hawaii telescope project is a unique international undertaking initiated and funded primarily by scientific agencies in Canada and France in cooperation with the University of Hawaii which is providing the observatory site. In addition, the size of the project and its development over an extended period of time make it most difficult, if not impossible, to require the detailed petitioning and approval procedures for duty-free treatment of scientific instruments established by the Department of Commerce and the U.S. Customs Service under Public Law 89-651.

No objections to the enactment of H.R. 11796 have been received by the committee from any interested party. Favorable reports on the bill have been received from interested executive branch agencies, and the committee has amended the bill at the suggestions of the Departments of Treasury and Commerce to more closely conform the provisions of the bill to the intent of Public Law 89-651.

Mr. Speaker, your committee is informed that completion of the Canada-France-Hawaii telescope project would be of real benefit to the American scientific community. In consideration of the likelihood that import duties existing under present law would add unnecessary costs and complications to the project, and in the interest of the international practice of facilitating international scientific endeavors, your committee is unanimous in reporting H.R. 11796, as amended, and urges its favorable consideration by the House.

Mr. SCHNEEBELI. Mr. Speaker, I support H.R. 11796, which would permit the duty free entry of a telescope and related equipment for a multinational observatory in Hawaii.

In October of 1973, a memorandum of understanding was signed by the French National Center for Scientific Research, the National Research Council of Canada, and the University of Hawaii. The memorandum provided for the installation and development of major astronomical facilities on Mauna Kea, an extinct volcano almost 14,000 feet above sea level. This is the highest point in the Hawaiian Islands, remote from population centers and widely considered to be one of the finest observatory sites in the world.

The cost of the project, estimated at $20 million, is to be borne equally by the Canadian and French agencies involved. The University of Hawaii initially is contributing a long-term lease of the site plus certain support services and facilities. Operating costs and observing time will be shared 42.5 percent each by the French and Canadian agencies and 15 percent by the University of Hawaii.

H.R. 11796 would assist the University

in meeting its commitment to seek "relief from taxes, sales taxes on all goods imported specifically for use in the realization of the project and its continuing operation." Only those items certified as needed by the project director would be exempt from duty under terms of this bill.

Based on information provided, the committee determined that H.R. 11796 is consistent with our policy relating to the duty-free exchange of cultural, scientific and educational material. No objections to the enactment of the measure were heard by the committee, favorable reports were received by executive agencies involved, and the vote was unanimous in ordering the bill reported. I urge its adoption now by the House.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. GROSS. Mr. Speaker, further reserving the right to object, may I ask the gentleman, is this equipment available in this country?

Mr. MILLS. This equipment is to be furnished entirely by Canada and France. It could be available here, but Canada and France paid for it. First of all, they are operating the position of the site for the location of this observatory.

Mr. GROSS. Why this sudden generosity on the part of the Canadians and the French?

Mr. MILLS. This is an agreement they have entered into, because they say this site is perhaps the best site for an observatory of any place in the world. The University of Hawaii will use it 15 percent and the Canadians and French 2½ percent.

Mr. GROSS. Is it not strange for Congress to relieve the Canadians of this duty when last yast year they wasted not a single moment in increasing their export tax on the petroleum products they shipped to the United States?

Mr. MILLS. This legislation, if the gentleman will yield, this will be of great value to the scientists, not only the Canadian scientists and French scientists, but to the University of Hawaii.

Mr. GROSS. I say to my friend, the gentleman from Arkansas, that is not the question. The question is, Why should we become so benevolent and philanthropic with respect to the Canadians when they jumped the tax on their petroleum product exports to the United States by some 300 percent last fall?

Mr. MILLS. I know they did. I have the same feeling about the actions of some of our so-called friends abroad; but I do think this is in the interest of the United States to do it.

Mr. GROSS. I do not know exactly on what basis, in fact, our interest lies.

Mr. MILLS. It is scientific, it is the development of scientific information that we will have as much use in as will they. All the scientists, I know, are all much in favor of it because of its location. This is an ideal place. I do not know anything about the State of Hawaii, but my friend, the gentleman from Hawaii, introduced the bill. He sought its passage. I think the contribution of the University of Hawaii is in a long-range term lease for the site.

Mr. GROSS. I will say to the gentleman from Arkansas that it is not really a question of what is good for Hawaii or any other State in the United States. There is such a thing as what is good for our taxpayers.

Mr. MILLS. I understand, but this is a nonprofit operation. It goes along with the agreement enacted in the 89th Congress. The only reason we want to do it this way, rather than go through the Committee on Interstate and Foreign Commerce is that it takes so much of our time to do it that way. Each item has to be invidually described. It has to be individually entered.

Mr. GROSS. I am sure it would be an exercise in futility to force a vote on this bill. I doubt very much if there would be 15 votes against it, first of all because of the absence of so many Members from the floor who ought to know something about this sort of legislation, and because we are always philanthropic; we are always willing to take a kick in the teeth from a foreign country, and turn around and give them the U.S. Treasury. We have long been a bunch of boobs in that respect. I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 11796

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 admit free of duty and other taxes a 3.60 meter telescope (including all articles required in connection with the manufacture, construction, operation, use, or maintenance of the telescope and its ancillary equipment) for the use of the Canada-France-Hawaii Telescope project at Mauna Kea, Hawaii.

SEC. 2. If the liquidation of the entry of any article described in the first section of this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert the following:

That (a) the Secretary of the Treasury is authorized and directed to admit free of duty imported articles required by the Canada-France-Hawaii Telescope Project to complete the installation on Mauna Kea, Hawaii, of an optical telescope of 3.60 meters diameter, and the laboratories, equipment, and installations necessary for its operation, as provided for in a Memorandum of Understanding, signed at Ottawa on October 25, 1973, among the Centre National de la Recherche Scientifique of France, the National Research Council of Canada, and the University of Hawaii.

(b) The admission free of duty provided for in subsection (a) shall be accorded to any article imported by or for the account of the Canada-France-Hawaii Telescope Project if such article is certified by the Executive Director or the Associate Executive Director of the Canada-France-Hawaii Telescope Corporation as being required for the completion of the Project in accordance with the Memorandum of Understanding referred to in subsection (a).

SEC. 2. (a) The provisions of the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, on or before June 30, 1980.

(b) Upon appropriate request therefore filed by the Executive Director or the Associate Executive Director of the Canada-France-Hawaii Telescope Corporation with the customs officer concerned on or before the one hundred and twentieth day after the date of the enactment of this Act, the entry or withdrawal of any article described in the first section of this Act which was made before the date of the enactment of this Act shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated in accordance with the provisions of such first section.

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

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

There was no objection.

The committee amendment was agreed to.

Mr. MATSUNAGA. Mr. Speaker, I am pleased to voice my support for H.R. 11796, a bill which I introduced to permit the entry, duty free, of a telescope and related articles to be used in the construction of a major telescope on the slopes of Mauna Kea, in my State of Hawaii.

Because of the unique atmospheric conditions and relative lack of artificial lighting, Mauna Kea provides an ideal site for such a telescope project. Already a smaller instrument is in use there, and the National Aeronautics and Space Administration is about to construct a very large infrared telescope on the site.

This project will contribute significantly to the advancement of astronomical knowledge. Moreover, because of the nature of the consortium undertaking the project, there will be an even more significant contribution to an atmosphere of cooperation among nations. The principal scientific research organizations of two nations, Canada and France, are participating in this venture with the University of Hawaii. The university is supplying the rights to the land on which the telescope is to be constructed and certain associated buildings. The balance of the construction expense, which will bring the total to about $20 million, is to be borne exclusively and equally by the Canadian and French partners in the venture.

Because local labor will be used for the construction of all support facilities, as well as in the assembly of the telescope and its ancillary equipment, the project will provide some relief to the high unemployment situation which now prevails in Hawaii, the rate of unemployment now being 8.4 percent.

Mr. Speaker, the limits of H.R. 11796 are carefully hedged to avoid abuse. A

specific time limit, within which all articles must enter their country to be eligible for duty free entry, has been set; and only articles which have been certified as necessary for the project by the project director or associate director will be eligible for the exemption.

Mr. Speaker, it is significant to note that the bill enjoys broad support. The Committee on Ways and Means reported it by unanimous vote. The Departments of Treasury, Commerce, and State strongly support the bill, as do NASA and the National Science Foundation. It has been endorsed by the Hawaii State Federation of Labor, an AFL–CIO affiliate. In a letter addressed to me, Mr. Walter Kupau, president of that influential council, has written wholehearted support for this project as a benefit not only to the local economy, but also to the national and international scientific community.

Although this bill may be relatively minor in comparison to other momentous measures to be considered by the House in the days and weeks ahead, I believe the positive effects of H.R. 11796 would be substantial. There will be long strides taken in the advancement of our knowledge about the universe. There will be residual economic benefits to the State of Hawaii and the country as a whole. But most importantly, Mr. Speaker, by passing this bill we will demonstrate to the world that the United States is willing, even eager, to work with other nations, in the attainment of undeniably desirable goals. The example which Congress will set by enacting this modest bill will form the basis for further, broader areas of cooperation between the United States and other nations.

I urge the unanimous approval of H.R. 11796 by the House.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 11796, legislation to provide for the duty-free entry into the United States of a large telescope to be constructed on Mauna Kea, Hawaii.

The bill, of which I am a cosponsor, will facilitate the construction of the Canada-France-Hawaii telescope project. The 3.60-meter telescope will cost an estimated $20 million, of which some $7.6 million consists of articles made outside of the United States.

Under existing law, materials for cultural, scientific, and educational purposes may be imported duty free, but utilization of this would be difficult in view of the unique international nature of this undertaking and its development over a considerable period of time. The detailed petitioning and approval procedures required are viewed as too complex and burdensome for this project.

H.R. 11796 would permit items for this telescope project to be brought in, in much the same manner as envisioned under the general statute exempting scientific articles from duty but without the need for specific approval of each of the numerous articles involved. The legislation as amended in committee provides that the executive director of the project, or the assistant director, must certify that each item exempted from duty is for use in the project as claimed. The authority for such duty-free entry expires June 30, 1980.

This nonprofit, cooperative project is sponsored by the Centre National de la Recherche Scientifique of France, the National Research Council of Canada, and the University of Hawaii. The site of the telescope will be Mauna Kea, an extinct volcano generally considered one of the world's outstanding locations for an astronomical observatory.

The scientific research purposes of H.R. 11796 have wide support, including that of the administration. I ask for the approval of this bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the duty-free entry of a 3.60 meter telescope and associated articles for the use of the Canada-France-Hawaii Telescope Project at Mauna Kea, Hawaii."

A motion to reconsider was laid on the table.

ESTABLISHING THE GREAT DISMAL SWAMP NATIONAL WILDLIFE REFUGE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3620) to establish the Great Dismal Swamp National Wildlife Refuge, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, strike out lines 1, 2, and 3, and insert:

SEC. 4. (a) Except as provided in subsection (b) of this section, there is authorized to be appropriated for the fiscal year ending June 30, 1975, not to exceed $1,000,000; for the fiscal year ending June 30, 1976, not to exceed $3,000,000; and for the fiscal year ending June 30, 1977, not to exceed $3,000,000.

(b) In no event shall the amount authorized to be appropriated exceed the cost estimates of the report to be submitted to the Congress by the Secretary pursuant to Public Law 92–478.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TWENTY-FIVE-PERCENT INTEREST EPITAPH

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

Mr. PATMAN. Mr. Speaker, high interest causes higher prices—higher prices cause inflation. The way to stop inflation is to stop high interest and high prices and achieve low interest.

The Federal Reserve has spent 5 years trying to stop inflation with high interest—all the time interest rates were going higher and higher. This unwise effort did not make good sense, either common, book, or horse.

It is just as unwise to try to stop inflation by using high interest rates as it would be to try to put out the fire in your home with gasoline instead of with water.

High interest rates, while causing more inflation, creates more poverty and encourages the four greatest evils—poverty, ignorance, disease, and crime. High interest rates must be stopped to encourage our three greatest institutions: the home, the church, and the school.

The Golden Rule has been changed more by high interest than by any other cause. The new modern Golden Rule among some of our selfish and greedy is "those who have the gold make the rule."

In pioneer days one community experienced hard times, high interest and poverty, caused by what the people in the community believed were the policies of one particular moneylender, so when this moneylender passed away, the citizens of the community got together and decided that they would not permit his type of philosophy to go unnoticed by letting the people know by the epitaph on his monument with fitting and appropriate language to depict the type of life he lived in furthering excessive, exorbitant and usurious interest rates.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it

Mr. GROSS. Mr. Speaker, are we embarked upon special orders?

The SPEAKER. The gentleman from Texas may finish his sentence. That is the practice.

Mr. PATMAN. Mr. Speaker, the following is what was agreed upon and used as the epitaph:

Here lies old 25 percent
The more he made, the less he lent
The more he got, the less he spent
He's gone—we do not know which way he went
But if to Heaven his soul has went
He'll own the place and charge them rent.

CONGRESSIONAL OFFICE DISCRIMINATION

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

Mr. ECKHARDT. Mr. Speaker, the Sunday paper informs us that "the most unusual forms of discrimination occur in four job orders" sent by a Congressman's office to the Congressional Office of Placement and Office Management. The description in one application to supply an employee lists in the form, under "Special Skills and Requirements," the following description: "Attractive, smart, young and no Catholics or water signs."

It is good to know that there are some enterprising souls here on the Hill think-

ing about what we can use for objects of discrimination when black genes become too diffused, immigrant tongues too fluent, and sects too flexible to longer afford us an object of hate.

It took a budding young Goebbels on somebody's staff to envisage chauvinism based on the zodiac, or, if it were a Congressman, an uncharacteristically innovative one. For those who have been worried about bigotry gradually fading away for failure of identifiable victims, this fresh approach gives new hope.

One may escape the ghetto or even the bondage of the genes of his ancestors, but he cannot escape his stars nor alter his birth date. It is set down with indelible certainty on his birth certificate and his social security card: once a Cancer, always a Cancer.

The sentiment is already being muttered in the cloakrooms and corridors: "I like a Scorpio who stays in his place." And then who would like his daughter to marry a Pisces?

What a comforting thought it is that now in America we know we will never run out of people to hate.

THE TRAGIC DEATH OF AMBASSADOR RODGER P. DAVIES

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

Mr. RHODES. Mr. Speaker, the tragic death of U.S. Ambassador to Cyprus Rodger P. Davies represents the most recent illustration of the need to restore peace to that part of the world. We cannot help but be shocked and deeply saddened by this event. Those of us who adhere to the belief that acts of violence can have no place in the affairs of the world community can only hope that the tragedy of Ambassador Davies' death will serve as an impetus for negotiations that will produce a permanent mechanism for peace. My deepest personal sympathies are extended to the family of Ambassador Davies.

NO DISCRIMINATION IN MY OFFICE

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

Mr. SIKES. Mr. Speaker, the allegations by a Texas newspaper that I refuse to employ blacks is an outright lie. I know nothing about the matter other than the fact I have not authorized any conditions of employment except ability and training. I had not heard about the incident in question until I read yesterday's paper. My inquiry shows that my administrative assistant has in the past telephoned requests for personnel to the Capitol Placement Office, usually for temporary personnel. She states she has no recollection of stating that blacks would not be considered, and she knew it is not the policy of this office to exclude blacks. There is no certainty that the actual call in question was made from my office. It is stated that an intern rifled the files of the Placement Office and gave certain information to the press. Possibly that individual changed the material to suit his or her purposes.

The fact is, I have given positions to blacks through my Capitol office. Two that come in mind were employed here for several years. One of them is still employed; the other left of his own volition.

I have also nominated a number of blacks to the Service Academies.

It would appear that newspapers which seek facts rather than sensationalism would consult the Congressmen whose practices they question before jumping into print without facts.

THE TRAGIC DEATH OF AMBASSADOR RODGER P. DAVIES

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

Mr. BRADEMAS. Mr. Speaker, I want to join in the remarks of the distinguished minority leader, the gentleman from Arizona (Mr. RHODES) in expressing my profound sympathy and that, I am sure, of Members of the House of Representatives on both sides of the aisle, at the tragic death a few hours ago of our distinguished Ambassador to Cyprus, the Honorable Rodger P. Davies.

I knew Ambassador Davies. He was a friend. He served his country well, and I extend my deep sympathies to his family.

Mr. Speaker, the death of Rodger Davies is a symbol of the tragedy that the crisis in Cyprus has come to represent throughout the civilized world.

CONFERENCE REPORT ON S. 821, JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

Mr. HAWKINS submitted the following conference report and statement on the Senate bill (S. 821) to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 93-1298)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 821) to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the bill, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment, insert the following:

That this Act may be cited as the "Juvenile Justice and Delinquency Prevention Act of 1974".

TITLE I—FINDINGS AND DECLARATION OF PURPOSE

FINDINGS

SEC. 101. (a) The Congress hereby finds that—

(1) juveniles account for almost half the arrests for serious crimes in the United States today;

(2) understaffed, overcrowded juvenile courts, probation services, and correctional facilities are not able to provide individualized justice or effective help;

(3) present juvenile courts, foster and protective care programs, and shelter facilities are inadequate to meet the needs of the countless, abandoned, and dependent children, who, because of this failure to provide effective services, may become delinquents;

(4) existing programs have not adequately responded to the particular problems of the increasing numbers of young people who are addicted to or who abuse drugs, particularly nonopiate of polydrug abusers;

(5) juvenile delinquency can be prevented through programs designed to keep students in elementary and secondary schools through the prevention of unwarranted and arbitrary suspensions and expulsions;

(6) States and local communities which experience directly the devastating failures of the juvenile justice system do not presently have sufficient technical expertise or adequate resources to deal comprehensively with the problems of juvenile delinquency; and

(7) existing Federal programs have not provided the direction, coordination, resources, and leadership required to meet the crisis of delinquency.

(b) Congress finds further that the high incidence of delinquency in the United States today results in enormous annual cost and immeasurable loss of human life, personal security, and wasted human resources and that juvenile delinquency constitutes a growing threat to the national welfare requiring immediate and comprehensive action by the Federal Government to reduce and prevent delinquency.

PURPOSE

SEC. 102. (a) It is the purpose of this Act—

(1) to provide for the thorough and prompt evaluation of all federally assisted juvenile delinquency programs;

(2) to provide technical assistance to public and private agencies, institutions, and individuals in developing and implementing juvenile delinquency programs;

(3) to establish training programs for persons, including professionals, paraprofessionals, and volunteers, who work with delinquents or potential delinquents or whose work or activities relate to juvenile delinquency programs;

(4) to establish a centralized research effort on the problems of juvenile delinquency, including an information clearinghouse to disseminate the findings of such research and all data related to juvenile delinquency;

(5) to develop and encourage the implementation of national standards for the administration of juvenile justice, including recommendations for administrative, budgetary, and legislative action at the Federal, State, and local level to facilitate the adoption of such standards;

(6) to assist States and local communities with resources to develop and implement programs to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions; and

(7) to establish a Federal assistance program to deal with the problems of runaway youth.

(b) It is therefore the further declared policy of Congress to provide the necessary resources, leadership, and coordination (1) to develop and implement effective methods of preventing and reducing juvenile delinquency; (2) to develop and conduct effective programs to prevent delinquency, to divert juveniles from the traditional juvenile justice system and to provide critically needed alternatives to institutionalization; (3) to

improve the quality of juvenile justice in the United States; and (4) to increase the capacity of State and local governments and public and private agencies to conduct effective juvenile justice and delinquency prevention and rehabilitation programs and to provide research, evaluation, and training services in the field of juvenile delinquency prevention.

DEFINITIONS

SEC. 103. For purposes of this Act—

(1) the term "community based" facility, program, or service means a small, open group home or other suitable place located near the juvenile's home or family and programs of community supervision and service which maintain community and consumer participation in the planning operation, and evaluation of their programs which may include, but are not limited to, medical, educational, vocational, social, and psychological guidance, training, counseling, alcoholism treatment, drug treatment, and other rehabilitative services;

(2) the term "Federal juvenile delinquency program" means any juvenile delinquency program which is conducted, directly, or indirectly, or is assisted by any Federal department or agency, including any program funded under this Act;

(3) the term "juvenile delinquency program" means any program or activity related to juvenile delinquency prevention, control, diversion, treatment, rehabilitation, planning, education, training, and research, including drug and alcohol abuse programs; the improvement of the juvenile justice system; and any program or activity for neglected, abandoned, or dependent youth and other youth who are in danger of becoming delinquent;

(4) the term "Law Enforcement Assistance Administration" means the agency established by section 101(a) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

(5) the term "Administrator" means the agency head designated by section 101(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

(6) the term "law enforcement and criminal justice" means any activity pertaining to crime prevention, control, or reduction or the enforcement of the criminal law, including, but not limited to police efforts to prevent, control, or reduce crime or to apprehend criminals, activities of courts having criminal jurisdiction and related agencies (including prosecutorial and defender services), activities of corrections, probation, or parole authorities, and programs relating to the prevention, control, or reduction of juvenile delinquency or narcotic addiction;

(7) the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and any territory or possession of the United States;

(8) the term "unit of general local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior, or, for the purpose of assistance eligibility, any agency of the District of Columbia government performing law enforcement functions in and for the District of Columbia and funds appropriated by the Congress for the activities of such agency may be used to provide the non-Federal share of the cost of programs or projects funded under this title;

(9) the term "combination" as applied to States or units of general local government means any grouping or joining together of such States or units for the purpose of preparing, developing, or implementing a law enforcement plan;

(10) the term "construction" means acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings, or any combination of such activities (including architects' fees but not the cost of acquisition of land for buildings);

(11) the term "public agency" means any State, unit of local government, combination of such States or units, or any department, agency, or instrumentality of any of the foregoing;

(12) the term "correctional institution or facility" means any place for the confinement or rehabilitation of juvenile offenders or individuals charged with or convicted of criminal offenses; and

(13) the term "treatment" includes but is not limited to medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict or other user by eliminating his dependence on addicting or other drugs or by controlling his dependence, and his susceptibility to addiction or use.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Part A—Juvenile Justice and Delinquency Prevention Office

ESTABLISHMENT OF OFFICE

SEC. 201. (a) There is hereby created within the Department of Justice, Law Enforcement Assistance Administration, the Office of Juvenile Justice and Delinquency Prevention (referred to in this Act as the "Office").

(b) The programs authorized pursuant to this Act unless otherwise specified in this Act shall be administered by the Office established under this section.

(c) There shall be at the head of the Office an Assistant Administrator who shall be nominated by the President by and with the advice and consent of the Senate.

(d) The Assistant Administrator shall exercise all necessary powers, subject to the direction of the Administrator of the Law Enforcement Assistance Administration.

(e) There shall be in the Office a Deputy Assistant Administrator who shall be appointed by the Administrator of the Law Enforcement Assistance Administration. The Deputy Assistant Administrator shall perform such functions as the Assistant Administrator from time to time assigns or delegates, and shall act as Assistant Administrator during the absence of disability of the Assistant Administrator in the event of a vacancy in the Office of the Assistant Administrator.

(f) There shall be established in the Office a Deputy Assistant Administrator who shall be appointed by the Administrator whose function shall be to supervise and direct the National Institute for Juvenile Justice and Delinquency Prevention established under section 241 of this Act.

(g) Section 5108(c)(10) of title 5, United States Code first occurrence, is amended by deleting the word "twenty-two" and inserting in lieu thereof the word "twenty-five".

PERSONNEL, SPECIAL PERSONNEL, EXPERTS, AND CONSULTANTS

SEC. 202. (a) The Administrator is authorized to select, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions vested in him and to prescribe their functions.

(b) The Administrator is authorized to select, appoint, and employ not to exceed three officers and to fix their compensation at rates not to exceed the rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of title 5 of the United States Code.

(c) Upon the request of the Administrator, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to the Assistant Administrator to assist him in carrying out his functions under this Act.

(d) The Administrator may obtain services as authorized by section 3109 of title 5 of the United States Code, at rates not to exceed the rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of title I of the United States Code.

VOLUNTARY SERVICE

SEC. 203. The Administrator is authorized to accept and employe, in carrying out the provisions of this Act, voluntary and uncompensated services notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b)).

CONCENTRATION OF FEDERAL EFFORTS

SEC. 204. (a) The Administrator shall implement overall policy and develop objectives and priorities for all Federal juvenile delinquency programs and activities relating to prevention, diversion, training, treatment, rehabilitation, evaluation, research, and improvement of the juvenile justice system in the United States. In carrying out his functions, the Administrator shall consult with the Council and the National Advisory Committee for Juvenile Justice and Delinquency Prevention.

(b) In carrying out the purposes of this Act, the Administrator shall—

(1) advise the President through the Attorney General as to all matters relating to federally assisted juvenile delinquency programs and Federal policies regarding juvenile delinquency;

(2) assist operating agencies which have direct responsibilities for the prevention and treatment of juvenile delinquency in the development and promulgation of regulations guidelines, requirements, criteria, standards, procedures, and budget requests in accordance with the policies, priorities, and objectives he establishes;

(3) conduct and support evaluations and studies of the performance and results achieved by Federal juvenile delinquency programs and activities and of the prospective performance and results that might be achieved by alternative programs and activities supplementary to or in lieu of those currently being administered;

(4) implement Federal juvenile delinquency programs and activities among Federal departments and agencies and between Federal juvenile delinquency programs and activities and other Federal programs and activities which he determines may have an important bearing on the success of the entire Federal juvenile delinquency effort;

(5) development annually with the assistance of the Advisory Committee and submit to the President and the Congress, after the first year the legislation is enacted, prior to September 30, an analysis and evaluation of Federal juvenile delinquency programs conducted and assisted by Federal departments and agencies, the expenditures made, the results achieved, the plans developed, and problems in the operations and coordination of such programs. The report shall include recommendations for modifications in organization, management, personnel, standards, budget requests, and implementation plans necessary to increase the effectiveness of these programs;

(6) develop annually with the assistance of the Advisory Committee and submit to the President and the Congress, after the first year the legislation is enacted, prior to March 1, a comprehensive plan for Federal juvenile delinquency programs, with particular emphasis on the prevention of juvenile delinquency and the development of programs and services which will encourage increased diversion of juveniles from the traditional juvenile justice system; and

(7) provide technical assistance to Federal, State, and local governments, courts, public and private agencies, institutions, and individuals, in the planning, establishment,

funding, operation, or evaluation of juvenile delinquency programs.

(c) The President shall, no later than ninety days after receiving each annual report under subsection (b)(5), submit a report to the Congress and to the Council containing a detailed statement of any action taken or anticipated with respect to recommendations made by each such annual report.

(d)(1) The first annual report submitted to the President and the Congress by the Administrator under subsection b(5) shall contain in addition to information required by subsection (b)(5), a detailed statement of criteria developed by the Administrator for identifying the characteristics of juvenile delinquency, juvenile delinquency prevention, diversion of youths from the juvenile justice system, and the training, treatment, and rehabilitation of juvenile delinquents.

(2) The second such annual report shall contain, in addition to information required by subsection (b)(5), an identification of Federal programs which are related to juvenile delinquency prevention or treatment, together with a statement of the moneys expended for each such program during the most recent complete fiscal year. Such identification shall be made by the Administrator through the use of criteria developed under paragraph (1).

(e) The third such annual report submitted to the President and the Congress by the Administrator under subsection (b)(6) shall contain, in addition to the comprehensive plan required by subsection (b)(6), a detailed statement of procedures to be used with respect to the submission of juvenile delinquency development statements to the Administrator by Federal agencies under subsection ("1"). Such statement submitted by the Administrator shall include a description of information, data, and analyses which shall be contained in each such development statement.

(f) The Administrator may require, through appropriate authority, departments and agencies engaged in any activity involving any Federal juvenile delinquency program to provide him with such information and reports, and to conduct such studies and surveys, as he may deem to be necessary to carry out the purposes of this part.

(g) The Administrator may delegate any of his functions under this part, except the making of regulations, to any officer or employee of the Administration.

(h) The Administrator is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of rehabilitation programs which the Assistant Administrator finds to be

(i) The Administrator is authorized to transfer funds appropriated under this title to any agency of the Federal Government to develop or demonstrate new methods in juvenile delinquency prevention and rehabilitation and to supplement existing delinquency prevention and rehabilitation programs which the Assistant Administrator finds to be exceptionally effective or for which he finds there exists exceptional need.

(j) The Administrator is authorized to make grants to, or enter into contracts with, any public or private agency, institution, or individual to carry out the purposes of this part.

(k) All functions of the Administrator under this part shall be coordinated as appropriate with the functions of the Secretary of the Department of Health, Education, and Welfare under the Juvenile Delinquency Prevention Act (42 U.S.C. 3801 et seq.).

(l)(1) The Administrator shall require through appropriate authority each Federal agency which administers a Federal juvenile delinquency program which meets any criterion developed by the Administrator under section 204(d)(1) to submit annually to the Council a juvenile delinquency development statement. Such statement shall be in addition to any information, report, study, or survey which the Administrator may require under section 204(f).

(2) Each juvenile delinquency development statement submitted to the Administrator under subsection ("1") shall be submitted in accordance with procedures established by the Administrator under section 204(e) and shall contain such information, data, and analyses as the Administrator may require under section 204(e). Such analyses shall include an analysis of the extent to which the juvenile delinquency program of the Federal agency submitting such development statement conforms with and furthers Federal juvenile delinquency prevention and treatment goals and policies.

(3) The Administrator shall review and comment upon each juvenile delinquency development statement transmitted to him under subsection ("1"). Such development statement, together with the comments of the Administrator, shall be included by the Federal agency involved in every recommendation or request made by such agency for Federal legislation which significantly affects juvenile delinquency prevention and treatment.

JOINT FUNDING

SEC. 205. Notwithstanding any other provision of law, where funds are made available by more than one Federal agency to be used by any agency, organization, institution, or individual to carry out a Federal juvenile delinquency program or activity, any one of the Federal agencies providing funds may be requested by the Administrator to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and the Administrator may order any such agency to waive any technical grant or contract requirement (as defined in such regulations) which is inconsistent with the similar requirement of the administering agency or which the administering agency does not impose.

COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 206. (a)(1) There is hereby established, as an independent organization in the executive branch of the Federal Government a Coordinating Council on Juvenile Justice and Delinquency Prevention (hereinafter referred to as the "Council") composed of the Attorney General, the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Director of the Special Action Office for Drug Abuse Prevention, the Secretary of Housing and Urban Development, or their respective designees, the Assistant Administrator of the Office of Juvenile Justice and Delinquency Prevention, the Deputy Assistant Administrator of the Institute for Juvenile Justice and Delinquency Prevention, and representatives of such other agencies as the President shall designate.

(2) Any individual designated under this section shall be selected from individuals who exercise significant decisionmaking authority in the Federal agency involved.

(b) The Attorney General shall serve as Chairman of the Council. The Assistant Administrator of the Office of Juvenile Justice and Delinquency Prevention shall serve as Vice Chairman of the Council. The Vice Chairman shall act as Chairman in the absence of the Chairman.

(c) The function of the Council shall be to coordinate all Federal juvenile delinquency programs. The Council shall make recommendations to the Attorney General and the President at least annually with respect to the coordination of overall policy and development of objectives and priorities for all Federal juvenile delinquency programs and activities.

(d) The Council shall meet a minimum of six times per year and a description of the activities of the Council shall be included in the annual report required by section 204(b)(5) of this title.

(e)(1) The Chairman shall, with the approval of the Council, appoint an Executive Secretary of the Council.

(2) The Executive Secretary shall be responsible for the day-to-day administration of the Council.

(3) The Executive Secretary may, with the approval of the Council, appoint such personnel as he considers necessary to carry out the purposes of this title.

(f) Members of the Council who are employed by the Federal Government full time shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Council.

(g) To carry out the purposes of this section there is authorized to be appropriated such sums as may be necessary.

ADVISORY COMMITTEE

SEC. 207. (a) There is hereby established a National Advisory Committee for Juvenile Justice and Delinquency Prevention (hereinafter referred to as the "Advisory Committee") which shall consist of twenty-one members.

(b) The members of the Coordinating Council or their respective designees shall be ex officio members of the Committee.

(c) The regular members of the Advisory Committee shall be appointed by the President from persons who by virtue of their training or experience have special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice, such as juvenile or family court judges; probation, correctional, or law enforcement personnel; and representatives of private voluntary organizations and community-based programs. The President shall designate the Chairman. A majority of the members of the Advisory Committee, including the Chairman, shall not be full-time employees of Federal, State, or local governments. At least seven members shall not have attained twenty-six years of age on the date of their appointment.

(d) Members appointed by the President to the Committee shall serve for terms of four years and shall be eligible for reappointment except that for the first composition of the Advisory Committee, one-third of these members shall be appointed to one-year terms, one-third to two-years, and one-third to three-year terms; thereafter each term shall be four years. Such members shall be appointed within ninety days after the date of the enactment of this title. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term.

DUTIES OF THE ADVISORY COMMITTEE

SEC. 208. (a) The Advisory Committee shall meet at the call of the Chairman, but not less than four times a year.

(b) The Advisory Committee shall make recommendations to the Administrator at least annually with respect to planning, policy, priorities, operations, and management of all Federal juvenile delinquency programs.

(c) The Chairman may designate a subcommittee of the members of the Advisory Committee to advise the Administrator on particular functions or aspects of the work of the Administration.

(d) The Chairman shall designate a subcommittee of five members of the Committee to serve, together with the Director of the National Institute of Corrections, as members of an Advisory Committee for the Na-

tional Institute for Juvenile Justice and Delinquency Prevention to perform the functions set forth in section 245 of this title.

(e) The Chairman shall designate a subcommittee of five members of the Committee to serve as an Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice to perform the functions set forth in section 247 of this title

(f) The Chairman, with the approval of the Committee, shall appoint such personnel as are necessary to carry out the duties of the Advisory Committee.

COMPENSATION AND EXPENSES

SEC. 209. (a) Members of the Advisory Committee who are employed by the Federal Government full time shall serve without compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Advisory Committee.

(b) Members of the Advisory Committee not employed full time by the Federal Government shall receive compensation at a rate not to exceed the rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of title 5 of the United States Code, including traveltime for each day they are engaged in the performance of their duties as members of the Advisory Committee. Members shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Advisory Committee.

PART B—FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS

Subpart I—Formula Grants

SEC. 221. The Administrator is authorized to make grants to States and local governments to assist them in planning, establishing, operating, coordinating, and evaluating projects directly or through contracts with public and private agencies for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system.

ALLOCATION

SEC. 222. (a) In accordance with regulations promulgated under this part, funds shall be allocated annually among the States on the basis of relative population of people under age eighteen. No such allotment to any State shall be less than $200,000, except that for the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands no allotment shall be less than $50,000.

(b) Except for funds appropriated for fiscal year 1975, if any amount so allotted remains unobligated at the end of the fiscal year, such funds shall be reallocated in a manner equitable and consistent with the purpose of this part. Funds appropriated for fiscal year 1975 may be obligated in accordance with subsection (a) until June 30, 1976, after which time they may be reallocated. Any amount so reallocated shall be in addition to the amounts already allotted and available to the State, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands for the same period.

(c) In accordance with regulations promulgated under this part, a portion of any allotment to any State under this part shall be available to develop a State plan and to pay that portion of the expenditures which are necessary for efficient administration. Not more than 15 per centum of the total annual allotment of such State shall be available for such purposes. The State shall make available needed funds for planning and administration to local governments within the State on an equitable basis.

(d) Financial assistance extended under the provisions of this section shall not exceed 90 per centum of the approved costs of any assisted programs or activities. The non-Federal share shall be made in cash or kind consistent with the maintenance of programs required by section 261.

STATE PLANS

SEC. 223. (a) In order to receive formula grants under this part, a State shall submit a plan for carrying out its purposes consistent with the provisions of section 303(a), (1), (3), (5), (6), (8), (10), (11), (12), and (15) of title I of the Omnibus Crime Control and Safe Streets Act of 1968. In accordance with regulations established under this title, such plan must—

(1) designate the State planning agency established by the State under section 203 of such title I as the sole agency for supervising the preparation and administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) (hereafter referred to in this part as the "State planning agency") has or will have authority, by legislation if necessary, to implement such plan in conformity with this part;

(3) provide for an advisory group appointed by the chief executive of the State to advise the State planning agency and its supervisory board (A) which shall consist of not less than twenty-one and not more than thirty-three persons who have training, experience, or a special knowledge concerning the prevention and treatment of a juvenile delinquency or the administration of juvenile justice, (B) which shall include representation of units of local government, law enforcement and juvenile justice agencies such as law enforcement, correction or probation personnel, and juvenile or family court judges, and public agencies concerned with delinquency prevention or treatment such as welfare, social services, mental health, education, or youth services departments. (C) which shall include representatives of private organizations concerned with delinquency prevention or treatment; concerned with neglected or dependent children; concerned with the quality of juvenile justice, education, or social services for children; which utilize volunteers to work with delinquents or potential delinquents; community-based delinquency prevention or treatment programs; and organizations which represent employees affected by this Act, (D) a majority of whose members (including the chairman) shall not be full-time employees of the Federal, State, or local government, and (E) at least one-third of whose members shall be under the age of twenty-six at the time of appointment;

(4) provide for the active consultation with and participation of local governments in the development of a State plan which adequately takes into account the needs and requests of local governments;

(5) provide that at least 66⅔ per centum of the funds received by the State under section 222 shall be expended through programs of local government insofar as they are consistent with the State plan, except that this provision may be waived at the discretion of the Administrator for any State if the services for delinquent or potentially delinquent youth are organized primarily on a statewide basis;

(6) provide that the chief executive officer of the local government shall assign responsibility for the preparation and administration of the local government's part of a State plan, or for the supervision of the preparation and administration of the local government's part of the State plan, to that agency within the local government's structure (hereinafter in this part referred to as the "local agency") which can most effectively carry out the purposes of this part and shall provide for supervision of the programs funded under this part by that local agency;

(7) provide for an equitable distribution of the assistance received under section 222 within the State;

(8) set forth a detailed study of the State needs for an effective, comprehensive, coordinated approach to juvenile delinquency prevention and treatment and the improvement of the juvenile justice system. This plan shall include itemized estimated costs for the development and implementation of such programs;

(9) provide for the active consultation with and participation of private agencies in the development and execution of the State plan; and provide for coordination and maximum utilization of existing juvenile delinquency programs and other related programs, such as education, health, and welfare within the State;

(10) provide that not less than 75 per centum of the funds available to such State under section 22, whether expended directly by the State or by the local government or through contracts with public or private agencies, shall be used for advanced techniques, in developing, maintaining, and expanding programs and services designed to prevent juvenile delinquency, to divert juveniles from the juvenile justice system, and to provide community-based alternatives to juvenile detention and correctional facilities. That advanced techniques include—

(A) community-based programs and services for the prevention and treatment of juvenile delinquency through the development of foster-care and shelter-care homes, group homes, halfway houses, homemaker and home health services, and any other designated community-based diagnostic, treatment, or rehabilitative service;

(B) community-based programs and services to work with parents and other family members to maintain and strengthen the family unit so that the juvenile may be retained in his home;

(C) youth service bureaus and other community-based programs to divert youth from the juvenile court or to support, counsel, or provide work and recreational opportunities for delinquents and youth in danger of becoming delinquent;

(D) comprehensive programs of drug and alcohol abuse education and prevention and programs for the treatment and rehabilitation of drug addicted youth, and "drug dependent" youth (as defined in section 2(q) of the Public Health Service Act (42 U.S.C. 201 (q)));

(E) educational programs or supportive services designed to keep delinquents and to encourage other youth to remain in elementary and secondary schools or in alternative learning situations;

(F) expanded use of probation and recruitment and training of probation officers, other professional and paraprofessional personnel and volunteers to work effectively with youth;

(G) youth initial programs and outreach programs designed to assist youth who otherwise would not be reached by assistance programs;

(H) provides for a statewide program through the use of probation subsidies, other subsidies, other financial incentives or disincentives to units of local government, or other effective means, that may include but are not limited to programs designed to—

(i) reduce the number of commitments of juveniles to any form of juvenile facility as a percentage of the State juvenile population;

(ii) increase the use of nonsecure community-based facilities as a percentage of total commitments to juvenile facilities; and

(iii) discourage the use of secure incarceration and detention;

(11) provides for the development of an adequate research, training, and evaluation capacity within the State;

(12) provide within two years after submission of the plan that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult, shall not be placed in juvenile detention or correctional facilities, but must be placed in shelter facilities;

(13) provide that juveniles alleged to be or found to be delinquent shall not be detained or confined in any institution in which they have regular contact with adult persons incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges;

(14) provide for an adequate system of monitoring jails, detention facilities, and correctional facilities to insure that the requirements of section 223 (12) and (13) are met, and for annual reporting of the results of such monitoring to the Administrator;

(15) provide assurance that assistance will be available on an equitable basis to deal with all disadvantaged youth including, but not limited to, females, minority youth, and mentally retarded and emotionally or physically handicapped youth;

(16) provide for procedures to be established for protecting the rights of recipients of services and for assuring appropriate privacy with regard to records relating to such services provided to any individual under the State plan;

(17) provide that fair and equitable arrangements are made to protect the interests of employees affected by assistance under this Act. Such protective arrangements shall, to the maximum extent feasible, include, without being limited to, such provisions as may be necessary for—

(A) the preservation or rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective-bargaining agreements or otherwise;

(B) the continuation of collective-bargaining rights;

(C) the protection of individual employees against a worsening of their positions with respect to their employment;

(D) assurances of employment to employees of any State or political subdivision thereof who will be affected by any program funded in whole or in part under provisions of this Act;

(E) training or retraining programs.

The State plan shall provide for the terms and conditions of the protection arrangements established pursuant to this section;

(18) provide for such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title;

(19) provide reasonable assurance that Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant), to the extent feasible and practical, the level of the State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such State, local, and other non-Federal funds;

(20) provide that the State planning agency will from time to time, but not less often than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, which it considers necessary; and

(21) contain such other terms and conditions as the Administrator may reasonably prescribe to assure the effectiveness of the programs assisted under this title.

Such plan may at the discretion of the Administrator be incorporated into the plan specified in 303(a) of the Omnibus Crime Control and Safe Streets Act.

(b) The State planning agency designated pursuant to section 223(a), after consultation with the advisory group referred to in section 223(a), shall approve the State plan and any modification thereof prior to submission to the Administrator.

(c) The Administrator shall approve any State plan and any modification thereof that meets the requirements of this section.

(d) In the event that any State fails to submit a plan, or submits a plan or any modification thereof, which the Administrator, after reasonable notice and opportunity for hearing, in accordance with sections 509, 510, and 511 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, determines does not meet the requirements of this section, the Administrator shall make that State's allotment under the provisions of section 222(a) available to public and private agencies for special emphasis prevention and treatment programs as defined in section 224.

(e) In the event the plan does not meet the requirements of this section due to oversight or neglect, rather than explicit and conscious decision, the Administrator shall endeavor to make that State's allotment under the provisions of section 222(a) available to public and private agencies in that State for special emphasis prevention and treatment programs as defined in section 224.

Subpart II—Special Emphasis Prevention and Treatment Programs

SEC. 224. (a) The Administrator is authorized to make grants to and enter into contracts with public and private agencies, organizations, institutions, or individuals to—

(1) develop and implement new approaches, techniques, and methods with respect to juvenile delinquency programs;

(2) develop and maintain community-based alternatives to traditional forms of institutionalization;

(3) develop and implement effective means of diverting juveniles from the traditional juvenile justice and correctional system;

(4) improve the capability of public and private agencies and organizations to provide services for delinquents and youths in danger of becoming delinquent;

(5) facilitate the adoption of the recommendations of the Advisory Committee on Standards for Juvenile Justice and the Institute as set forth pursuant to section 247; and

(6) develop and implement model programs and methods to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions.

(b) Not less than 25 per centum or more than 50 per centum of the funds appropriated for each fiscal year pursuant to this part shall be available only for special emphasis prevention and treatment grants and contracts made pursuant to this section.

(c) At least 20 per centum of the funds available for grants and contracts made pursuant to this section shall be available for grants and contracts to private nonprofit agencies, organizations, or institutions who have had experience in dealing with youth.

CONSIDERATIONS FOR APPROVAL OF APPLICATIONS

SEC. 225. (a) Any agency, institution, or individual desiring to receive a grant, or enter into any contract under section 224, shall submit an application at such time, in such manner, and containing or accompanied by such information as the Administrator may prescribe.

(b) In accordance with guidelines established by the Administrator, each such application shall—

(1) provide that the program for which assistance is sought will be administered by or under the supervision of the applicant;

(2) set forth a program for carrying out one or more of the purposes set forth in section 223;

(3) provide for the proper and efficient administration of such program;

(4) provide for regular evaluation of the program;

(5) indicate that the applicant has requested the review of the application from the State planning agency and local agency designated in section 223, when appropriate, and indicate the response of such agency to the request for review and comment on the application;

(6) provide that regular reports on the program shall be sent to the Administrator and to the State planning agency and local agency, when appropriate;

(7) provide for such fiscal control and find accounting procedures as may be necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title; and

(8) indicate the response of the State agency or the local agency to the request for review and comment on the application.

(c) In determining whether or not to approve applications for grants under section 224, the Administrator shall consider—

(1) the relative cost and effectiveness of the proposed program in effectuating the purposes of this part;

(2) the extent to which the proposed program will incorporate new or innovative techniques;

(3) the extent to which the proposed program meets the objectives and priorities of the State plan, when a State plan has been approved by the Administrator under section 223(c) and when the location and scope of the program makes such consideration appropriate;

(4) the increase in capacity of the public and private agency, institution, or individual to provide services to delinquents or youths in danger of becoming delinquents;

(5) the extent to which the proposed project serves communities which have high rates of youth unemployment, school dropout, and delinquency; and

(6) the extent to which the proposed program facilitates the implementation of the recommendations of the Advisory Committee on Standards for Juvenile Justice as set forth pursuant to section 247.

GENERAL PROVISIONS

Withholding

SEC. 226. Whenever the Administrator, after giving reasonable notice and opportunity for hearing to a recipient of financial assistance under this title, finds—

(1) that the program or activity for which such grants was made has been so changed that it no longer complies with the provisions of this title; or

(2) that in the operation of the program or activity there is failure to comply substantially with any such provision;

the Administrator shall initiate such proceedings as are appropriate.

USE OF FUNDS

SEC. 227. (a) Funds paid pursuant to this title to any State public or private agency, institution, or individual (whether directly or through a State or local agency) may be used for—

(1) planning, developing, or operating the program designed to carry out the purpose of this part; and

(2) not more than 50 per centum of the cost of the construction of innovative community-based facilities for less than twenty persons which, in the judgment of the Administrator, are necessary for carrying out the purposes of this part.

(b) Except as provided by subsection (a), no funds paid to any public or private agency, institution, or individual under this part (whether directly or through a State agency or local agency) may be used for construction.

PAYMENTS

SEC. 228. (a) In accordance with criteria established by the Administrator, it is the

policy of Congress that programs funded under this title shall continue to receive financial assistance providing that the yearly evaluation of such programs is satisfactory.

(b) At the discretion of the Administrator, when there is no other way to fund an essential juvenile delinquency program not funded under this part, the State may utilize 25 per centum of the formula grant funds available to it under this part to meet the non-Federal matching share requirement for any other Federal juvenile delinquency program grant.

(c) Whenever the Administrator determines that it will contribute to the purposes of this part, he may require the recipient of any grant or contract to contribute money, facilities, or services.

(d) Payments under this part, pursuant to a grant or contract, may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursements, in such installments and on such conditions as the Administrator may determine.

PART C—NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 241. (a) There is hereby established within the Juvenile Justice and Delinquency Prevention Office a National Institute for Juvenile Justice and Delinquency Prevention.

(b) The National Institute for Juvenile Justice and Delinquency Prevention shall be under the supervision and direction of the Assistant Administrator, and shall be headed by a Deputy Assistant Administrator of the Office appointed under section 201(f).

(c) The activities of the National Institute for Juvenile Justice and Delinquency Prevention shall be coordinated with the activities of the National Institute of Law Enforcement and Criminal Justice in accordance with the requirements of section 201(b).

(d) The Administrator shall have responsibility for the administration of the organization, employees, enrollees, financial affairs, and other operations of the Institute.

(e) The Administrator may delegate his power under the Act to such employees of the Institute as he deems appropriate.

(f) It shall be the purpose of the Institute to provide a coordinating center for the collection, preparation, and dissemination of useful data regarding the treatment and control of juvenile offenders, and it shall also be the purpose of the Institute to provide training for representatives of Federal, State, and local law enforcement officers, teachers, and other educational personnel, juvenile welfare workers, juvenile judges and judicial personnel, probation personnel, correctional personnel and other persons, including lay personnel connected with the treatment and control of juvenile offenders.

(g) In addition to the other powers, express and implied, the Institute may—

(1) request any Federal agency to supply such statistics, data, program reports, and other material as the Institute deems necessary to carry out its functions;

(2) arrange with and reimburse the heads of Federal agencies for the use of personnel or facilities or equipment of such agencies;

(3) confer with and avail itself of the cooperation, services, records, and facilities of State, municipal, or other public or private local agencies;

(4) enter into contracts with public or private agencies, organizations, or individuals, for the partial performance of any functions of the Institute; and

(5) compensate consultants and members of technical advisory councils who are not in the regular full-time employ of the United States, at a rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of title 5 of the United States Code and while away from home, or regular place of business, they may be allowed travel expenses, including per diem in lieu of subsistance, as authorized by section 5703 of title 5, United States Code for persons in the Government service employment intermittently.

(b) Any Federal agency which receives a request from the Institute under subsection (g)(1) may cooperate with the Institute and shall, to the maximum extent practicable, consult with and furnish information and advice to the Institute.

INFORMATION FUNCTION

SEC. 242. The National Institute for Juvenile Justice and Delinquency Prevention is authorized to—

(1) serve as an information bank by collecting systematically and synthesizing the data and knowledge obtained from studies and research by public and private agencies, institutions, or individuals concerning all aspects of juvenile delinquency, including the prevention and treatment of juvenile delinquency;

(2) serve as a clearinghouse and information center for the preparation, publication, and dissemination of all information regarding juvenile delinquency, including State and local juvenile delinquency prevention and treatment programs and plans, availability of resources, training and educational programs, statistics, and other pertinent data and information.

RESEARCH, DEMONSTRATION, AND EVALUATION FUNCTIONS

SEC. 243. The National Institute for Juvenile Justice and Delinquency Prevention is authorized to—

(1) conduct, encourage, and coordinate research and evaluation into any aspect of juvenile delinquency, particularly with regard to new programs and methods which show promise of making a contribution toward the prevention and treatment of juvenile delinquency;

(2) encourage the development of demonstration projects in new, innovative techniques and methods to prevent and treat juvenile delinquency;

(3) provide for the evaluation of all juvenile delinquency programs assisted under this title in order to determine the results and the effectiveness of such programs;

(4) provide for the evaluation of any other Federal, State, or local juvenile delinquency program, upon the request of the Administrator;

(5) prepare, in cooperation with educational institutions, Federal, State, and local agencies, and appropriate individuals and private agencies, such studies as it considers to be necessary with respect to the prevention and treatment of juvenile delinquency and related matters, including recommendations designed to promote effective prevention and treatment;

(6) disseminate the results of such evaluations and research and demonstration activities particularly to persons actively working in the field of juvenile delinquency; and

(7) disseminate pertinent data and studies (including a periodic journal) to individuals, agencies, and organizations concerned with the prevention and treatment of juvenile delinquency.

TRAINING FUNCTIONS

SEC. 244. The National Institute for Juvenile Justice and Delinquency Prevention is authorized to—

(1) develop, conduct, and provide for trainning programs for the training of professional, paraprofessional, and volunteer personnel, and other persons who are or who are preparing to work with juveniles and juvenile offenders;

(2) develop, conduct, and provide for seminars, workshops, and training programs in the latest proven effective techniques and methods of preventing and treating juvenile delinquency for law enforcement officers, juvenile judges, and other court personnel, probation officers, correctional personnel, and other Federal, State, and local government personnel who are engaged in work relating to juvenile delinquency.

(3) devise and conduct a training program, in accordance with the provisions of sections 249, 250, and 251, of short-term instruction in the latest proven-effective methods of prevention, control, and treatment of juvenile delinquency for correctional and law enforcement personnel, teachers and other educational personnel, juvenile welfare workers, juvenile judges and judicial personnel, probation officers, and other persons (including lay personnel) connected with the prevention and treatment of juvenile delinquency; and

(4) develop technical training teams to aid in the development of training programs in the States and to assist State and local agencies which work directly with juveniles and juvenile offenders.

INSTITUTE ADVISORY COMMITTEE

SEC. 245. The Advisory Committee for the National Institute for Juvenile Justice and Delinquency Prevention established in section 208(d) shall advise, consult with, and make recommendations to the Deputy Assistant Administrator for the National Institute for Juvenile Justice and Delinquency Prevention concerning the overall policy and operations of the Institute.

ANNUAL REPORT

SEC. 246. The Deputy Assistant Administrator for the National Institute for Juvenile Justice and Delinquency Prevention shall develop annually and submit to the Administrator after the first year the legislation is enacted, prior to June 30, a report on research, demonstration, training, and evaluation programs funded under this title, including a review of the results of such programs, an assessment of the application of such results to existing and to new juvenile delinquency programs, and detailed recommendations for future research, demonstration, training, and evaluation programs. The Administrator shall include a summary of these results and recommendations in his report to the President and Congress required by section 204(b)(5).

DEVELOPMENT OF STANDARDS FOR JUVENILE JUSTICE

SEC. 247. (a) The National Institute for Juvenile Justice and Delinquency Prevention, under the supervision of the Advisory Committee on Standards for Juvenile Justice established in section 208(e), shall review existing reports, data, and standards, relating to the juvenile system in the United States.

(b) Not later than one year after the passage of this section, the Advisory Committee shall submit to the President and the Congress a report which, based on recommended standards for the administration of juvenile justice at the Federal, State, and local level—

(1) recommends Federal action, including but not limited to administrative and legislative action, required to facilitate the adoption of these standards throughout the United States; and

(2) recommends State and local action to facilitate the adoption of these standards for juvenile justice at the State and local level.

(c) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Advisory Committee such information as the Committee deems necessary to carry out its functions under this section.

SEC. 248. Records containing the identity of individual juveniles gathered for purposes pursuant to this title may under no circumstances be disclosed or transferred to any individual or other agency, public, or private.

ESTABLISHMENT OF TRAINING PROGRAM

SEC. 249. (a) The Administrator shall establish within the Institute a training program designed to train enrollees with respect to methods and techniques for the prevention and treatment of juvenile delinquency. In carrying out this program the Administrator is authorized to make use of available State and local services, equipment, personnel, facilities, and the like.

(b) Enrollees in the training program established under this section shall be drawn from correctional and law enforcement personnel, teachers and other educational personnel, juvenile welfare workers, juvenile judges and judicial personnel, probation officers, and other persons (including lay personnel) connected with the prevention and treatment of juvenile delinquency.

CURRICULUM FOR TRAINING PROGRAM

SEC. 250. The Administrator shall design and supervise a curriculum for the training program established by section 249 which shall utilize an interdisciplinary approach with respect to the prevention of juvenile delinquency, the treatment of juvenile delinquents, and the diversion of youths from the juvenile justice system. Such curriculum shall be appropriate to the needs of the enrollees of the training program.

ENROLLMENT FOR TRAINING PROGRAM

SEC. 251. (a) Any person seeking to enroll in the training program established under section 249 shall transmit an application to the Administrator, in such form and according to such procedures as the Administrator may prescribe.

(b) The Administrator shall make the final determination with respect to the admittance of any person to the training program. The Administrator, in making such determination, shall seek to assure that persons admitted to the training program are broadly representative of the categories described in section 249(b).

(c) While studying at the Institute and while traveling in connection with his study (including authorized field trips), each person enrolled in the Institute shall be allowed travel expenses and a per diem allowance in the same manner as prescribed for persons employed intermittently in the Government service under section 5703(b) of title 5, United States Code.

PART D—AUTHORIZATION OF APPROPRIATIONS

SEC. 261. (a) To carry out the purposes of this title there is authorized to be appropriated $75,000,000 for the fiscal year ending June 30, 1975, $125,000,000 for the fiscal year ending June 30, 1976, and $150,000,000 for the fiscal year ending June 30, 1977.

(b) In addition to the funds appropriated under this section, the Administration shall maintain from other Law Enforcement Assistance Administration appropriations other than the appropriations for administration, at least the same level of financial assistance for juvenile delinquency programs assisted by the Law Enforcement Assistance Administration during fiscal year 1972.

NONDISCRIMINATORY PROVISIONS

SEC. 262. (a) No financial assistance for any program under this Act shall be provided unless the grant, contract, or agreement with respect to such program specifically provides that no recipient of funds will discriminate as provided in subsection (b) with respect to any such program.

(b) No person in the United States shall on the ground of race, creed, color, sex, or national origin be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity receiving assistance under this Act. The provisions of the preceding sentences shall be enforced in accordance with section 603 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if such person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any program or activity receiving assistance under this Act.

EFFECTIVE CLAUSE

SEC. 363. (a) Except as provided by subsection (b), the foregoing provision of this Act shall take effect on the date of enactment of this Act.

(b) Section 204(b)(5) and 204(b)(6) shall become effective at the close of the thirty-first day of the twelfth calendar month of 1974. Section 204(1) shall become effective at the close of the thirty-first day of the eighth calendar month of 1976.

TITLE III—RUNAWAY YOUTH

SHORT TITLE

SEC. 301. This title may be cited as the "Runaway Youth Act".

BINDING

SEC. 303. The Congress hereby finds that—

"(1) the number of juveniles who leave and remain away from home without parental permission has increased to alarming proportions, creating a substantial law enforcement problem for the communities inundated, and significantly endangering the young people who are without resources and live on the street;

(2) the exact nature of the problem is not well defined because national statistics on the size and profile of the runaway youth population are not tabulated;

(3) many such young people, because of their age and situation, are urgently in need of temporary shelter and counseling services;

(4) the problem of locating, detaining, and returning runaway children should not be the responsibility of already overburdened police departments and juvenile justice authorities; and

(5) in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop accurate reporting of the problem nationally and to develop an effective system of temporary care outside the law enforcement structure.

RULES

SEC. 303. The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") may prescribe such rules as he considers necessary or appropriate to carry out the purposes of this title.

PART A—GRANTS PROGRAM

PURPOSES OF GRANT PROGRAM

SEC. 311. The Secretary is authorized to make grants and to provide technical assistance to localities and nonprofit private agencies in accordance with the provisions of this part. Grants under this part shall be made for the purpose of developing facilities to deal primarily with the immediate needs of runaway youths in a manner which is outside the law enforcement structure and juvenile justice system. The size of such grant shall be determined by the number of runaway youth in the community and the existing availability of services. Among applicants priority shall be given to private organizations or institutions which have had past experience in dealing with runaway youth.

ELIGIBILITY

SEC. 312 (a) To be eligible for assistance under this part, an applicant shall propose to establish, strengthen, or fund an existing or proposed runaway house, a locally controlled facility providing temporary shelter, and counseling services to juveniles who have left home without permission of their parents or guardians.

(b) In order to qualify for assistance under this part, an applicant shall submit a plan to the Secretary meeting the following requirements and including the following information. Each house—

(1) shall be located in an area which is demonstrably frequented by or easily reachable by runaway youth;

(2) shall have a maximum capacity of no more than twenty children, with a ratio of staff to children of sufficient portion to assure adequate supervision and treatment;

(3) shall develop adequate plans for contacting the child's parents or relatives (if such action is required by State law) and assuring the safe return of the child according to the best interests of the child, for contacting local government officials pursuant to informal arrangements established with such officials by the runaway house, and for providing for other appropriate alternative living arrangements;

(4) shall develop an adequate plan for assuring proper relations with law enforcement personnel, and the return of runaway youths from correctional institutions;

(5) shall develop an adequate plan for aftercare counseling involving runaway youth and their parents within the State in which the runaway house is located and for assuring, as possible, that aftercare services will be provided to those children who are returned beyond the State in which the runaway house is located;

(6) shall keep adequate statistical records profiling the children and parents which it serves, except that records maintained on individual runaway youths shall not be disclosed without parental consent to anyone other than another agency compiling statistical records or a government agency involved in the disposition of criminal charges against an individual runaway youth, and reports or other documents based on such statistical records shall not disclose the identity of individual runaway youths;

(7) shall submit annual reports to the Secretary detailing how the house has been able to meet the goals of its plans and reporting the statistical summaries required by paragraph (6);

(8) shall demonstrate its ability to operate under accounting procedures and fiscal control devices as required by the Secretary;

(9) shall submit a budget estimate with respect to the plan submitted by such house under this subsection; and

(10) shall supply such other information as the Secretary reasonably deems necessary.

APPROVAL BY SECRETARY

SEC. 313. An application by a State, locality, or nonprofit private agency for a grant under this part may be approved by the Secretary only if it is consistent with the applicable provisions of this part and meets the requirements set forth in section 312. Priority shall be given to grants smaller than $75,000. In considering grant applications under this part, priority shall be given to any applicant whose program budget is smaller than $100,000.

GRANTS TO PRIVATE AGENCIES, STAFFING

SEC. 314. Nothing in this part shall be construed to deny grants to nonprofit private agencies which are fully controlled by private boards or persons but which in other respects meet the requirements of this part and agree to be legally responsible for the operation of the runaway house. Nothing in this part shall give the Federal Government control over the staffing and personnel decisions of facilities receiving Federal funds.

REPORTS

SEC. 315. The Secretary shall annually report to the Congress on the status and accomplishments of the runaway houses which are funded under this part, with particular attention to—

(1) their effectiveness in alleviating the problems of runaway youth;

(2) their ability to reunite children with their families and to encourage the resolution of intrafamily problems through counseling and other services;

(3) their effectiveness in strengthening family relationships and encouraging stable living conditions for children; and

(4) their effectiveness in helping youth decide upon a future course of action.

FEDERAL SHARE

SEC. 316. (a) The Federal share for the acquisition and renovation of existing structures, the provision of counseling services, staff training, and the general costs of operations of such facility's budget for any fiscal year shall be 90 per centum. The non-Federal share may be in cash or in kind, fairly evaluated by the Secretary, including plant, equipment, or services.

(b) Payments under this section may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

PART B—STATISTICAL SURVEY

SURVEY; REPORT

SEC. 321. The Secretary shall gather information and carry out a comprehensive statistical survey defining the major characteristic of the runaway youth population and determining the areas of the Nation most affected. Such survey shall include the age, sex, and socioeconomic background of runaway youth, the places from which and to which children run, and the relationship between running away and other illegal behavior. The Secretary shall report the results of such information gathering and survey to the Congress not later than June 30, 1975.

RECORDS

SEC. 322. Records containing the identity of individual runaway youths gathered for statistical purposes pursuant to section 321 may under no circumstances be disclosed or transferred to any individual or to any public or private agency.

PART C—AUTHORIZATION OF APPROPRIATIONS

SEC. 331. (a) To carry out the purposes of part A of this title there is authorized to be appropriated for each of the fiscal years ending June 30, 1975, 1976, and 1977, the sum of $10,000,000.

(b) To carry out the purposes of part B of this title there is authorized to be appropriated the sum of $500,000.

TITLE IV—EXTENSION AND AMENDMENT OF THE JUVENILE DELINQUENCY PREVENTION ACT

YOUTH DEVELOPMENT DEMONSTRATIONS

SEC. 401. Title I of the Juvenile Delinquency Prevention Act is amended (1) in the caption thereof, by inserting "AND DEMONSTRATION PROGRAMS" after "SERVICES"; (2) following the caption thereof, by inserting "Part A—Community-Based Coordinated Youth Services"; (3) in sections 101, 102(a), 102(b)(1), 102(b)(2), 103(a) (including paragraph (1) thereof), 104(a) (including paragraphs (1), (4), (5), (7), and (10) thereof), and 104(b) by striking out "title" and inserting "part" in lieu thereof; and (4) by inserting at the end of the title the following new part:

"PART B—DEMONSTRATIONS IN YOUTH DEVELOPMENT

"SEC. 105. (a) For the purpose of assisting the demonstration of innovative approaches to youth development and the prevention and treatment of delinquent behavior (including payment of all or part of the costs of minor remodeling or alteration), the Secretary may make grants to any State (or political subdivision, thereof), any agency thereof, and any nonprofit private agency, institution, or organization that submits to the Secretary, at such time and in such form and manner as the Secretary's regulations shall prescribe, an application containing a description of the purposes for which the grant is sought, and assurances satisfactory to the Secretary that the applicant will use the grant for the purposes for which it is provided, and will comply with such requirements relating to the submission of reports, methods of fiscal accounting, the inspection and audit of records and other materials, and such other rules, regulations, standards, and procedures, as the Secretary may impose to assure the fulfillment of the purposes of this Act.

"(b) No demonstration may be assisted by a grant under this section for more than one year."

CONSULTATION

SEC. 402. (a) Section 408 of such Act is amended by adding at the end of subsection (a) thereof the following new subsection:

"(b) The Secretary shall consult with the Attorney General for the purpose of coordinating the development and implementation of programs and activities funded under this Act with those related programs and activities funded under the Omnibus Crime Control and Safe Street Act of 1968";

and by deleting subsection (b) thereof.

(b) Section 409 is repealed.

REPEAL OF MINIMUM STATE ALLOTMENTS

SEC. 403. Section 403(b) of such Act is repealed, and section 403(a) of such Act is redesignated section 403.

EXTENSION OF PROGRAM

SEC. 404. Section 402 of such Act, as amended by this Act, is further amended in the first sentence by inserting after "fiscal year" following: "and such sums as may be necessary for fiscal year 1975".

TITLE V—MISCELLANEOUS AND CONFORMING AMENDMENTS

PARTS A—AMENDMENTS TO THE FEDERAL JUVENILE DELINQUENCY ACT

SEC. 501. Section 5031 of title 18, United States Code, is amended to read as follows:

"§ 5031. Definitions

"For the purposes of this chapter, a 'juvenile' is a person who has not attained his eighteenth birthday, or for the purpose of proceedings and disposition under this chapter for an alleged act of juvenile delinquency, a person who has not attained his twenty-fifth birthday, and 'juvenile delinquency' is the violation of a law of the United States committed by a person prior to his eigtheenth birthday which would have been a crime if committed by an adult."

DELINQUENCY PROCEEDINGS IN DISTRICT COURTS

SEC. 502. Section 5032 of title 18, United States Code, is amended to read as follows:

"§ 5032. Delinquency proceedings in district courts, transfer for criminal prosecution.

"A juvenile alleged to have committed an act of juvenile delinquency shall not be proceeded against in any court of the United States unless the Attorney General, after investigation, certifies to an appropriate district court of the United States that the juvenile court or other appropriate court of a State (1) does not have jurisdiction or refuses to assume jurisdiction over said juvenile with respect to such alleged act of juvenile delinquency, or (2) does not have available programs and services adequate for the needs of juveniles.

"If the Attorney General does not so certify, such juvenile shall be surrendered to the appropriate legal authorities of such State.

"If an alleged juvenile delinquent is not surrendered to the authorities of a State or the District of Columbia pursuant to this section, any proceedings against him shall be in an appropriate district court of the United States. For such purposes, the court may be convened at any time and place within the district, in chambers or otherwise. The Attorney General shall proceed by information, and no criminal prosecutions shall be instituted for the alleged act of juvenile delinquicy except as provided below.

"A juvenile who alleged to have committed an act of juvenile delinquency and who is not surrendered to State authorities shall be proceeded against under this chapter unless he has requested in writing upon advice of counsel to be proceeded against as an adult, except that, with respect to a juvenile sixteen years and older alleged to have committed an act after his sixteenth birthday which if committed by an adult would be a felony punishable by a maximum penalty of ten years imprisonment or more, life imprisonment, or death, criminal prosecution on the basis of the alleged act may be begun by motion to transfer of the Attorney General in the appropriate district court of the United States, if such court finds, after hearing, such transfer would be in the interest of justice.

"Evidence of the following factors shall be considered and findings with regard to each factor shall be made in the record, in assessing whether a transfer would be in the interest of justice: the age and social background of the juvenile; the nature of alleged offense; the extent and nature of the juvenile's prior delinquency record; the juvenile's present intellectual development and psychological maturity; the nature of past treatment efforts and the juvenile's response to such efforts; the availability of programs designed to treat the juvenile's behavioral problems.

"Reasonable notice of the transfer hearing shall be given to the juvenile, his parents, guardian, or custodian and to his counsel. The juvenile shall be assisted by counsel during the transfer hearing, and at every other critical stage of the proceedings.

"Once a juvenile has entered a plea of guilty or the proceeding has reached the stage that evidence has begun to be taken with respect to a crime or an alleged act of juvenile delinquency subsequent criminal prosecution or juvenile proceedings based upon such alleged act of delinquency shall be barred.

"Statements made by a juvenile prior to or during a transfer hearing under this section shall not be admissible at subsequent criminal prosecutions."

CUSTODY

SEC. 503. Section 5033 of title 18, United States Code is amended to read as follows:

"§ 5033. Custody prior to appearance before magistrate

"Whenever a juvenile is taken into custody for an alleged act of juvenile delinquency, the arresting officer shall immediately advise such juvenile of his legal rights, in language comprehensive to a juvenile, and shall immediately notify the Attorney General and the juvenile's parents, guardian, or custodian of such custody. The arresting officer shall also notify the parents, guardian, or custodian of the rights of the juvenile and of the nature of the alleged offense.

"The juvenile shall be taken before a magistrate forthwith. In no event shall the juvenile be detained for longer than a reasonable period of time before being brought before a magistrate."

DUTIES OF MAGISTRATE

SEC. 504. Section 5034 of title 18, United States Code, is amended to read as follows:

"§ 5034. Duties of magistrate

"The magistrate shall insure that the juvenile is represented by counsel before proceeding with critical stages of the proceedings. Counsel shall be assigned to represent a

juvenile when the juvenile and his parents, guardian, or custodian are financially unable to obtain adequate representation. In cases where the juvenile and his parents, guardian, or custodian are financially able to obtain adequate representation but have not retained counsel, the magistrate may assign counsel and order the payment of reasonable attorney's fees or may direct the juvenile, his parents, guardian, or custodian to retain private counsel within a specified period of time.

"The magistrate may appoint a guardian ad litem if a parent or guardian of the juvenile is not present, or if the magistrate has reason to believe that the parents or guardian will not cooperate with the juvenile in preparing for trial, or that the interests of the parents or guardian and those of the juvenile are adverse.

"If the juvenile has not been discharged before his initial appearance before the magistrate, the magistrate shall release the juvenile to his parents, guardian, custodian, or other responsible party (including, but not limited to, the director of a shelter-care facility upon their promise to bring such juvenile before the appropriate court when requested by such court unless the magistrate determines, after hearing, at which the juvenile is represented by counsel, that the detention of such juvenile is required to secure his timely appearance before the appropriate court or to insure his safety or that of others."

DETENTION

SEC. 505. Section 5035 of this title is amended to read as follows:

"§ 5035. Detention prior to disposition

"A juvenile alleged to be delinquent may be detained only in a juvenile facility or such other suitable place as the Attorney General may designate. Whenever possible, detention shall be in a foster home or community based facility located in or near his home community. The Attorney General shall not cause any juvenile alleged to be delinquent to be detained or confined in any institution in which the juvenile has regular contact with adult persons convicted of a crime or awaiting trial on criminal charges. Insofar as possible, alleged delinquents shall be kept separate from adjudicated delinquents. Every juvenile in custody shall be provided with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, education, and medical care, including necessary psychiatric, psychological, or other care and treatment."

SPEEDY TRIAL

SEC. 506. Section 5036 of this title is amended to read as follows:

"§ 5036. Speedy trial

"If an alleged delinquent who is in detention pending trial is not brought to trial within thirty days from the date upon which such detention was begun, the information shall be dismissed on motion of the alleged delinquent or at the direction of the court, unless the Attorney General shows that additional delay was caused by the juvenile or his counsel, or consented to by the juvenile and his counsel, or would be in the interest of justice in the particular case. Delays attributable solely to court calendar congestion may not be considered in the interest of justice. Except in extraordinary circumstances, an information dismissed under this section may not be reinstituted.

DISPOSITION

SEC. 507. Section 5037 is amended to read as follows:

"§ 5037. Dispositional hearing

"(a) If a juvenile is adjudicated delinquent, a separate dispositional hearing shall be held no later than twenty court days after trial unless the court has ordered further study in accordance with subsection (c). Copies of the presentence report shall be provided to the attorneys for both the juvenile and the Government a reasonable time in advance of the hearing.

"(b) The court may suspend the adjudication of delinquency or the disposition of the delinquent on such conditions as it deems proper, place his on probation, or commit him to the custody of the Attorney General. Probation, commitment, or commitment in accordance with subsection (c) shall not extend beyond the juvenile's twenty-first birthday or the maximum term which could have been imposed on an adult convicted of the same offense, whichever is sooner, unless the juvenile has attained his nineteenth birthday at the time of disposition, in which case probation, commitment, or commitment in accordance with subsection (c) shall not exceed the lesser of two years or the maximum term which could have been imposed on an adult convicted of the same offense.

"(c) If the court desires more detailed information concerning an alleged or adjudicated delinquent, it may commit him, after notice and hearing at which the juvenile is represented by counsel, to the custody of the Attorney General for observation and study by an appropriate agency. Such observation and study shall be conducted on an outpatient basis, unless the court determines that inpatient observation and study are necessary to obtain the desired information. In the case of an alleged juvenile delinquent, inpatient study may be ordered only with the consent of the juvenile and his attorney. The agency shall make a complete study of the alleged or adjudicated delinquent to ascertain his personal traits, his capabilities, his background, any previous delinquency or criminal experience, any mental or physical defect, and any other relevant factors. The Attorney General shall submit to the court and the attorneys for the juvenile and the Government the results of the study within thirty days after the commitment of the juvenile, unless the court grants additional time."

JUVENILE RECORDS

SEC. 508. Section 5038 is added, to read as follows:

"§ 5038. Use of juvenile records

"(a) Throughout the juvenile delinquency proceeding the court shall safeguard the records from disclosure. Upon the completion of any juvenile delinquency proceeding whether or not there is an adjudication the district court shall order the entire file and record of such proceeding sealed. After such sealing, the court shall not release these records except to the extent necessary to meet the following circumstances:

"(1) inquiries received from another court of law;

"(2) inquiries from an agency preparing a presentence report for another court;

"(3) inquiries from law enforcement agencies where the request for information is related to the investigation of a crime or a position within that agency;

"(4) inquiries, in writing, from the director of a treatment agency or the director of a facility to which the juvenile has been committed by the court; and

"(5) inquiries from an agency considering the person for a position immediately and directly affecting the national security. Unless otherwise authorized by this section, information about the sealed record may not be released when the request for information is related to an application for employment, license, bonding, or any civil right or privilege. Responses to such inquiries shall not be different from responses made about persons who have never been involved in a delinquency proceeding.

"(b) District courts exercising jurisdiction over any juvenile shall inform the juvenile, and his parent or guardian, in writing in clear and nontechnical language, of rights relating to the sealing of his juvenile record.

"(c) During the course of any juvenile delinquency proceeding, all information and records relating to the proceeding, which are obtained in the discharge of an official duty by an employee of the court or an employee of any other governmental agency, shall be disclosed directly or indirectly to anyone other than the judge, counsel for the juvenile and the government, or others entitled under this section to receive sealed records.

"(d) Unless a juvenile who is taken into custody is prosecuted as an adult—

"(1) neither the fingerprints nor a photograph shall be taken without the written consent of the judge; and

"(2) neither the name nor picture of any juvenile shall be made public by any medium of public information in connection with a juvenile delinquency proceeding."

COMMITMENT

SEC. 509. Section 5039 is added, to read as follows:

"§ 5039. Commitment

"No juvenile committed to the custody of the Attorney General may be placed or retained in an adult jail or correctional institution in which he has regular contact with adults incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges.

"Every juvenile who has been committed shall be provided with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, counseling, education, training, and medical care including necessary psychiatric, psychological, or other care and treatment.

"Whenever possible, the Attorney General shall commit a juvenile to a foster home or community-based facility located in or near his home community."

SUPPORT

SEC. 510. Section 5040 is added, to read as follows:

"§ 5040. Support

"The Attorney General may contract with any public or private agency or individual and such community-based facilities as halfway houses and foster homes for the observation and study and the custody and care of juveniles in his custody. For these purposes, the Attorney General may promulgate such regulations as are necessary and may use the appropriation for 'support of United States prisoners' or such other appropriations as he may designate."

PAROLE

SEC. 511. Section 5041 is added to read as follows:

"§ 5041. Parole

"The Board of Parole shall release from custody, on such conditions as it deems necessary, each juvenile delinquent who has been committed, as soon as the Board is satisfied that he is likely to remain at liberty without violating the law and when such release would be in the interest of justice."

REVOCATION

SEC. 512. Section 5042 is added to read as follows:

"§ 5042. Revocation of parole or probation

"Any juvenile parolee or probationer shall be accorded notice and a hearing with counsel before his parole or probation can be revoked."

SEC. 513. The table of sections of chapter 403 of this title is amended to read as follows:

"Sec.

"5031. Definitions.

"5032. Delinquency proceedings in district courts; transfer for criminal prosecution.

"5033. Custody prior to appearance before magistrate.

"5034. Duties of magistrate.

"5035. Detention prior to disposition.

"5036. Speedy trial.

"5037. Dispositional hearing.
"5038. Use of juvenile records.
"5039. Commitment.
"5040. Support.
"5041. Parole.
"5042. Revocation of parole or probation.".

PART B—NATIONAL INSTITUTE OF CORRECTIONS

SEC. 521. Title 18, United States Code, is amended by adding a new chapter 319 to read as follows:

"CHAPTER 319.—NATIONAL INSTITUTE OF CORRECTIONS

"SEC. 4351. (a) There is hereby established within the Bureau of Prisons a National Institute of Corrections.

"(b) The overall policy and operations of the National Institute of Corrections shall be under the supervision of an Advisory Board. The Board shall consist of sixteen members. The following six individuals shall serve as members of the Commission ex officio: the Director of the Federal Bureau of Prisons or his designee, the Administrator of the Law Enforcement Assistance Administration or his designee, Chairman of the United States Parole Board or his designee, the Director of the Federal Judicial Center or his designee, the Deputy Assistant Administrator for the National Institute for Juvenile Justice and Delinquency Prevention or his designee, and the Assistant Secretary for Human Development of the Department of Health, Education, and Welfare or his designee.

"(c) The ten remaining members of the Board shall be selected as follows:

"(1) Five shall be appointed initially by the Attorney General of the United States for staggered terms; one member shall serve for one year, one member for two years, and three members for three years. Upon the expiration of each member's term, the Attorney General shall appoint successors who will each serve for a term of three years. Each member selected shall be qualified as a practitioner (Federal, State, or local) in the field of corrections, probation, or parole.

"(2) Five shall be appointed initially by the Attorney General of the United States for staggered terms, one member shall serve for one year, three members for two years, and one member for three years. Upon the expiration of each member's term the Attorney General shall appoint successors who will each serve for a term of three years. Each member selected shall be from the private sector, such as business, labor, and education, having demonstrated an active interest in corrections, probation, or parole.

"(d) The members of the Board shall not, by reason of such membership, be deemed officers or employees of the United States. Members of the Commission who are full-time officers or employees of the United States shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of the duties vested in the Board. Other members of the Board shall, while attending meetings of the Board or while engaged in duties related to such meetings or in other activities of the Commission pursuant to this title, be entitled to receive compensation at the rate not to exceed the daily equivalent of the rate authorized for GS-18 by section 5332 of title 5, United States Code, including travel-time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence equal to that authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(e) The Board shall elect a chairman from among its members who shall serve for a term of one year. The members of the Board shall also elect one or more members as a vice-chairman.

"(f) The Board is authorized to appoint, without regard to the civil service laws, technical, or other advisory committees to advise the Institute with respect to the administration of this title as it deems appropriate. Members of these committees not otherwise employed by the United States, while engaged in advising the Institute or attending meetings of the committees, shall be entitled to receive compensation at the rate fixed by the Board but not to exceed the daily equivalent of the rate authorized for GS-18 by section 5332 of title 5, United States Code, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence equal to that authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(g) The Board is authorized to delegate its powers under this title to such persons as it deems appropriate.

"(h) The Institute shall be under the supervision of an officer to be known as the Director, who shall be appointed by the Attorney General after consultation with the Board. The Director shall have authority to supervise the organization, employees, enrollees, financial affairs, and all other operations of the Institute and may employ such staff, faculty, and administrative personnel, subject to the civil service and classification laws, as are necessary to the functioning of the Institute. The Director shall have the power to acquire and hold real and personal property for the Institute and may receive gifts, donations, and trusts on behalf of the Institute. The Director shall also have the power to appoint such technical or other advisory councils comprised of consultants to guide and advise the Board. The Director is authorized to delegate his powers under this title to such persons as he deems appropriate.

"SEC. 4352. (a) In addition to other powers, express and implied, the National Institute of Corrections shall have authority—

"(1) to receive from or make grants to and enter into contracts with Federal, State, and general units of local government, public and private agencies, educational institutions, organizations, and individuals to carry out the purposes of this chapter;

"(2) to serve as a clearinghouse and information center for the collection, preparation and dissemination of information on corrections, including, but not limited to, programs for prevention of crime and recidivism, training of corrections personnel, and rehabilitation and treatment of criminal and juvenile offenders;

"(3) to assist and serve in a consulting capacity to Federal, State, and local courts, departments, and agencies in the development, maintenance, and coordination of programs, facilities, and services, training, treatment, and rehabilitation with respect to criminal and juvenile offenders;

"(4) to encourage and assist Federal, State, and local government programs and services, and programs and services of other public and private agencies, institutions, and organizations in their efforts to develop and implement improved corrections programs;

"(5) to devise and conduct, in various geographical locations, seminars, workshops, and training programs for law enforcement officers, judges, and judicial personnel, probation and parole personnel, correctional personnel, welfare workers, and other persons, including lay ex-offenders, and paraprofessional personnel, connected with the treatment and rehabilitation of criminal and juvenile offenders;

"(6) to develop technical training teams to aid in the development of seminars, workshops, and training programs within the several States and with the State and local agencies which work with prisoners, parolees, probationers, and other offenders.

"(7) to conduct, encourage, and coordinate research relating to corrections, including the causes, prevention, diagnosis, and treatment of criminal offenders;

"(8) to formulate and disseminate correctional policy, goals, standards, and recommendations for Federal, State, and local correctional agencies, organizations, institutions, and personnel;

"(9) to conduct evaluation programs which study the effectiveness of new approaches, techniques, systems, programs, and devices employed to improve the corrections system;

"(10) to receive from any Federal department or agency such statistics, data, program reports, and other material as the Institute deems necessary to carry out its functions. Each such department or agency is authorized to cooperate with the Institute and shall, to the maximum extent practicable, consult with and furnish information to the Institute;

"(11) to arrange with and reimburse the heads of Federal departments and agencies for the use of personnel, facilities, or equipment of such departments and agencies;

"(12) to confer with and avail itself of the assistance, services, records, and facilities of State and local governments or other public or private agencies, organizations, or individuals;

"(13) to enter into contracts with public or private agencies, organizations, or individuals, for the performance of any of the functions of the Institute; and

"(14) to procure the services of experts and consultants in accordance with section 3109 of title 5 of the United States Code, at rates of compensation not to exceed the daily equivalent of the rate authorized for GS-18 by section 5332 of title 5 of the United States Code.

"(b) The Institute shall on or before the 31st day of December of each year submit an annual report for the preceding fiscal year to the President and to the Congress. The report shall include a comprehensive and detailed report of the Institute's operations, activities, financial condition, and accomplishments under this title and may include such recommendations related to corrections as the Institute deems appropriate.

"(c) Each recipient of assistance under this shall keep such records as the Institute shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(d) The Institute, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for purposes of audit and examinations to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this chapter.

"(e) The provision of this section shall apply to all recipients of assistance under this title, whether by direct grant or contract from the Institute or by subgrant or subcontract from primary grantees or contractors of the Institute.

"SEC. 4353. There is hereby authorized to be appropriated such funds as may be required to carry out the purposes of this chapter."

PART C—CONFORMING AMENDMENTS

SEC. 541. (a) The section titled "DECLARATION AND PURPOSE" in title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 197; 84 Stat. 1881; 87 Stat. 197), is amended by inserting immediately after the second paragraph thereof the following new paragraph:

"Congress finds further that the high incidence of delinquency in the United States today results in enormous annual cost and immeasurable loss in human life, personal security, and wasted human resources, and

that juvenile delinquency constitutes a growing threat to the national welfare requiring immediate and comprehensive action by the Federal Government to reduce and prevent delinquency.".

(b) Such section is further amended by adding at the end thereof the following new paragraph:

"It is therefore the further declared policy of Congress to provide the necessary resources, leadership, and coordination to (1) develop and implement effective methods of preventing and reducing juvenile delinquency; (2) to develop and conduct effective programs to prevent delinquency, to divert juveniles from the traditional juvenile justice system and to provide critically needed alternatives to institutionalization; (3) to improve the quality of juvenile justice in the United States; and (4) to increase the capacity of State and local governments and public and private agencies to conduct effective juvenile justice and delinquency prevention and rehabilitation programs and to provide research, evaluation, and training services in the field of juvenile justice and delinquency prevention.".

SEC. 542. The third sentence of section 203 (a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 as amended (82 Stat. 197; 84 Stat. 1881; 87 Stat. 197), is amended to read as follows: "The State planning agency and any regional planning units within the State shall, within their respective jurisdictions, be representative of the law enforcement and criminal justice agencies including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, and public agencies maintaining programs to reduce and control crime, and shall include representatives of citizens, professional, and community organizations including organizations directly related to delinquency prevention.".

SEC. 543. Section 303(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding after the first sentence the following: "In order to receive formula grants under the Juvenile Justice and Delinquency Prevention Act of 1974 a State shall submit a plan for carrying out the purposes of that Act in accordance with this section and section 223 of that Act.".

SEC. 544. Section 520 or title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by (1) inserting "(a)" after "SEC. 520." and (2) by inserting at the end thereof the following:

"(b) In addition to the funds appropriated under section 261(a) of the Juvenile Justice and Delinquency Prevention Act of 1974, the Administration shall expend from other Law Enforcement Assistance Administration appropriations, other than the appropriations for administration, at least the same level of financial assistance for juvenile delinquency programs as was expended by the Administration during fiscal year 1972.".

SEC. 545. Part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end thereof the following new sections:

"SEC. 526. The Administrator is authorized to accept and employ, in carrying out the provisions of this Act, voluntary and uncompensated services notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b)).

"SEC. 527. All programs concerned with juvenile delinquency and administered by the Administration shall be administered or subject to the policy direction of the office established by section 201(a) of the Juvenile Justice and Delinquency Prevention Act of 1974.

"SEC. 528. (a) The Administrator is authorized to select, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions vested in him and to prescribe their functions.

"(b) Notwithstanding the provisions of section 5108 of title 5, United States Code, and without prejudice with respect to the number of positions otherwise placed in the Administration under such section 5108, the Administrator may place three positions in GS-16, GS-17, and GS-18 under section 5332 of such title 5.".

And the House agree to the same.

CARL D. PERKINS,
AUGUSTUS F. HAWKINS,
SHIRLEY CHISHOLM,
ALBERT H. QUIE,
Managers on the Part of the House.

BIRCH BAYH,
JAMES O. EASTLAND,
JOHN L. MCCLELLAN,
PHILIP A. HART
QUENTIN N. BURDICK,
ROMAN HRUSKA,
HUGH SCOTT,
MARLOW W. COOK,
CHARLES MCC. MATHIAS, JR.,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 821) to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate bill amended Title I of the Omnibus Crime Control and Safe Streets Act as amended while the House amendment established an independent bill. The conference substitute is an independent Act. It is not part of the Omnibus Crime Control and Safe Streets Act. It changes such Act to bring it into conformity with the Juvenile Justice and Delinquency Prevention Act. These conforming amendments represent no substantive changes from the Senate bill.

The Senate bill provides for the creation of an Office of Juvenile Justice and Delinquency Prevention within the Department of Justice, Law Enforcement Assistance Administration, to be directed by an Assistant Administrator appointed by the President with the advice and consent of the Senate. The House amendment created a Juvenile Delinquency Prevention Administration with the Department of Health, Education, and Welfare, to be directed by a Director appointed by the Secretary. The conference substitute adopts the Senate provision.

The House amendment provided for a Federal assistance program for services to runaway youth and their families to be administered by the Department of Health, Education, and Welfare. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill amended the Federal Juvenile Delinquency Act which provides certain rights to Juveniles within Federal jurisdictions. There was no comparable House provision. The conference substitute adopts the Senate provision.

The Senate bill contained an amendment which permitted Federal surplus property to be contributed to States for use in their criminal justice programs. There was no comparable House provision. The conference substitute does not contain the Senate language. In deleting the Senate provision, it is noted that the House Committee on Government Operations is taking up a general revision of the subject of excess and surplus property disposition. It is hoped that the needs of Law Enforcement Agencies will receive due consideration for suitable priority and entitlement to eligibility. In the meantime, it is hoped that the General Services Administration will liberally construct the new regulations to best meet the needs of Law Enforcement Agencies.

The House amendment defined "construction" to exclude the erection of new structures. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment included alcohol abuse programs in the definition of "community based" programs. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment included alcohol abuse in the definition of "juvenile delinquency" programs. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill required that the Administrator coordinate all Federal juvenile delinquency programs and policies. The House amendment provided that the Secretary shall establish overall Federal juvenile delinquency policies and programs. The conference substitute adopts the Senate provision.

The Senate bill authorized the Assistant Administrator of LEAA to appoint three GS-18 officers on appointment and to obtain other GS-18 officers on detail from other Federal agencies. The House amendment authorized the Secretary to appoint such officers as he deemed necessary. The conference substitute adopts the Senate provision.

The Senate bill authorized the Administrator to "implement" Federal juvenile delinquency programs and policies. The House amendment authorized the Secretary to "coordinate" all Federal juvenile delinquency programs and activities. The conference substitute adopts the Senate provision.

The Senate bill required annual evaluation and analysis of all Federal juvenile delinquency programs one year after the enactment of this bill. The House amendment required that the first annual report be submitted by September 30th. The conference substitute adopts the Senate provision.

The House amendment provided that, upon receipt of each annual report, the President must report to the Congress on actions taken or anticipated with respect to the recommendations of the Secretary; that the first annual report identify the characteristics of Federal juvenile delinquency programs; the second report identify all Federal juvenile delinquency programs with budgetary information; and the third report detail the procedures to be followed by all Federal agencies in submitting juvenile delinquency development statements. There was no comparable Senate provision. The conference substitute adopts the House provision with reporting to be made through the Attorney General.

The Senate bill authorized the Administrator to "request" information from other Federal agencies. The House amendment authorized the Secretary to "require" information from other Federal agencies. The conference substitute authorizes the administrator to "require through appropriate authority" such information.

The Senate bill required the Administrator to coordinate all juvenile delinquency functions with the Department of Health, Education, and Welfare. There was no comparable House provision. The conference substitute adopts the Senate provision.

The House amendment required that each Federal agency conducting a juvenile delinquency program submit to the Secretary a development statement analyzing the extent to which the program conforms with and furthers Federal juvenile delinquency prevention and treatment goals and policies. This statement, accompanied by the Secretary's response, shall accompany the legisla-

tive request of each Department. There was no comparable Senate provision. The conference substitute adopts the House provision with reporting to be made through the Attorney General.

The Senate bill authorized the Administrator to "request" that one Federal agency act for several in a joint funding situation. The House amendment authorized the Secretary to "designate" a Federal agency to act for several in a joint funding situation. The conference substitute adopts the Senate provision.

The Senate bill provided for the creation of an Interdepartmental Council on Juvenile Delinquency. There was no comparable House provision. The conference substitute does not contain the Senate language.

The Senate bill provided for the creation of a National Advisory Committee for Juvenile Justice and Delinquency Prevention. There was no comparable House provision. The conference substitute adopts the Senate provision.

The House amendment provided for a Coordinating Council on Delinquency Prevention which was independent, had a separate budget and public members. There was no comparable Senate provision. The conference substitute adopts the House provision with an amendment eliminating public members from the Council.

The Senate bill provided a minimum allocation of $200,000 to each State. The House amendment provided a minimum allocation of $150,000 to each State. The conference substitute adopts the Senate provision.

The House amendment included the Trust Territory of the Pacific Islands among the territories, for which a minimum allocation of $50,000 shall be made available from formula grants. There was is comparable Senate provision. The conference substitute adopts the House provision.

The House amendment provided for a 10% matching share requirement in cash for State and local programs. There was no comparable Senate provision. The conference substitute adopts the House provision with an amendment that financial assistance shall provide a 10% matching requirement which may be in cash or in kind.

The Senate bill provided for a State advisory body to advise the State Planning Agency. The House amendment provided for a State Supervisory Board to monitor implementation of the State plan. The conference substitute adopts the Senate provision.

The House amendment required that at least two members of the State Supervisory Board have been in the juvenile justice system. There was no comparable Senate provision. The conference substitute does not contain the House language. In deleting this provision the conferees note that the appointment of such persons to the State advisory board is to be encouraged, by virtue of their invaluable and unique experiences which could broaden the perspective of State Planning Agencies.

The Senate bill provided that 50% of the funds to State and local governments be spent through local governments. The House amendment provided that 75% of the funds be spent through local governments. The conference substitute provides that 66⅔% of the funds to State and local governments be spent through local governments.

The House amendment required that the local chief executive provide for the supervision of local programs by designating a local supervisory board. The Senate bill required that the local chief executive must provide for the supervision of local programs. The conference substitute adopts the Senate provision.

The House amendment provided that applications for special emphasis grants and applications shall indicate the response of the State and local agency to the request for review and comment. There was no comparable Senate provision. The conference substitute adopts the House provision. The Conferees emphasize that the provision listed under *State Plans*, Section 223(a)(19) which provides that any funds available under that part will be used to supplement and increase (but not supplant) the level of state, local and other non-federal funds that would be used in the absence of federal funds shall apply not only to the State Plan provisions but for *all of the programs authorized under this Act*. The maintenance of effort requirements will cover all activities presently conducted by any public or private agency or organization which might receive funding under any of the programs authorized under this legislation.

The Senate bill defined advanced techniques in the treatment and prevention of Juvenile Delinquency. The House amendment contained similar, but more general definitions of advanced techniques. The conference substitute adopts the Senate provision.

The House amendment, in its definitions of advanced techniques, included the prevention of alcohol abuse and the retention of youth in elementary and secondary schools. There was no comparable Senate provision. The conference substitute contains the House provision.

The Senate bill "requires" that within two years of enactment, juvenile status offenders be placed in shelter facilities; that delinquents not be detained or incarcerated with adults; and that a monitoring system be developed to ensure compliance with these provisions. The House amendment "encourages" such activities. The conference substitute adopts the Senate provision.

The Senate bill "provides" for the development of State research capacity. The House amendment "encourages" the development of State research capacity. The conference substitute adopts the Senate provision.

The House amendment included the physically handicapped among groups to whom assistance should be made available on an equitable basis. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill provided for specific protection to be afforded employees affected by this Act. The House amendment provided for "fair and equitable treatment" to be afforded employees affected by this Act. The conference substitute adopts the Senate provision with an amendment deleting the phrase "as determined by the Secretary of Labor" and providing that arrangements for the protection of employees shall be to the maximum extent feasible. It is the intent of the conferees that the Administrator of LEAA consult with the Secretary of Labor, in order to utilize his expertise, before establishing guidelines for implementation of fair and equitable arrangements to protect the interests of employees affected by assistance under this Act. It is the further intent of the conferees that problems concerning employee protection arrangements shall be resolved by the Administrator in consultation with the Secretary of Labor where necessary.

The Senate bill provided for the involvement and participation of private agencies and the maximum utilization and coordination of existing juvenile delinquency programs in the development of the State plan. There was no comparable House provision. The conference substitute adopts the Senate provision.

The Senate bill required the reallocation of the State formula allotment to public and private agencies when a state plan is deliberately not prepared or modified. The funds reallocated will be utilized for special emphasis prevention and treatment programs within such State. The House bill contained a similar provision but makes no distinction regarding intentions. The conference substitute adopts the Senate provision.

The Senate bill provided that should no State plan be submitted due to neglect or oversight, the Administrator shall "endeavor" to make that State's allotment available to public and private agencies under the special emphasis program. There was no comparable House provision. The conference substitute adopts the Senate provision.

The Senate bill prohibited the use of potentially dangerous behavior modification treatment modalities on non-adjudicated youth without parental consent. There was no comparable House provision. The conference substitute contains no provision for the Senate language.

The House amendment provided for programs to retain youth in elementary and secondary schools and to prevent alcohol abuse among its special emphasis programs and grants. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill provided a ceiling of 50% for assistance in Special Emphasis grants and programs. There was no comparable House provision. The conference substitute adopts the Senate provision.

The House amendment provided that priority for Special Emphasis grants and contracts be given to public and private nonprofits groups which have had experience in dealing with youth. There was no comparable Senate provision. The conference substitute does not contain the House language.

The Senate bill contains an application procedure for Special Emphasis grants related to the State Planning Agency. The House application for special emphasis grants and contracts was similar but did not specifically related to the State Planning Agency. The conference substitute adopts the Senate provision.

The Senate bill provided that the purpose of the special emphasis program was to implement the recommendations of the Advisory Committee. The House amendment provided that the purpose of the special emphasis program is to implement the recommendations of the Institute. The conference substitute provides that the purpose of the special emphasis program is to implement the recommendations of the Advisory Committee and the Institute.

The House amendment limited the use of funds for construction purposes to 50% for community-based facilities. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment limited to 25% the amount that a recipient may be required to contribute to the total cost of services. There was no comparable Senate provision. The conference substitute does not contain the House provision.

The Senate bill authorized the Administrator to utilize up to 25% of the formula grant funds to meet the non-Federal matching requirement of other Federal juvenile delinquency programs. The House amendment provided up to 25% of all funds to be utilized for this purpose. The conference substitute adopts the Senate provision.

The Senate bill established a National Institute for Juvenile Justice. The House amendment established an Institute for the Continuing Studies of the Prevention of Juvenile Delinquency. The conference substitute combines both provisions and establishes a National Institute for Delinquency Prevention and Juvenile Justice.

The House amendment specified the purposes of the Institute. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment included among the functions of the Institute, the dissemination of data, the preparation of a study on delinquency prevention and the development of technical training teams. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill included seminars and workshops among the functions of the Institute. The House amendment included similar language among the functions of the Institute. The conference substitute adopts the Senate provision.

The Senate bill included training among the functions of the Institute. The House amendment included specific aspects of training among the functions of the Institute. The conference substitute adopts the House provision.

The House amendment provided that the functions, powers and duties of the Institute may not be transferred elsewhere without specific Congressional consent. There was no comparable Senate provision. The conference substitute does not contain the House language.

The House amendment provided for the specific powers of the Institute. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment provided for the specific powers and responsibilities of the Institute staff. The Senate bill contained similar but more general language. The conference substitute adopts the House provision.

The House amendment provided for the establishment of the training program, the curriculum of the training program, and the enrollment of participants in the training program of the Institute. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill provided that the annual report of the Institute shall be submitted to the Administrator who, in turn, shall include a summary of this report and recommendations in his report to the President and the Congress. The House amendment provided that the Institute shall submit an annual report to the President and to the Congress. The conference substitute adopts the Senate provision.

The Senate bill provided for the development of standards for juvenile justice by the submission of an Advisory Committee report to the President and the Congress as well as by other means. The House amendment provided for the development of standards for juvenile justice by the submission of a report to the President and to Congress as well as by other means. The conference substitute adopts the Senate provision.

The House amendment authorized the Institute to make budgetary recommendations concerning the Federal budget. The Senate bill contained no such provision. The conference substitute adopts the Senate provision.

The Senate bill prohibited revealing individual identities, gathered for the purposes of the Institute, to any "other agency, public or private". The House amendment prohibited the disclosure of such information to "any public or private agency". The conference substitute adopts the Senate provision.

The House amendment authorized an appropriation for the Institute of not more than 10% of the total appropriation authorized for this Act. There was no comparable Senate provision. The conference substitute does not contain the House language. The conferees were in disagreement about what the appropriate level of funding should be for the Institute. In deleting this provision, however, the conference agreed that the level of funding for the Institute should be less than 10% of the total appropriation for this Act.

The House amendment provided for the effective dates of this Act. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment provided that the powers, functions and policies of the Institute shall not be transferred elsewhere without Congressional consent. There was no comparable Senate provision. The conference substitute does not contain the House language.

The House amendment provided that the Institute, in developing standards for juvenile justice, shall recommend Federal budgetary actions among its recommendations. There was no comparable Senate provision. The conference susbtitute does not contain the House language. The Senate bill established a National Institute of Corrections within the Department of Justice, Bureau of Prisons. There was no comparable House provision. The conference substitute adopts the Senate provision.

The Senate bill provides a two year authorization of $75,000,000 and $150,000,000. The House amendment provides a four year authorization of $75,000,000, $75,000,000, $125,000,000 and $175,000,000. The conference substitute provides a three year authorization of $75,000,000, $125,000,000 and $150,000.000.

Section 512 and 520 of the Omnibus Crime Control and Safe Streets Act, as amended provide for LEAA's authorization through June 30, 1976. Section 261(a) of the conference substitute provides authorization for the juvenile delinquency programs through June 30, 1977. It is anticipated that LEAA's basic authorization will be continued and the agency will continue to administer these programs through June 30, 1977.

The conferees agreed to including a provision from the Senate bill which requires LEAA to maintain its current levels of funding for juvenile delinquency programs and not to decrease it as a result of the new authorizations under this Act. It is the further intention of the conferees that current levels of funding for juvenile delinquency programs in other Federal agencies not be decreased as a direct result of new funding under this Act.

The House amendment contains a specific non-discrimination provision. There is no specific provision in the Senate bill. The conference bill adopts a modification of the House provision. This modification complements and parallels the requirements of Section 518(c) of the Omnibus Crime Control and Safe Streets Act of 1968 and Title VI of the Civil Rights Act of 1964.

CARL D. PERKINS,
AUGUSTUS F. HAWKINS,
SHIRLEY CHISHOLM,
ALBERT H. QUIE,
Managers on the Part of the House.
BIRCH BAYH,
JAMES O. EASTLAND,
JOHN L. MCCLELLAN,
PHILIP A. HART,
QUENTIN N. BURDICK,
ROMAN HRUSKA,
HUGH SCOTT,
MARLOW W. COOK,
CHARLES MCC. MATHIAS, Jr.,
Managers on the Part of the Senate.

ACTION HELD UP ON REORGANIZATION RESOLUTION

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

Mr. MARTIN of Nebraska. Mr. Speaker, it has been 6 months since the Select Committee on Committees reported out House Resolution 988, the Reorganization Act of the House. As the Members know, this has been held up for the past 6 months by the action of the Democratic Caucus.

Finally, last Thursday I was notified that a hearing was to be held in the Committee on Rules tomorrow, Tuesday morning, on this very important resolution. Twenty-four hours later, however, I was notified that it was called off because of the fact that some of the Members on the Democratic side of the aisle had put some pressure on the chairman of the Committee on Rules at the behest of the labor unions to cancel this hearing and hold up further consideration of this very important matter, one which the American people are demanding that the House take some action on.

Once again, Mr. Speaker, this illustrates the great power of the labor unions in this country, in opposition to the wishes of the American electorate. I hope that we can get this resolution called up before the Committee on Rules in the very near future.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

Pursuant to the provisions of clause 3(b) of rule XXVII, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to, under clause 4 of rule XV.

After all motions to suspend the rules have been entertained and debated and after those motions to be determined by "nonrecord" votes have been disposed of, the Chair will then put the question on each motion on which the further proceedings were postponed.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 497]

Alexander	Frelinghuysen	Nelsen
Anderson, Ill.	Giaimo	O'Brien
Arends	Goldwater	Owens
Aspin	Gunter	Patten
Badillo	Hammer-schmidt	Pepper
Beard	Hanna	Pike
Blatnik	Hébert	Pritchard
Brasco	Johnson, Colo.	Rarick
Breckinridge	Kluczynski	Reid
Brotzman	Kyros	Roncallo, Wyo.
Buchanan	Landrum	Roncallo, N.Y.
Burke, Calif.	Leggett	Rooney, N.Y.
Burton, John	Lehman	Rosenthal
Butler	Litton	Roy
Byron	Lott	Ruppe
Carey, N.Y.	McClory	Sarbanes
Cederberg	McCloskey	Satterfield
Chisholm	McKinney	Stark
Clark	McSpadden	Stuckey
Corman	Macdonald	Teague
Cotter	Madigan	Tiernan
Daniel, Dan	Martin, Nebr.	Ullman
Davis, Ga.	Martin, N.C.	Van Deerlin
Diggs	Mayne	Vander Jagt
Dorn	Michel	Walsh
Drinan	Mink	Williams
Esch	Minshall, Ohio	Young, Alaska
Flowers	Mollohan	Young, Ill.
Ford	Murphy, N.Y.	Young, S.C.
Fountain	Nedzi	
Fraser		

The SPEAKER. On this rollcall 344 Members have recorded their presence by electronic device, a quorum.

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

ANTI-INFLATION ACT OF 1974

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16425) to provide for the monitoring of the economy, and for other purposes.

The Clerk read the bill as follows:

H.R. 16425

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 "Anti-Inflation Act of 1974".

FINDINGS AND PURPOSES

SEC. 2. It is hereby defined that the Federal Government must have a continuing concern with the rate of inflation, supply, industrial capacity, and means of increasing productivity, and must place primary reliance on budgetary and monetary policy as well as international trade and exchange rate policy, to constrain domestic inflation. In addition, to contribute to the moderation of inflation without incurring the drawbacks of mandatory controls, a body within the executive branch should act to see that the Government's direct impact on prices and wages is less inflationary and encourage private parties and local and State governments to adjust their policies and practices to contribute to a less inflationary economy.

COST OF LIVING TASK FORCE

SEC. 3. (a) The President is authorized to establish, within the Executive Office of the President, a Cost of Living Task Force (hereinafter referred to as the "Task Force").

(b) The Task Force shall consist of the Counselor to the President for Economic Affairs, the Chairman of the Council of Economic Advisers, the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Director of the Office of Management and Budget, the Special Assistant to the President for Consumer Affairs, the Chairman of the National Commission on Productivity and Work Quality, and such other members as the President may, from time to time, designate or appoint. The President shall appoint the Chairman and the Vice Chairman of the Task Force.

(c) There shall be a Director of the Task Force who shall be appointed by the President and be a member of the Task Force. The Director shall be compensated at the rate prescribed for level IV of the Executive Schedule by section 5315 of title 5 of the United States Code. There shall be a Deputy Director of the Task Force who shall be appointed by the President and be compensated at the rate prescribed for level V of the Executive Schedule by section 5316 of title 5 of the United States Code. The Director of the Task Force shall be the chief executive officer of the Task Force and shall perform such functions as the President or the Chairman of the Task Force may prescribe. The Deputy Director shall perform such functions as the Chairman or the Director of the Task Force may prescribe.

(d) The Director of the Task Force may appoint, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions of the Task Force and to prescribe their duties. In addition to the number of positions which may be placed in GS-16, GS-17, and GS-18 under existing law, the Director, with the approval of the Chairman of the Task Force, may, without regard to the provisions of title 5 of the United States Code relating to appointments in the competitive service, place, not to exceed five positions in GS-16, GS-17, and GS-18 to carry out the functions of the Task Force.

(c) The Director of the Task Force may employ experts, expert witnesses, and consultants in accordance with the provisions of section 3109 of title 5 of the United States Code, and compensate them at rates not in excess of the maximum daily rate prescribed for GS-18 by section 5332 of title 5 of the United States Code.

(f) The Director of the Task Force may, with their consent, utilize the services, personnel, equipment, and facilities of Federal, State, regional, and local public agencies and instrumentalities, with or without reimbursement therefor, and may transfer funds made available pursuant to this Act to Federal, State, regional, and local public agencies and instrumentalities as reimbursement for utilization of such services, personnel, equipment, and facilities.

FUNCTIONS OF THE TASK FORCE

SEC. 4. (a) The Task Force shall—

(1) review and analyze industrial capacity, demand and supply in various sectors of the economy, working with the industrial groups concerned and appropriate governmental agencies to encourage price restraint;

(2) work with labor and management in the various sectors of the economy having special economic problems, as well as with appropriate Government agencies, to improve the structure of collective bargaining and the performance of those sectors in restraining prices;

(3) improve wage and price data bases for the various sectors of the economy to improve collective bargaining and encourage price restraint;

(4) conduct public hearings when appropriate to provide for public scrutiny of inflationary problems in various sectors of the economy;

(5) focus attention on the need to increase productivity in both the public and private sectors of the economy;

(6) review the programs and activities of Federal departments and agencies and the private sector which may have effects on supply and prices and make recommendations for changes in such programs and activities to increase supply and restrain prices;

(7) evaluate the inflationary effects of international transactions, especially such aspects as the balance of payments, controls on imports and exports, and the cost of fuel and other commodities that directly or indirectly affect the rate of inflation;

(8) monitor the economy as a whole, including such matters as wages, costs, productivity, prices, sales, profits, imports and exports, and interest rates and rents.

(b) Nothing in this Act authorizes the imposition, or reimposition of any mandatory economic controls with respect to prices, rents, wages, salaries, corporate dividends, interest rates, or any similar transfers.

ACCESS TO UNITED STATES GOVERNMENT INFORMATION

SEC. 5. Any Department or agency of the United States which collects, generates, or otherwise prepares or maintains data or information pertaining to the economy or any sector of the economy shall, upon the request of the Chairman of the Task Force, make that data or information available to the Task Force.

REPORTS

SEC. 6. The Task Force shall transmit, through the President, quarterly reports to the Congress not later than thirty days after the close of each calendar quarter describing the actions taken under this Act during the preceding quarter, reporting its findings and recommendations with respect to the containment of inflation and the maintenance of a vigorous and prosperous peacetime economy, and giving its assessment of the progress attained in achieving the purpose of this Act.

AUTHORIZATION FOR APPROPRIATION

SEC. 7. There is hereby authorized to be appropriated $1,000,000, to be available until expended to carry out the purposes of this Act.

TERMINATION

SEC. 8. The authority granted by this Act terminates on June 30, 1976.

The SPEAKER. Is a second demanded?

Mr. J. WILLIAM STANTON. Mr. Speaker, I demand a second.

Mr. ROUSSELOT. Mr. Speaker, is the gentleman opposed to the bill?

Mr. J. WILLIAM STANTON. No, Mr. Speaker, I am not.

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ROUSSELOT. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, when the new President addressed Congress last week he called the state of the economy "not so good" and he pointed out that the American people are unanimously concerned about inflation. As a first step to bring about economic stability the President called on the Congress to pass, before the Labor Day recess, a bill to establish a Cost of Living Task Force which would enable the administration to monitor wages and prices so that abuses and inflationary price increases might be exposed. He specifically requested that the task force not be empowered to impose mandatory wage and price controls. Actually this request is similar to the one made by former President Nixon in a message to the Congress on August 2, 1974.

The members of the task force will be appointed by the President and it is given an authorization of $1 million to carry out its duties. During the course of its existence the task force shall first review industrial capacity, demand and supply for the purpose of persuading industrial and governmental agencies to exercise price restraints; second, work with labor, management, and appropriate Government agencies to improve the structure of collective bargaining and productivity; third, improve wage and price data bases for the various sectors of the economy to improve collective bargaining; fourth, conduct public hearings; fifth, to bring attention to bear on the need to increase productivity; sixth, review the activities of Federal agencies and the private sector which may tend to create shortages and increase prices and recommend changes to bring about an end to these practices; seventh, evaluate the inflationary effects of international transactions; and eighth, monitor the economy as a whole.

In other words, this agency will be a watchdog and provide the President a means to jawbone.

Your committee ordered this legislation favorably reported on August 15 by a vote of 27 to 7. While the bill is not as comprehensive as perhaps it should be, in light of the sad state of our economy it is a first step and one in which the President has requested. I doubt that anyone would argue that we simply do not need to do anything about the economy. We are presently experiencing a rate of inflation which amounted to 10 percent over the past 12 months and currently there is no sign of a significant moderation in this trend. Unemployment remains at about 5 percent, interest rates are higher than they have ever been in our history, the energy crisis continues, wholesale prices have more than doubled in the past 2 years and the housing industry is in the throes of depression.

Under these conditions people who suffer most are those who have low- and moderate-income and the elderly who are on fixed incomes. These people have no one to look to in times like this but their Government so I think that the Congress is obliged to act on this problem immediately; it would be irresponsible of us to do otherwise.

The only significant argument against this legislation is that it is in the words of one critic, "only the smallest, most insignificant thing you can do to solve America's economic problems and it would be unfair to pretend anything else."

While I would not argue, and I doubt if the members of your committee would disagree, that this Cost of Living Task Force is a cure-all for inflation and in view of the fact that we have a new President who has been in office less than a month, it probably would be unfair to require him to submit a comprehensive economic program at this time. At the same time, when he shows that he simply wants to do something about the economy, we should cooperate with him in every respect. This bill attempts to supply the President with the tools he requested and I urge your favorable consideration.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. Moss).

Mr. MOSS. Mr. Speaker, I must rise in opposition to H.R. 16425. This is sham legislation and a gross fraud on the American people.

Polls released within recent days indicate that some 50 percent of the American people believe that there is the very real possibility of a 1930's type depression. Similarly, the Wall Street Journal states that—

> It is now no longer beyond the realm of possibility that the United States might soon have to endure a severe economic depression. (July 22, 1974).

Yet despite the seriousness of our situation, the most forceful part of this legislation, section 4(a)(2), states merely that the task force shall "work with labor and management, to improve the structure of collective bargaining and the performance of those sectors in restraining prices." Even this language, however, is not defined. What is the base period from which we are to measure the unreasonableness of increases in salaries, profits, and interest rates? This is the crux of the problem yet it is not addressed by this legislation.

H.R. 16425 further mandates the study of the economic factors which lead to inflation. This sort of study might be legitimate if we did not already have the Joint Committee on the Budget, the Joint Economic Committee, the Council of Economic Advisers, OMB, and the wells of expertise and activity in the various executive agencies, but we do. In fairness, Mr. Speaker, I must conclude that this legislation is no more than a cosmetic device to cover a lack of real and responsible action. I submit, Mr. Speaker, that this conclusion is one which will be shared by our constituents.

What is needed is real dialog between the Congress and the executive branch. One day of hearings in the Banking and Currency Committee and 40 minutes of debate on the floor today does not constitute such a dialog.

We are in need of an intelligent food policy. The Congress and the President should strive for a combination of full production targets, some export controls, a cut of overseas military spending to alter the foreign exchange rates which largely explain the inflationary press of foreign demand and careful monitoring by the Department of Agriculture.

We are also in need of an articulated energy policy. Mass transit will be considered tomorrow. FEO should have provided us with information concerning the future tradeoffs between possibly inflationary spending now and the effect on the economy of continuing high oil prices. We should work with the President to pass measures allowing the consumer to intelligently choose energy efficient products. We should further move forward with legislation requiring more efficient automobiles, the great consumers of oil in our economy. These measures by affecting our balance of payments would go far in affecting foreign demand and in turn domestic prices for our grain, timber, and metals.

We should also begin to examine with the President the policies of the Federal Reserve. Its tight money policies have essentially stopped housing construction in many parts of the country. This cure offered by the believers in the "old time religion" of tight money is the cause of inflation in this important sector of the economy. We should carefully explore the use of credit rationing for the housing industry and other industries hardest hit by unemployment.

Mr. Speaker, we must also investigate the tax laws which make it possible for the enormous multinational conglomerates to expand notwithstanding staggering interest rates. The tax laws give such giants effective subsidies from the U.S. Treasury which small business does not enjoy. One need only look at the soaring bankruptcy rate among small businesses to realize that the costs of deflation are borne by the small business while the conglomerates continue to share increasing profits. We must work with the President to end these discriminatory policies.

Finally, Mr. Speaker, we need to discuss with the President the need for stand by power to control inflationary price hikes. "Jawboning" alone is a most ineffectual weapon against what the President refers to as "public enemy No. 1, inflation."

In conclusion, Mr. Speaker, much needs to be done and much can be done. Let us have an end of cosmetic studies and get on with the important business at hand. We cannot do this if we vote to abdicate our important role in this area.

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

Mr. PATMAN. Mr. Speaker, I yield for a question but not for a speech.

Mr. GROSS. Mr. Speaker, I just made a trip to the minority desk to obtain a copy of the report. There is no report. Where is the report on this bill?

Mr. PATMAN. The object of a suspension of the rules is to suspend all the rules, so that any rule requiring the report is suspended by this action.

Mr. GROSS. That is hardly the question. The bill ought to be accompanied by a report, irrespective of anything else.

Mr. PATMAN. If we had had time under the rules to have gotten out the report before we had it on the Suspension Calendar today, we would have done it.

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

Mr. PATMAN. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, I appreciate my chairman yielding to me.

Did not the gentleman from Illinois (Mr. CRANE), in committee on Thursday or Wednesday when we took this bill up, and the gentleman from Texas asked for unanimous consent that we shorten the time in which the report would be made ready because the gentleman from Texas wanted to have it completed by Friday. My assumption was—as I am sure it was the assumption of Mr. CRANE—that the report would be available today. Did the printer not get the report out?

Mr. PATMAN. I think the gentleman is mistaken. I assure him that all rules are complied with in the presentation of this bill.

Mr. ROUSSELOT. I did not say that the rules were not complied with. My understanding was at the time that, if we submitted our minority or supplemental views by Friday, we were assured that was being done so that the committee staff would have an opportunity to make sure that the printed report was submitted for today.

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

Mr. PATMAN. I yield to the gentleman from Wisconsin for further explanation.

Mr. REUSS. Mr. Speaker, perhaps I can throw some light on what was a good faith effort by the committee to get a report ready.

The gentleman from Illinois (Mr. CRANE) asked for time to file individual views as he was entitled to do. Because it was then the universal assumption that the House would sit on Friday, Mr. CRANE and others similarly situated were allowed until Friday midnight to file their separate views.

In the event, the House did not sit on Friday; hence, the perfectly proper additional views of Mr. CRANE could not be filed. The report is ready, but it could not be printed. We regret it, but we are in compliance with the rule, and hope that this debate will serve the purpose.

Mr. PATMAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Missouri (Mrs. SULLIVAN).

Mrs. SULLIVAN. Mr. Speaker, in this area of good feeling—and it is a good feeling, indeed, to have in the White House a President who is evidencing real concern about the economic storms engulfing our Nation—I am sure we are all disposed to give to the new administration our full cooperation in fighting inflation. So far, he has not asked for very much. But what he has asked for, in the form of this legislation to create a Cost of Living Task Force to monitor price and wage movements, is being provided immediately by Congress in exactly the form he requested, despite our misgivings that it is not much of an anti-inflation reed on which to lean.

But is this all there is? Is this all we are going to be asked to do in providing machinery to combat a further series of twists of the price-wage spiral? Let us hope not. We are willing to give President Ford enough time to get his bearings, enough time to consult with a wide variety of economic experts and representatives of all segments of the economy, and enough time to develop his own program. But let us also hope that his program, when developed, will be far different from the policies followed by his predecessor during the 19 months after the disastrous phase III destabilization policy went into effect on January 11, 1973.

During the hearing in the Committee on Banking and Currency last week on this legislation to create a Cost of Living Task Force, the new administration's spokesman at the hearing, Director Roy Ash of the Office of Management and Budget, appeared to be speaking for the new President in insisting that no consideration is being given, or will be given, to any proposal to seek a renewal of authority for price and wage controls. Mr. Speaker, no economic doors should be closed with finality. No tool for combating inflating should be thrown away out of any doctrinaire political considerations. We are in an economic crisis, and we must face that fact with courage and openmindedness.

If President Ford had asked us last week for the reenactment of the Economic Stabilization Act which expired April 30, I doubt if there would have been very many votes in committee or on the House floor to grant such powers right now, even in this so-called honeymoon or marriage relationship between Congress and our new President. First of all, the controls were used abominably in their final 15 months. They were administered by people who did not want to make them work fairly. Public confidence was destroyed in the effectiveness of the controls—not because controls are inherently bad, as President Nixon's people maintained, but because they were badly used.

As I have stated in my separate views on H.R. 16425, it is incumbent upon the new President to bring into his administration officials we can trust, and which the public can trust, to attack economic problems on a realistic basis. They must be people who are in sympathy with the jobs they are given to do, and who are recognized by the public as being concerned over the very real economic problems of the individual family.

And the Congress, too, must learn from past mistakes. On April 16, 1973, the House rejected a bill from our committee to roll back all prices and interest rates to the levels of January 11, 1973, and to mandate controls over agricultural products and other raw materials, and over interest rates. Farmers were then enjoying high prices, even though the rest of the people were suffering from excessive increases in food costs. In blocking controls over agricultural commodities, the House presumably gave the farmer a great break—but we all know what happened: farm prices continued to rise, but so did the farmer's costs; eventually, however, when some crop prices and livestock prices fell, the farmer was put in a cost-price squeeze which was disastrous for many small farmers, and even some very large ones. An effective controls program should regulate all prices and all costs of production which have an inflationary impact.

All I am saying now is that with a new President and a new attitude in the White House, we must encourage President Ford to look at all of his options in fighting inflation, rather than standing behind the ineffectual policies of tight money, high-interest rates, and increased unemployment favored by the Nixon administration as the so-called old-fashioned religion in combating inflation. It did not work for Mr. Nixon and it will not work for President Ford.

The direct economic controls enacted by Congress on a standby basis on August 15, 1970, did work—they worked with remarkable effectiveness—from the time they were first applied a year later, on August 15, 1971, until they were largely dismantled—except over wages—on January 11, 1973. Certainly, the controls created problems and imbalances and the need for adjustments, but adjustments were made, the economy settled down, the price-wage spiral was halted, and we were doing fine from August 1971 to January 11, 1973. Let us never forget that.

If and when President Ford indicates a recognition of the need for restored controls authority, and brings into Government the kind of people who could operate such a program fairly and effectively, the Congress should stand ready to consider such legislation promptly and without prejudice.

Mr. PATMAN. Mr. Speaker, I yield such time as he may consume to the gentlemen from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, since no committee report was available for this debate, I feel it incumbent to state my position on this proposal.

Stated simply, this bill is intended to give the appearance of action against inflation, while in fact providing no action at all. It authorizes the President to appoint a committee which he undoubtedly could create on his own authority, and gives him a million dollars to do that which he could do anyway. My view is that the President does not need the authority conferred in this bill, and that he could find the authorized funds elsewhere.

Surely nothing is more pressing than the problem of inflation. But this does not mean that Congress ought to approve yet another sham action. We have been through so many games with inflation that I begin to wonder if we are not like the Bourdon kings of old—capable of learning nothing, incapable of forgetting anything.

Experience with the Economic Stabilization Act should have convinced even the most sanguine of us that it is a mistake to create an agency that has no real accountability to Congress. But this bill creates an agency that reports to the President, who then reports what he likes to Congress. In other words, if the task force comes up with reports and recommendations the President does not like, Congress will never receive them.

Inflation is an urgent problem, more so now than it was 5 years ago. Yet this bill does not demand that the task force it creates will come up with any comprehensive attack against inflation. The task force need not come up with anything substantive at all—merely quarterly reports of such a vague nature that they need contain nothing but sermons and slogans.

We need to learn that a real economic program is needed for this country. We need to forget about setting up a task force which, like this one, is intended merely to create an illusion of action.

Some would say that the President needs this bill in order to effectively "jawbone" against inflationary forces. But this bill contains no authority to support that moral suasion. The task force creates no moral authority that does not already exist; surely the President knows that, and knows too that he may need more than a jawbone to fight against inflation.

I am concerned that the task force may simply become a trumpet against the efforts of working people to regain some of their lost purchasing power, while doing nothing to dissuade industrial giants from continuing to steadily increase their prices and profits. If this should happen, as developed under the recent and disastrous controls program, the task force would merely become another discredited political subcommittee. The last thing the country can afford is another official agency established to trumpet one political philosophy or another. We need a sound program.

My friends in the minority party have in these last few years hooted at the kind of jawboning envisioned in this bill, but now they embrace it fervently. Likewise, they opposed wage and price

controls, only to change their minds when their party switched lines. I admire this kind of moral and political flexibility, but cannot find in my own backbone that kind of malleability.

I did not believe that wage and price controls would work, because I did not believe that they would be equitably administered—and I was right. I do not believe that this proposed task force would do anything that could not otherwise be done. And I do not believe that Congress, for all its desires to cooperate with a new President, should acquiesce in this illusory action.

Certainly Congress ought to act against inflation. We ought to take some real action. If we want to do that, we should create a task force that reports directly to us, once each month, and which has the specific job of coming forward with a comprehensive economic program. We should have learned long ago that Congress ought to show some responsibility in the management of the Nation's economic problems. This means much more than handing the President a blank check after some crisis.

Yet, here we are again, after a great crisis, signing yet another blank check to the President. This bill does not reflect congressional responsibility, and it is not taking responsible action; it is merely avoiding, once again, the task of creating a national economic policy that is fair, that assures prosperity, and above all, one that works to contain inflation and solve our pressing social and economic problems.

Mr. ROUSSELOT. Mr. Speaker, although I personally do not feel this legislation is necessary, on the basis of our previous votes in the Committee on Banking and Currency several months ago, in fairness I am yielding 4 minutes to my ranking minority Member, the gentleman from New Jersey (Mr. WIDNALL), who favors the legislation.

Mr. WIDNALL. Mr. Speaker, I rise in support of H.R. 16425, a bill which would establish a Cost of Living Task Force. President Ford branded inflation "public enemy No. 1," and I think that we all support that indictment. The proposed task force would seek out and expose—to the administration, to Congress, and to the public—the confederates of public enemy No. 1. Who are these confederates? They can be the corporations whose prices and profits are unjustifiably high. They can be the labor unions whose demands for wage increases grossly exceed their gains in productivity. And let us acknowledge the fact that the Federal Government has been a confederate of inflation, because it has overspent, because it has failed to formulate an effective anti-inflationary policy.

The task force would be composed of four Cabinet officers and five other senior officials in the administration whose responsibilities relate directly to the economy. In addition, it would have a small and flexible staff. The task force would monitor the economy, assessing the inflationary impact of wage and price developments, of governmental programs and activities, and of the increasing costliness of food and raw materials. It would coordinate the anti-inflationary efforts of the various departments and agencies of the Federal Government. Working cooperatively with management and labor, the task force would encourage these groups to restrain the rise of wages and prices.

A primary function of this task force might be to mobilize public opinion against some of the confederates of public enemy No. 1, after these confederates are known. I think that, increasingly, the public expects inflation and accepts it as an unavoidable, inevitable inconvenience. It does not question the justifiability of price and wage increases and does not suspect that it is being gouged. It thinks that the days of price stability are forever gone. Entrepreneurs and wage earners can sometimes exploit the public acceptance of inflation, claiming falsely that they must ask for considerably more money in return for their goods and services because of a general, ongoing inflation of wages and prices. the task force should point out—to the administration, to Congress, and to the public—that, in certain instances, the rises of prices and wages are not inevitable, are not justified, and are abusive. I do not mean to imply that such abuses are widespread. They are probably not. However, whenever they exist, they should be made known to us all. The task force should expose such abuses to public censure in order to discourage them. If necessary, it should engage in what some have called "jawboning," actively attempting to persuade corporations and labor unions to exercise restraint when determining prices and wages.

Do not be mistaken. The establishment of this task force would not be an initial step toward the reimposition of wage and price controls, which most of us would oppose. From our own experience, we know that wage and price controls create far more problems than they ever solve. These controls do not halt inflation. They merely postpone it. More than this, by making prices and wages rigid and unresponsive to shifts in demand and supply, wage and price controls engender gross inefficiences, major dislocations, and severe shortages.

The President has asked for this Cost of Living Task Force. Let us approve it without delay. We know that it is hardly a cure-all which will rid us of the present inflation. But we believe that it represents a step in the right direction.

Mr. PATMAN. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. HARRINGTON).

Mr. HARRINGTON. Mr. Speaker, in the rather dismal period of almost 6 years of this administration's efforts to deal with matters which affect our economy, the only period in which we have had any lasting impact in encouraging stability stemmed out of the adoption of suggestions by most of the critics in August 1971, and continued until the rather abrupt termination of what was called phase II in January, 1973.

To participate in what may be a well intentioned effort in furtherance of a "marriage" described to us the other night by the President is understandable to us in many respects. But on the other hand, it only contributes to the politics of expectation. This afternoon's toothless effort in dealing with the problems of inflation will do little to restore either stability or confidence for the American public.

Mr. Speaker, I am somewhat puzzled and surprised that the chairman and the membership of the committee who have so willingly acceded to this approach, as constituted and without opportunity to debate, would not feel over the longer term as equally critical of the President in the aftermath, given the predictable failure of this approach, as they are accommodating now.

Mr. Speaker, I hope we will reject this bill this afternoon so as to provide a chance to deal with the legislation and the severe problems it is supposed to address in a more amendable fashion.

Mr. ROUSSELOT. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. CRANE).

Mr. CRANE. Mr. Speaker, this bill, self-defined as the Anti-Inflation Act of 1974, is sweeping in its mandate to superintend many of the aspects of our economy which contribute to rising prices. Truth in advertising laws, however, require me to say that an Anti-Inflation Act it is not.

It is, as I stated in committee, a "toothless tiger." It specifically states:

> Nothing in this act authorizes the imposition, or reimposition of any mandatory economic controls with respect to prices, rents, wages, salaries, corporate dividends, interest rates, or any similar transfers.

Director of OMB, Roy Ash, in his testimony before the committee stated emphatically that it was not his intention nor that of the administration to reimpose upon us disruptive wage and price controls. He pointed out further that they had, in fact, exacerbated inflation in this country through the distortions they created.

By 1973, even George Meany and the National Association of Manufacturers had come to agree on this point. Nevertheless, both Meany and the NAM as well as Dr. Arthur Burns and then Secretary of the Treasury John Connally were of one mind in the summer of 1971 in calling for such controls presumably to stop inflation.

At that time, I inserted in the RECORD a rather comprehensive analysis of controls under Benito Mussolini, Adolf Hitler, and Juan Peron, as well as our own experiences during World War II, and the Korean war which demonstrated conclusively the fact that wage and price controls only aggravate inflationary problems since they attack symptoms and not causes.

In his testimony before the committee, Mr. Ash acknowledged that one of the major causes of inflation—I would say the overwhelming cause of inflation—is deficit spending by the Congress of the United States and monetization of that debt by the Federal Reserve System.

I find nothing in the functions of the task force to be created under this bill that draws attention to this fact.

To be sure there are additional factors contributing to rising prices. However, most of these are beyond the purview or control of the proposed Cost of Living Task Force. One of these is the heightened demand for scarce resources. the result of rising expectations, and greater world affluence, and population growth worldwide. We do not need a task force to inform us of this elemental fact.

A second cause is the arbitrary price increase inflicted on the industrialized nations by the OPEC countries when they dramatically increased the price of oil. Sufficient attention has been already devoted to this cause of escalating prices by the media.

A third major cause is increasing production costs imposed on American businesses through overregulation by Congress of the business community which has produced mountainuous paper-pushing, form-filling burdens. Congress has also, in an excess of zeal, imposed environmental standards on the business community which have unfortunately had the effect of significantly increasing production costs while simultaneously imposing greatly increased demand for scarce energy resources.

Minimum wage laws have also contributed to pressure on wage demands all the way up the line. Nothing in the Cost of Living Task Force mandate calls attention to these facts.

The one area where the task force might focus public attention is on wage increases that exceed productivity, but again one can find these facts in Department of Labor and Department of Commerce statistics and the business community has endeavored to dramatize this problem for years.

Evans and Novak in their Washington Post column of August 15, indicated that it is the desire of the new administration to "deroyalize" itself by cutting back on personnel at the White House and by placing greater reliance on the Cabinet. Inasmuch as this task force is to be comprised of, among others, the Counselor to the President for Economic Affairs, the Chairman of the Council of Economic Advisers, the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Director of the Office of Management and Budget, the Special Assistant to the President for Consumer Affairs, and the Chairman of the National Commission on Productivity and Work Quality, it would seem that the President has access to all the expertise necessary to perform the duties of this new task force without creating a new body at an expense of $1 million and adding a new Director at level 4 of the Executive Schedule, a Deputy Director at level 5 of the Executive Schedule, five new positions in GS-16, GS-17, and GS-18 as well as "such officers and employees, including attorneys, as are necessary to perform the functions of the task force."

With such an array of talent which is already available coupled with the moral authority of the President, it would seem we already have an effective means of "jawboning" to secure restraint with respect to excessive wage or price determinations. The best that can be hoped for in this area is a mutual spirit of compromise and cooperation on the part of all Americans to help cope with the pressing problems of rising prices. But what worries me most about the prospects of re-creating a Cost of Living Task Force is that if it turns out to be a pussycat in dealing with the problems, there will soon arise a noisy chorus from the economically illiterate and the politically demagogic pandering to the national desire to find a convenient scapegoat for the complex economic woes of this Nation by putting teeth into this tiger. At that point, we will once again be compelled to relearn the lessons of history.

This Cost of Living Task Force is either a potential menace or a charade. In either case, it is wrong.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. J. WILLIAM STANTON).

Mr. J. WILLIAM STANTON. Mr. Speaker, I rise in strong support of H.R. 16425, a bill to provide for the monitoring of the economy and for other purposes.

Mr. Speaker, we have heard some of our colleagues state that this bill is simple window dressing and will not accomplish its goal of curbing inflation. I have to, personally, discount this observation. I will admit that the battle of inflation will require many steps by the Federal Government, by labor and business, and by the general public if we are to succeed. This bill will accomplish its purpose only if other steps are taken as a result of this legislation and at the same time that the task force is pursuing the findings and purposes of this act.

When one reads this legislation, they discover that the purpose of Congress is to create a body within the executive branch whose purpose is to act to see that the Government's direct impact on prices and wages is less inflationary and encourage private parties and local and State governments to adjust their policies and practices to contribute to a less inflationary economy.

To carry out the functions of this task force we specifically state that they shall:

(1) review and analyze industrial capacity, demand, and supply in various sectors of the economy, working with the industrial groups concerned and appropriate governmental agencies to encourage price restraint;

(2) work with labor and management in the various sectors of the economy having special economic problems, as well as with appropriate Government agencies, to improve the structure of collective bargaining and the performance of those sectors in restraining prices;

(3) improve wage and price data bases for the various sectors of the economy to improve collective bargaining and encourage price restraint;

(4) conduct public hearings when appropriate to provide for public scrutiny of inflationary problems in various sectors of the economy;

(5) focus attention on the need to increase productivity in both the public and private sectors of the economy;

(6) review the programs and activities of Federal departments and agencies and the private sector which may have effects on supply and prices and make recommendations for changes in such programs and activities to increase supply and restrain prices;

(7) evaluate the inflationary effects of international transactions, especially such aspects as the balance of payments, controls on imports and exports, and the cost of fuel and other commodities that directly or indirectly affect the rate of inflation;

(8) monitor the economy as a whole, including such matters as wages, costs, productivity, prices, sales, profits, imports and exports, and interest rates and rents.

Mr. Speaker, I cannot help but point out that the findings and purposes of this act and the functions of the task force are similar to the Anti-Inflation Act of 1974 that I first introduced on April 3, 1974. At that time it was the overwhelming sentiment of our committee not to continue the Cost of Living Council in any way, shape, or form. This was despite my personal plea that no authority was given for the reimposition of any mandatory economic controls. Hindsight has taught us that we made a mistake. I applaud President Ford for asking for this legislation and I urge its adoption on the theory that it is better late than never.

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

Mr. J. WILLIAM STANTON. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, I know that the gentleman from Ohio was one of those in the committee who, when we voted down this same concept in April, the gentleman in the well was one of those in the committee that supported this legislation.

Mr. J. WILLIAM STANTON. I strongly supported it, and I appreciate the gentleman pointing out that on April 5 we did not get sufficient time to discuss it. I took a strong stand against wage and price controls, but sincerely regret that the legislation was not adopted by our committee at that time. If it had been adopted we would have had a way to monitor industries that were voluntarily decontrolled when this legislation expired on April 30. I believe that the overwhelming sentiment today would be for it, although that is a question of hindsight. I certainly believe that the gentleman from California (Mr. ROUSSELOT) would agree that we would have had maybe a little less cost rise to some people in this country.

Mr. ROUSSELOT. I do not agree with my colleague, the gentleman from Ohio. But I did want to point out that the gentleman has been in favor of this legislation for several months.

Mr. J. WILLIAM STANTON. I appreciate the gentleman pointing that out.

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

Mr. J. WILLIAM STANTON. If I have time I will be happy to yield to the gentleman from Idaho.

Mr. SYMMS. Could the gentleman cite to me one place, one time, anywhere in history, where wage and price controls have been used successfully by any government?

Mr. J. WILLIAM STANTON. I would say to the gentleman from Idaho (Mr. SYMMS): Show me one item, one single sentence in this particular bill with reference to wage and price controls. It simply is not there.

The SPEAKER. The time of the gentleman has expired.

Mr. ROUSSELOT. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HUBER).

Mr. HUBER. Mr. Speaker, I had the unfortunate experience of coming down here in 1973 as a freshman to try to get some help for some of our people back in my district who were dealing with the Cost of Living Council.

So feeling that I could meet with the head of the Cost of Living Council, Dr. Dunlap, I attempted to reach him on the telephone. That was a real experience. I must have called that office at least a half dozen times, and I could get to the third secretary twice removed. There was no way that I could convince Dr. Dunlap that he ought to do me as a Congressman the courtesy of returning my call, because has was not responsible to me, and he could not have cared less. As a matter of fact, the only way I got to talk to this gentleman was to take advantage of the Republican Party who offered to freshman Members of Congress a chance to appear on a television program with him. I took advantage of that opportunity.

We were given a 1-minute TV interview, and when it came to my turn and they turned on the lights, Dr. Dunlap said to me:

What can I do for you?

I said:

You can answer your telephone; that is what you can do for me.

I said:

I had to come down to this lousy television program to talk to you because you are too important to concern yourself with talking to a Congressman.

If there is anything we do not need in this country today, when we have so many inflation problems, it is to have more independent unconcerned bureaucrats to act as barriers between the people and the Government. The only thing I could say is if we put another layer of bureaucracy in here and it does not give us any more cooperation than we have had in the past, we are not going to help solve the problem of inflation; we are just going to add to it.

Mr. ROUSSELOT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Speaker, I rise in support of H.R. 16425, cited as the Anti-Inflation Act of 1974. This measure will reestablish the concept of a Cost of Living Task Force within the Executive Office of the President. Its function will be to monitor all aspects of the economy and make policy recommendations to improve fiscal and monetary policy and productivity. Its purpose will be to operate as a "super jawboning agency" to raise public consciousness concerning price and wage increases that threaten a deterimental impact on the fight against inflation. I think this will prove helpful by bringing public pressure to bear on important economic sectors that may be operating in an irresponsible manner.

This bill will not reinstitute mandatory economic controls, which have proved so ineffective in the past and may have caused as many economic problems as they have attempted to alleviate.

I will be the first to concede as the distinguished Chairman from Texas (Mr. PATMAN) said that this legislation is not an economic cure-all. Inflation will only be controlled when the Congress and the entire Nation are willing to balance the Federal budget. Controlling inflation will be a difficult task requiring everyone to bite the proverbial bullet. Nonetheless, this legislation will help keep the issues involved before the public in a constructive manner, and this should prove helpful in gaining popular support for the difficult steps that must be taken to stabilize our economy. At least passage of the bill can do no harm and could be one important weapon in the arsenal we must throw into the battle against inflation.

Besides, I think if President Ford feels this legislation will help him in his fight against inflation, it is little enough for Congress to do.

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

Mr. WYLIE. I yield to the gentleman from California.

Mr. KETCHUM. I thank the gentleman for yielding.

The gentleman has indicated that this sort of jawboning would be to monitor excesses in wage increases or excesses in profits, so that in spite of this political philosophy we can blame it on one or the other. Are they also going to oversee the excesses in the Congress?

Mr. WYLIE. I would hope so. I asked Director Roy Ash that very question, and he said such action is provided for in the bill.

Mr. PATMAN. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Speaker, I regret this measure is brought before us under suspension. I should have liked to have seen a matter of this importance brought before us under a rule and subject to amendment.

Personally, I do not think that this proposed Cost of Living Task Force is going to get us very far in the fight against inflation. It is mostly window dressing.

This bill falls so far short of what really needs to be done that it comes close to being a fraud. Moreover, whatever good there is in the proposal could be accomplished by the President acting alone, and this bill is therefore unnecessary. Since I dislike seeing the Congress involved in such a cosmetic maneuver, I propose to vote against the motion to suspend the rules and pass the bill without amendment.

I regret that we have a measure dealing with this overwhelmingly important problem brought to us in this fashion with a minimum of debate and with no possibility of amendment.

On March 28 of this year, 2 days before the Economic Stabilization Act expired, a Wall Street Journal headline proclaimed: "Will End of Controls Set Off an Explosion of Inflation in the United States? Administration Economists Contend Not, Feel Bulge in Prices Will Be Modest." As we all know by now, the administration economists were wrong. Stagnation, double-digit inflation, recession, depression, negative growth have all become part of our national vocabulary.

In this critical situation, it is natural to look to our new President for direction and leadership. I for one was relieved when the President, in his address to the Congress, declared inflation to be America's No. 1 enemy, but I was disappointed when the only thing he asked for was a new agency, much like the old Cost of Living Council, to monitor wages and prices and to add economic respectability to "jawboning."

President Ford's proposal in my view is both too little and too late. Monitoring wages and prices, with no authority to do anything about increases, is like trying to control speeders on the highway with sweet talk with scolding.

This initiative on the part of our new President is disturbingly reminiscent of what President Nixon did during the years and months before he accepted the need for controls. He proclaimed inflation to be one of our biggest problems, and he engaged in a variety of public relations episodes which were a substitute for action to halt the spiral of inflation. I am afraid the same pattern of events is emerging again. Apparently, we do not learn from our past mistakes.

This bill is unnecessary because the President does not need congressional authority to "jawbone," nor does he need congressional approval to create an executive branch office to perform the monitoring function. What I perceive here is an attempt to interfere as little as possible with the marketplace, co-opting the Congress into joining in the maneuver.

Had this bill come before the House under an open rule so that it could be amended, I would have been prepared to offer my bill as a substitute. It at least contains a definite program designed to protect the American consumer. It would set inflation and unemployment targets well within the range of accepted limits—and well below what we are experiencing today; it would create an independent Economic Stabilization Administration distinct and separate from the IRS; it would require the President—acting through the new ESA—to impose price controls where needed to achieve the targets; it would not allow the President to impose wage controls except as a last resort when voluntary

restraints and the pressure of price controls are insufficient to keep wage increases within reasonable bounds; and it would give to the Congress the power by concurrent resolution to impose controls when the President fails to act, or veto any control regulation issued by the ESA.

The bill before us today holds out the hope to the American people that its new leader in the White House will set our economic house in order quickly. The Congress should not partake in building up the expectations of the American people that it is going to be that easy. Without more, this legislation should not be approved. If it were the forerunner of a stiff but equitable economic remedy, I would be prepared to support it. But as of this moment, I have heard nothing to suggest that such is the intended course of action. I have no wish to become a part of an economic sham to be perpetrated on the American people. I am convinced that my constituents want action such as I have proposed, action that will insure them that they can pay their rent and supermarket bills without first going to the bank for a loan.

Mr. ROUSSELOT. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I note the title of this bill states that it is "to provide for the monitoring of the economy." I would ask what the heads of agencies and the departments of Government are doing now but monitoring the economy? If not, we need some substantial changes.

This bill provides for a task force, and what would the task force be composed of? It would be composed of 10 of the heads of the departments and agencies of the Government now in existence plus, as my friend, the gentleman from Michigan (Mr. HUBER), has mentioned, a nice new layer of bureaucratic fat at a cost of a million dollars which is certainly conducive to inflation. I repeat, at a cost of $1 million. That is what this bill provides.

Moreover, on page 2 of the bill, after stating that it is for the purpose of monitoring the economy of the country, it goes on to state "and monetary policy as well as international trade and exchange rate policy, to constrain domestic inflation."

The dictionary tells us that to "constrain" is to compel or force. Are you saying that we are going to compel or force domestic inflation, and if so, how much? I believe those who constructed this bill ought to have used the word "restrain" which means to curb, repress, or suppress inflation.

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

Mr. GROSS. I yield to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Speaker, I thank my colleague, the gentleman from Iowa, for yielding.

Will my colleague tell us what role the $100,000 we just voted about 2 weeks ago is going to play in this legislation?

Mr. GROSS. I could not begin to tell the gentleman where it has gone or where it will go, but Members of the House approved something on the order of $100,000 for this purpose.

Mr. SCHERLE. And that also was to monitor and to study the inflation, was it not?

Mr. GROSS. That is right.

Mr. Speaker, I am opposed to this legislation for the reason that it would simply add another layer of fat to the bureaucracy. If the officials and personnel now in this Government are not qualified to recognize inflation and the reasons for it, they are incompetent and ought to be fired. This is, again, throwing money at a problem in the hope that it will disappear.

Mr. ROUSSELOT. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it has been said that people have a government in order to have someone to blame for requiring them to do that which they should do voluntarily. This axiom it seems to me is especially true with respect to inflation, the issue we are discussing today.

Inflation will be stopped when people want it to be stopped, when the people in industry and when the people in government and when the people in labor and when the people generally, the consumers want it stopped.

Let me suggest the legislation we are debating is a step in the direction of getting the people to understand that basic axiom; the idea that they should know about the factors that are adding to inflation. Through this Cost of Living Task Force we hope we will be able to cause the people to appreciate the very reasons for inflation, the causes of inflation in the different segments, the abuses of our economy that are leading to inflation, and in that way to somehow stop inflation.

I support the bill. I urge my colleagues to support the bill.

Mr. ROUSSELOT. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. KEMP).

Mr. KEMP. Mr. Speaker, I rise in support of President Ford's attempts to cut the cost of living by cutting Government spending but I am in opposition to this bill to create the Cost of Living Task Force.

I oppose this measure because it is not the answer to controlling inflation. To the contrary—and by relying on it—the Government and the American people may be tempted to avoid dealing with the real causes of inflation.

Implicit in the creation of either a permanent Cost of Living Council with mandatory Federal wage and price control powers—like we had between 1971 and this past spring—or a "temporary" Cost of Living Task Force—like the one proposed here—is the notion that inflation comes from higher wages and profits. That notion—that belief—is wrong. Higher wages and higher profits are the results of inflation, not its causes.

When the wage earner holds dollars of less value in his hand, he has to ask for more of them—for wage increases—just to stay abreast of inflation. When the businessman holds dollar of less value in his hand, he has to ask for more of them—for more profits, more capital—just to replace old equipment and buy inventories with which to insure production. Jobs and production are at stake, and inflation is their enemy.

What, then, are the causes of inflation?

Inflation arises from the actions of Government. It comes from a decline in the purchasing power of the American dollar. When the dollar is worth less, it takes more of them to buy a good or a service. Instead of taking $100 to buy something last year, it takes $114—or more—to buy it this year. That is inflation.

This lessening of the dollar's value is a dircet result of the Federal Government spending money it does not have—deficit spending and budgets out of balance—and then trying to cover that deficit by printing more paper money behind which there is no growth in productivity.

When you and I hold a dollar in our hands, and then the Federal Government simply prints more dollars behind which there is no increased productivity, the value of the dollars we hold is less. It, therefore, takes more of them to maintain our standard of living. That is inflation.

Yet, the Cost of Living Task Force—created to deal with inflation—will not direct its efforts at either trimming the Federal budget or holding back the production of money—the causes of inflation. Instead, it will spend its time "jawboning" and "browbeating" both labor and business about proposed or actual increases in wages and profits. In other words, it will spend its time fighting the effects of—the results of—inflation. I think that is misleading to the American people, for they have the right to expect the Congress and the Government to really address themselves to the real causes of inflation.

An "aye" or "nay" vote on this bill—to create this Cost of Living Task Force—is not an "aye" or "nay" vote on inflation. By voting against this bill, one certainly is not voting for more inflation. To the contrary, by voting against this bill, one is saying that he wants the issue of inflation really attacked, not just talked about on this floor and in the executive.

I have worked against inflation by voting against excessive Government spending. I have voted to cut billions from the Federal budget. I opposed the continuation of the mandatory Cost of Living Council—a council which in the name of controlling inflation allowed it to increase almost threefold and produced some of the severest shortages in our Nation's history. I have urged that we balance the budget and also urged that the production of money be tied directly to increases in national productivity, and I have introduced bills to require both.

There is another thing which worries me about the bill before us. The Cost of

Living Task Force is to have no power to actually control wages and prices. That's good, in my opinion, but I predict a scenario may arise from the operation of the task force which will eventually produce another round of mandatory wage and price controls.

Why? Because during the life of this task force, inflation will probably continue unabated—unless, of course, we cut spending and the issuance of paper money—neither of which are within the purview of the task force.

When inflation continues, proponents of mandatory controls will say, "See, jawboning didn't work. We are still having inflation, despite the task force. Let us, therefore, reimpose mandatory wage and price controls. Let us give the task force these powers, too."

I regret to say it, Mr. Speaker, but I see that day coming. Thus, what we are doing today—if this bill should become law—is setting into motion—taking the first step toward—the creation of another mandatory wage and price control structure. And, I see nothing to indicate that it would not be unlike the previous one—producing both higher prices and less goods.

I had hoped to be able to vote for the first economic measures proposed by the new administration, because I believe strongly that the new administration is taking some prudent and long overdue steps toward restoring the health of our economy. I will work with this administration to cut inflation by cutting the costs of Government—by insisting upon balanced budgets and reduced costs. I will work with this administration to cut inflation by trimming our sails on new money supply. I cannot, however, vote with it this time, for I believe this bill is going in the wrong direction.

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

Mr. KEMP. I yield to the gentleman from Idaho.

Mr. SYMMS. I would like to associate myself with the gentleman's remarks, and compliment him for his keen understanding of the cause of inflation. This bill gives undue credit to the myth that it is to fight inflation. To say this board will fight or stop inflation is like saying that a wet sidewalk causes rain—I guess if enough politicians run around the country promoting a myth maybe they can make the economic illiterate, American public believe it but it certainly does no compliment or credit to the respect of this body.

Mr. Speaker, this legislation should be voted down.

Mr. ROUSSELOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Idaho (Mr. SYMMS).

Mr. ROUSSELOT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KEMP).

Mr. ROUSSELOT. Mr. Speaker, I yield myself 2 minutes.

H.R. 16425, though labeled the Anti-Inflation Act of 1974, can neither halt nor significantly reduce inflation. The economic elements and variables which the Cost of Living Task Force proposes to monitor, in order to demonstrate the Government's "continuing concern with the rate of inflation," are not the source of the problem.

The primary cause of inflation is the Government's irresponsible fiscal and monetary policies. Unrestrained Federal spending creates budgetary deficits. The Federal Reserve monetizes these deficits, resulting, in the long run, in extremely high interest rates on Treasury borrowing, which American taxpayers must pay. This fact is implicit in the "findings and purposes" of the bill, which state that the "Federal Government, must place primary reliance on budgetary and monetary policy, as well as international trade and exchange rate policy, to constrain domestic inflation."

If the Federal Government wants to utilize monitoring as a weapon against inflation, it should monitor itself, including the operations of the Federal Reserve. Moreover, with the combined resources of the Council of Economic Advisers, as well as the Treasury, Commerce, and Labor Departments, and the Office of Management and Budget at his disposal, the President is already well equipped to conduct whatever monitoring needs to be done.

To establish yet another bureaucracy to monitor the market economy will at best be ineffective, since it will not act as a restraint upon wage increases which are not justified by increased productivity or upon price increases which are not justified by greater acceptance of a product in the marketplace. At its worst, monitoring could be counterproductive. It could cause sharp increases in wage demands and list prices out of fear that mandatory controls may be reimposed. In addition, by distracting attention from the real causes of inflation, monitoring will postpone the time when effective fiscal and monetary action is finally taken.

Only last April, the full Committee on Banking and Currency voted 21 to 10 to table all bills calling for extension of the Economic Stabilization Act, including proposals similar to H.R. 16425, as reported by this same committee. Why this change now? It is because we have a new President and we are anxious to support him. We are anxious to support the President, but this does not make an idea any better than it was when it was rejected 4 months ago.

What is needed now, and what was needed last April, as well as 3 years ago when wage and price controls were first imposed, is for the Federal Government to exercise effective fiscal and monetary restraint. In his address to a joint session of Congress on August 12, 1974, President Ford recognized the need for such restraint and pledged to work "to bring the Federal budget into balance by fiscal 1976." Only this can stop inflation—let us not postpone it any longer.

Mr. PATMAN. Mr. Speaker, is the minority going to use any more time? We want the minortiy to finish their time. We have only one more speaker.

The SPEAKER. Does the gentleman from California reserve his time?

Mr. ROUSSELOT. I am only planning to use the time if I need it. I reserve the balance of my time.

Mr. PATMAN. Mr. Speaker, I object to reserving the time.

The SPEAKER. The majority has the right in the affirmative to close the debate.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Are not the rules suspended in this procedure?

The SPEAKER. The rules are suspended, but the majority has the right to close the debate.

Mr. GROSS. But this is a tradition in the regular procedure, in the consideration of a bill.

The SPEAKER. That is true. The Chair is going to comply in all respects with the custom of this House and provide for the affirmative to close debate.

The gentleman from Texas can reserve 1 minute of his time and yield the balance of his time.

Mr. PATMAN. Mr. Speaker, I do not understand the rule to mean——

The SPEAKER. There is no rule.

Mr. PATMAN. It means that I can yield them 1 minute of the remaining time, if that is what they want.

The SPEAKER. The gentleman may go ahead and yield all but 1 minute of his time.

Mr. ROUSSELOT. Why does not the gentleman just proceed. He is the one who is asking for suspension of the rule.

Mr. PATMAN. We only have one speaker, and we are asking the minority to use its debate time.

The SPEAKER. The minority has no further requests for time at this time.

Mr. PATMAN. Mr. Speaker, I yield the remainder of the time for debate on this bill to the gentleman from Wisconsin (Mr. REUSS).

Mr. REUSS. Mr. Speaker, I am the last speaker, I presume, and I shall be very brief, I am positive.

We have had some economic discussions in the last few moments about the causes of inflation. Much emphasis has been placed on fiscal policy, and certainly an unbalanced budget plays its part. But that is merely one of many causes: monetary inflation, misallocation of credit inflation, lack of supply inflation, cost-plus inflation, and latterly, psychological inflation.

It has been stated a moment ago that since last April circumstances have not changed. I am sure the people of the United States generally do not share that view. Circumstances have changed enormously in the last few days, and our new President does command the confidence of the American people.

He came before us a week ago and asked us for a small thing, a little bill setting up a monitoring agency which does not now exist. I do not think it will do any harm. I think it may do some good. The President has asked for it before we go on our Labor Day recess.

I am quite proud of our Committee on Banking and Currency for coming back in a few days with such a bill. I take very seriously the views expressed by the gentleman from Massachusetts (Mr. HARRINGTON) and the gentleman from New York (Mr. BINGHAM) and others, that this legislation could be improved.

I say, let us pass it now. Let us give the President the tools he says he needs. And then, at the summit conference on economics which he has called for an early date after we get back, let us see whether, as an incident to a social contract for all our people, perhaps a less toothless tiger than the bill before us today could be included.

So, I would hope that we would take account of the fact that circumstances have changed, and that both sides of the aisle will respond cooperatively to our new President.

Mr. BROWN of Michigan. Mr. Speaker, will the gentleman yield?

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

Mr. BROWN of Michigan. Mr. Speaker, on page 2 of the bill authority is given the President to designate members of the task force other than those specifically mentioned in the legislation. Because of the problem of interest rates, credit availability and all of these things, there was some concern expressed in our committee that no one in the financial area was included as ex officio member of the task force.

There also has been expressed some concern about the so-called independence of the Federal Reserve Board.

I would just like to have this colloquy with the gentleman from Wisconsin to establish that it is the intent of the committee and of the House that the President may designate the Chairman of the Federal Reserve Board or a member of the Board of Governors notwithstanding any other provision of law with respect to the independence of that Board. Is that not correct?

Mr. REUSS. I think the gentleman is entirely right. Whether the chairman of the Federal Reserve Board is made of sterner stuff than this gives him is a problem for the appointing authority, but he certainly is eligible for appointment. I agree with the gentleman.

Mr. VANDER VEEN. Mr. Speaker, will the gentleman yield?

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

Mr. VANDER VEEN. Mr. Speaker, I appreciate the gentleman's yielding.

I only wish to say, Mr. Speaker, that in view of the President's request for cooperation, I want, as a Member of the Democratic side and as a Representative of the President's own congressional district, to show that we wish in every way possible to cooperate with the President in attempting to attack what I agree is the No. 1 problem of this country, that is, inflation.

Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Wisconsin, and I urge support of this bill.

Mr. REUSS. Mr. Speaker, I thank the gentleman.

The House of Representatives has come up delightfully in public esteem in recent weeks. I would hope that we could continue to earn that good opinion of our public by showing that we too can act expeditiously.

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

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

Mr. WYLIE. Mr. Speaker, I think the gentleman from Wisconsin is making a responsible and generous statement. Earlier is was mentioned that our fiscal policy is the real cause of inflation.

I would like to submit that this bill calls for an assessment and recommendations by the Cost of Living Council as far as Federal programs are concerned.

I asked Mr. Ash, when he appeared before our committee about looking at Federal programs. He said that it is contemplated that the task force will make recommendations to Congress on Government spending. I think we can support this bill, from that standpoint.

Mr. Speaker, I think the gentleman has made a significant and persuasive statement, and I thank the gentleman for yielding to me to say so.

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

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

Mr. GROSS. Mr. Speaker, what we can look forward to, I think the gentleman will agree, is the addition of almost numberless GS–18 supergrades as well as consultants who will draw pay at the top of the supergrade level. We can look forward to the expenditure of $1 million with certainty. We may be uncertain about other things in connection with this but of one thing we can be certain: the number of bureaucrats will be increased and the $1,000,000 will be spent. All will be inflationary.

Mr. REUSS. To answer the gentleman, I would hope that we could have a Gross-Reuss task force to maintain surveillance over the new task force, to keep those supergrades down.

Mr. Speaker, I hope that the bill will be decisively adopted.

Mr. ROUSSELOT. Mr. Speaker, I think we have heard the arguments on both sides of this issue. I think the most persuasive thing that I have seen is that our committee, just 3 months ago, voted this down overwhelmingly as unnecessary.

Again, I wish to reemphasize that conditions have not changed that much.

Our President has said that he needs the cooperation of Congress in cutting inflation. The first thing we need to do is cut and balance the budget. That, I believe, is the most important thing that we can do for the American people.

I urge my colleagues to disapprove this unusual procedure of suspending the rules for this legislation.

Mr. BRINKLEY. Mr. Speaker, in his address to the joint session of Congress last week, President Ford accurately adjudged inflation as "public enemy No. 1," and pledged to us his total effort at unifying the Nation in a concerted campaign against this problem. I have faith in his ability to do this.

As one of his first recommendations, the President urged the Congress to reestablish a cost of living monitoring system within the Federal Government, while at the same time he vowed that there would not be a reestablishment of wage and price controls. Upon hearing the President make this recommendation, my immediate reaction was one of surpise; I told a reporter who asked my reactions, in fact, that it came as a "jolt." After all, the former Cost of Living Council had been so closely related to wage and price controls, which many think now were a disaster and very well might have caused more harm than good to the economy.

It is clear now, Mr. Speaker, that what the President was asking for was a task force that would monitor wages and prices along with other aspects of the economy, and would recommend to the President actions that could be taken with regard to private business, Federal agencies and other sectors, with an eye toward generally increasing supplies while holding back prices. The Cost of Living Task Force, in essence, will be giving public exposure to conditions in the economy, while not possessing the powerful controls which the former Cost of Living Council had.

I think that we all must face the realities of the economic situation, Mr. Speaker, and acknowledge the necessity of an oversight panel such as that urged by the President. But we all must demand, in return for supporting the request, that the panel—the task force—stay within its legal bounds and not become another agency for controlling wages and prices.

In this regard, I am bothered somewhat by the rather high budget, $1 million, requested for the task force, and by the fact that the bill provides for a director and deputy director at salaries of $38,000 and $36,000 a year respectively; and provides for the hiring of "a necessary number" of additional personnel at supergrade salary levels ranging from $32,806 to $36,000 yearly. I for one want to go on record as urging and hoping that the task force will hold its personnel needs to a minimum, that the personnel hired will justify their presence on the payroll, and that the Cost of Living Task Force itself will set an example for the rest of the Nation.

What we need now, Mr. Speaker, is not another bureaucracy. Indeed, we learned through the Cost of Living Council that this is no answer for inflation. What we urgently need is a trustworthy weapon against "public enemy No. 1," and the seriousness of the problem requires that the Cost of Living Task Force contribute meaningfully to that goal.

Mrs. HOLT. Mr. Speaker, the creation of a Cost of Living Task Force to monitor the economy will give President Ford a device in the fight against inflation, but we must all recognize that it will be nothing more than a useful device.

The Cost of Living Task Force will not stop inflation, and no Member of the House of Representatives should use his vote for this resolution as an excuse to

evade the hard decisions on Government spending.

Mr. Speaker, on our agenda today is a $20 billion bill dealing with mass transit, and this will put Members of Congress to the real test. It will show just how serious are the Members about fighting inflation.

President Ford, struggling with the immense economic problems confronting our Nation, has urged us to exercise restraint on the mass transit act. He has called upon us to reduce the authorization to a manageable $11 billion or less.

If we are ever to control inflation and end the economic crisis afflicting our Nation, it will require responsibility by the Congress.

Mr. Speaker, it is very nice to have one's name recorded among the votes for a Cost of Living Task Force, but this does not relieve the Congress of the hard decisions that must be made.

Studies are useful, and monitoring the economy is useful, but nothing could be more valuable than a Congress awakened to the necessity for fiscal restraint.

Mr. BAUMAN. Mr Speaker, I support the enactment of H.R. 16425, the Anti-Inflation Act of 1974. This measure establishes a Cost of Living Task Force to monitor the many aspects of the economy and will grant the President and the Congress a possibly useful weapon in our joint effort to combat inflation, which is indeed our No. 1 domestic enemy.

I do not believe that the imposition of further wage and price controls will assist us in combating the existing inflationary forces and it should be clearly noted that this measure contains no authority to impose mandatory economic controls on prices, wages, rents, or salaries. The history of wage and price controls during the previous administration should make it clear to everyone that Government sanctions will not arrest the rapid increase in prices and wages.

While I am not in favor of mandatory wage price controls, I am of the opinion that the enactment of this legislation and the upcoming White House Conference on the Status of the Economy will focus the Nation's attention on our most important domestic problem. It may even provide the necessary impetus for both business and labor to conduct themselves with restraint in the course of labor negotiations which will take place in the coming months. Restraint and cuts in Federal spending by both the Congress and the administration are badly needed to enable us to win the long and difficult struggle against inflationary forces in our country.

Mr. Speaker, the quick enactment of this legislation following President Ford's recent request for its prompt consideration by the Congress is a clear indication of the spirit of cooperation in which both the Congress and the administration will act to provide improved economic conditions for all the citizens of this country. While I am under no illusions about the impact of this legislation in and of itself, I do believe that those of us in the Congress owe it to the new President to permit the passage of this bill. He has asked us to cooperate in his professed willingness to fight inflation, and along with a continuing effort to cut Government spending, we should be willing to join him in this battle. I therefore support H.R. 16425.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. PATMAN) that the House suspend the rules and pass the bill (H.R. 16425).

The question was taken.

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

The yeas and nays were ordered.

Pursuant to clause 3 of rule XXVIII and the prior announcement of the Chair, further proceedings on this motion will be postponed.

PARLIAMENTARY INQUIRY

Mr. PATMAN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. PATMAN. Mr. Speaker, does the statement of the Chair mean that after the other bills considered under suspension of the rules have been disposed of this afternoon, the votes on those bills will be taken up in order and this will be the first one to be voted on at that time?

The SPEAKER. The gentleman is correct. The bill will be voted on at that time.

AMENDING EMERGENCY DAYLIGHT SAVING TIME ENERGY CONSERVATION ACT OF 1973

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16102) to amend the Emergency Daylight Saving Time Energy Conservation Act of 1973 to exempt from its provisions the period from the last Sunday in October 1974, through the last Sunday in February 1975, as amended.

The Clerk read as follows:

H.R. 16102

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Emergency Daylight Saving Time Energy Conservation Act of 1973 is amended—

(1) by inserting immediately after "(15 U.S.C. 260a(a))," in subsection (a) the following "and except as provided in subsection (e) of this section,"; and

(2) by adding at the end thereof the following subsection:

"(e) During the period commencing at 2 o'clock antemeridian on the last Sunday of October 1974, and ending at 2 o'clock antemeridian on the last Sunday of February 1975, the standard time of each zone established by the Act of March 19, 1918 (15 U.S.C. 261–264), as modified by the Act of March 4, 1921 (15 U.S.C. 265), shall be the standard time of each such zone pursuant to such Act of March 19, 1918, as so modified."

SEC. 2. Section 4(a) of the Emergency Daylight Saving Time Energy Conservation Act of 1973 is amended by striking out "June 30, 1975" and inserting in lieu thereof "July 31, 1975".

The SPEAKER. Is a second demanded?

Mr. BROYHILL of North Carolina. Mr. Speaker, I demand a second.

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, H.R. 16102 if enacted would return the United States to standard time from the last Sunday in October 1974—October 27—until the last Sunday in February 1975—February 23.

As everyone will recall, Mr. Speaker, the United States was faced with a severe shortage of energy supplies in the fall of 1973. In November the President sent to the Congress an energy emergency legislative program which included enactment of year-round daylight saving time. This was based on experience during the two World Wars when enactment of year-round daylight saving time resulted in conservation of electric energy. In addition, it was believed that enactment of the legislation would more actively involve the American people in the energy conservation effort.

In response to the President's request, the Congress enacted the Emergency Daylight Saving Time Energy Conservation Act of 1973—Public Law 93–182. The act placed most of the Nation on daylight saving time from its effective date of January 6, 1974, until the last Sunday in April 1975. The act also directs the Secretary of Transportation, who administers it, to submit to the Congress interim and final reports on the operation and effects of the legislation.

The Secretary has submitted a substantial two-volume report. However, he notes that its findings are, for the most part, inconclusive because of other changes while the act has been in effect, including limited fuel availability, speed limit reductions, Sunday gasoline station closings, and voluntary reductions by the American people in lighting, heating, and unnecessary travel.

The interim report does indicate, however, that observance of daylight saving time during the months of January through April 1974 probably resulted in a reduction in consumption of electrical energy of between .75 and 1 percent. Though this may sound insignificant, Mr. Speaker, it translates into a reduction in energy consumption equivalent to about 100,000 barrels of oil per day.

The Secretary's interim report also indicates that although there has been an increase in fatalities among school age children between the morning hours of 6 to 9 a.m. there has also been an offsetting decrease of such fatalities during the remainder of the day. But, again, the results are inconclusive, Mr. Speaker, because of the unusual traffic conditions resulting from the energy shortage.

The Secretary has recommended that the Emergency Daylight Saving Time Act be amended so as to place the United States on standard time during the months of November, December, January and most of February. His report indicates that a majority of the American people prefer daylight saving time from March through October. It would also permit a more thorough assessment of the overall impact of daylight saving time including its effect on energy consumption by having it in effect during March and most of April 1975.

Mr. Speaker, H.R. 16102 would carry out the Secretary's recommendation and I urge its enactment.

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

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

Mr. BRAY. Mr. Speaker, in the State of Indiana, we have approximately 12 counties that are in the central time zone and the rest of the State is in the eastern time zone. Under the 1966 act there was a provision, as I recall, that a State could elect to exempt all of the State, or all of the State in the more easterly time zone, from observance of daylight saving time.

Indiana did elect to stay on standard time in that portion of the State in the eastern time zone the year around.

Now, does this legislation affect that in any way?

Mr. STAGGERS. Mr. Speaker, the situation in Indiana is this. Indiana has passed a law which is given effect by the 1973 act which exempts the 80 counties of Indiana in the eastern time zone from observing daylight saving time when it is in effect elsewhere in the United States. The six counties in the northwest part of Indiana and the six in the southwest part observe central daylight saving time when it is in effect elsewhere. Therefore, when daylight saving time is being observed elsewhere in the United States, all of the State of Indiana is on the same clock time—that is, it is 7 a.m., or what have you, throughout the State of Indiana as a result of the 80 counties in the eastern time zone observing eastern standard time and the 12 counties in the northwest and southwest corners of the State observing central daylight saving time.

However, while the Nation is observing standard time as it would from the last Sunday in February 1975—February 23—under H.R. 16102, there is no provision for exemption under the 1966 or 1973 act and the 80 counties of Indiana in the eastern time zone will be observing eastern standard time and the 12 counties in the northwest and southwest which are in the central time zone will be observing central standard time. These different parts will be observing different clock times while standard time is in effect. Thus, when it is 10 a.m. in that portion of Indiana in the eastern time zone, it is 9 a.m. in the 12 counties in the northwest and southwest which are in the central time zone—while, of course, standard time is being observed throughout the United States.

Under H.R. 16102, daylight saving time would resume throughout most of the United States on the last Sunday in February 1975. At that time all of Indiana would again observe the same clock time as a result of the interaction of the Federal law and the laws of the State of Indiana. If Indiana wanted to change its law it, of course, could do so. I understand the Indiana legislature meets in November of each year.

Mr. BRAY. No, Indiana will not have time to take care of this if legislators are running because the legislature does not meet until January, and the legislation as passed becomes effective in October.

Mr. STAGGERS. I have it marked down here that the Indiana legislature meets in November. But whether it meets in November or January makes no difference. Under the 1966 act the changeover to standard time has taken place on the last Sunday in October of each year and I do not see that the State of Indiana could or would want to do anything about that. The change back to daylight saving time under the 1966 act, however, took place on the last Sunday in April, whereas, under H.R. 16102 it would take place on the last Sunday in February 1975.

Mr. BRAY. Does this change the law existing today?

Mr. STAGGERS. I did not hear the gentleman.

Mr. BRAY. Is this going to change the law, except that we are changing the months of daylight savings time, but is this going to change the law in Indiana?

Mr. STAGGERS. This legislation would not affect Indiana law as I explained it earlier. It would amend the 1973 Emergency Daylight Saving Act to provide for standard time throughout the United States from the last Sunday in October 1974 to the last Sunday in February 1975.

Mr. BRAY. It will not change the Indiana law?

Mr. STAGGERS. No.

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

Mr. STAGGERS. I will be happy to yield to the gentleman from Kentucky.

Mr. MAZZOLI. I thank the gentleman for yielding.

I would like to ask the chairman this question: The State of Kentucky under the authority of the Emergency Daylight Saving Time Act, redrew its time zones. Would the gentleman from West Virginia tell me in the event this bill carries today and becomes the law, whether it will change this exemption? Does that mean that from the last Sunday in October to the last Sunday in February that these time zones would revert back to the time zones in effect prior to the emergency daylight saving time bill enactment last year?

Mr. STAGGERS. No, the legislation itself will make no change whatsoever in the boundary zone limit in Kentucky under the 1973 act. However the time limits could be changed if the State of Kentucky wanted to change them and the Secretary of Transportation concurred. That was the way the time zone limit was changed before, as I understand it. The Secretary changed it from across the middle of the State on a north south axes to a position where the 12 northeastern counties, which adjoin Ohio and West Virginia are the only ones left in the eastern time zone.

Mr. MAZZOLI. At the present time these 120 counties are separated, 108 counties on Central time, and the 12 eastern counties on Eastern time, and that would stay in effect during the 4 months of standard time?

Mr. STAGGERS. It will.

Mr. MAZZOLI. Then come next February, the last Sunday in February of 1975, then would they simply—the 12 counties and the 108 counties—separate between the daylight saving time at the end of February 1975?

Mr. STAGGERS. Under the Secretary of Transportation's order the zone change in Kentucky under the 1973 act would continue until the last Sunday in April.

Mr. MAZZOLI. The last Sunday in April?

Mr. STAGGERS. Then they go back to the time zone limits as they existed under the Uniform Time Act of 1966.

Mr. MAZZOLI. Then as of the last Sunday in April 1975, they would revert to the time zone boundaries in the way they existed prior to the emergency daylight saving time?

Mr. STAGGERS. That is correct.

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

Mr. STAGGERS. I am happy to yield to the gentleman from Indiana.

Mr. MYERS. Mr. Speaker, I thank the gentleman for yielding.

In the colloquy the gentleman from West Virginia had a moment ago with the gentleman from Indiana (Mr. BRAY) I understood the gentleman to say that the legislature in Indiana would have to take positive action. It seems to me that on page 2, paragraph (e) it does provide that this legislation shall become effective on the last Sunday of October, 1974, and I see no provision exempting those several States, including the State of Indiana, in which the basic law had exempted those States, the amended statute. But how can Indiana and possibly four other States comply with this when their State legislatures are not going to meet until after this October date?

Mr. STAGGERS. Let me say to the gentleman from Indiana this would put each of them under standard time. As in the past, they had no trouble whatsoever under standard time, and they will all be under standard time, the whole Nation will. Before we went into daylight saving time we heard no complaints from Indiana.

Mr. MYERS. If the gentleman will yield further, the original legislation did provide for an exemption of these five States including Indiana, these States were on the margin, where the States were divided into two time zones, and I do not see where that is provided for in this legislation.

Mr. STAGGERS. The gentleman does not quite understand this. Under the 1973 Emergency Daylight Saving Time Act we allowed a State divided by a time zone limit to exempt all of the State in the more easterly time zone from observing daylight saving time. Of course, under the 1973 act as passed last year we only provided for daylight saving time and for some exemptions to its observance. Even under the 1966 act there were no exceptions to the observance of standard time and certainly it wouldn't make sense to allow States to exempt themselves from the observance of standard time provided for under H.R. 16102.

Mr. MYERS. And it is the intention of this legislation not to change the

existing laws and the existing times as they now exist in these States that are divided?

Mr. STAGGERS. While the Nation is observing standard time. That is right.

Mr. MYERS. They will continue to exercise the same time that they are presently on, and stay year round?

Mr. STAGGERS. Unless they want to change it.

Mr. MYERS. I thank the gentleman.

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

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

Mr. GROSS. I thank the gentleman for yielding.

What is so mysterious about this subject that the Department of Transportation—I believe that is where the study was supposed to be made—could not make their full report on time?

Mr. STAGGERS. We gave them until July of next year to make a full report. We said they should make an interim report before this July so we would know something of the operation and effects of the legislation while it is in effect.

Mr. GROSS. It might take another year to file a full report. It probably means there will be more people on the payroll or they will keep some more people on the payroll; will they not?

Mr. STAGGERS. No. We did not give them any extra money.

Mr. GROSS. I do not know about the extra money. Most of them are overstaffed anyway, but it gives them an excuse to keep them on the payroll; does it not?

Mr. STAGGERS. I might say to the gentleman we do not provide a cent of money in the bill.

Mr. GROSS. There is not all that mysteriousness about the daylight time or the lack of it. Now that Congress has recovered from the hysteria that overtook it last year, why do we not go to daylight time in April and cut it back in October when we are going into the winter in some areas?

Mr. STAGGERS. Let me say to the gentleman the Department of Transportation concluded—and the members of the subcommittee and of the full committee concurred—that the precarious period is from November through late February and that during that period we should observe standard time instead of daylight saving time. This 1973 act terminates, I might say to the gentleman from Iowa, on April 27, 1975, at which time the Nation will revert back to the 1966 law. However, as the gentleman from Iowa has noted, the Secretary of Transportation will have until July 31, 1975, to submit to the Congress his final report on the operation and effects of the 1973 act.

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

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

Mr. BRAY. I thank the gentleman for yielding.

As I understand it, at the present time the 80 counties in Indiana in the eastern time zone on eastern standard time and the 12 in the northwest and southwest part of the State are on central daylight saving time. Under the bill, on the last Sunday of October the entire State would be on standard time, either eastern standard or central standard time, without any action on the part of our legislature; is that correct?

Mr. STAGGERS. The gentleman is correct.

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

Mr. STAGGERS. I yield to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Speaker, but until and unless the legislature meets and does that, the effect of this bill is that whereas the State of Indiana now stays on the same clock time, it will no longer do so and these counties on central time will now be on a slower time unless we amend the State law. Isn't that the effect of this bill?

Mr. STAGGERS. The gentleman is correct. During the observance of standard time Indiana may not exempt itself and the portion of the State in the eastern time zone will observe eastern standard time and the two areas in the central time zone will observe central standard time.

Mr. DENNIS. And during that time then they will have two times.

Mr. BROYHILL of North Carolina. Mr. Speaker, you will undoubtedly recall, on November 27, 1973, during the period in which the United States was confronted with its first prolonged peacetime energy shortage, the House passed the Emergency Daylight Saving Time Energy Conservation Act to provide for daylight saving time on a year round basis for a 2-year trial period. It was hoped that this action would not only result in energy savings in electrical power consumption but would also actively involve the American people in an energy conservation effort and that this involvement would encourage individuals to be more sensitive about energy usage in their own homes.

In order to gain a broader understanding of the effects of year round daylight saving time, Congress included in the act a requirement for the Secretary of Transportation to prepare an interim report by June 30, 1974, and a final report by June 30, 1975, on the operation and the effects of the act. The interim report was transmitted to the Congress on June 28, 1974.

That report recommended proceeding with the second year of the experiment, but it also recommended that the act be amended to provide that during the second year of the experiment, the Nation observe daylight time for 8 months of the year instead of 12, and return to standard time for the remainder, from the last Sunday in October 1974, to the last Sunday in February 1975.

In its evaluation of the effects of year-round daylight saving time, the Department of Transportation concluded that year-round daylight saving time probably resulted in a savings in electricity consumption of as much as 0.75 percent for January and February and 1 percent for March and April. Other factors could have contributed to these savings. To the extent that savings occurred, coal was the predominant fuel saved. There was also evidence that electrical power companies experienced peak-load demand reductions, but the energy savings could not be substantiated due to the lack of data.

In the judgment of the Department of Transportation the months of March and April offer the potential of producing larger energy savings of electricity and of offsetting increases in gasoline consumption as compared to the winter months. A second year's experiment for these months would provide ample time to collect and evaluate heating fuel and electrical peak-load data which were not available for the interim study, and would, of course, provide a more comprehensive assessment of the net effect of energy use due to daylight saving time.

As you are aware, a great deal of public apprehension was expressed over the safety of children traveling to school on dark mornings. While the limited data available for the brief period of last winter's year-round daylight saving time experience, and the unusual travel conditions prevailing at the time, did not provide an adequate basis for properly evaluating the risk to schoolchildren, there is some evidence that daylight saving time during the four darkest winter months does in fact provide an increased hazard to children. For this reason, I feel it would be wise to adopt the provisions of H.R. 16102 and return to standard time during the four darkest months of the winter from November through February.

Although the United States is not at this time confronted with a critical shortage of energy supplies, it is essential that our limited resources be conserved. Even though the data derived from the observance of daylight saving time during the period from January 6, 1974, through April 1974 are not conclusive, there is some substantial basis for concluding that such observance did result in a reduction of the consumption of electrical energy between three-quarters and 1 percent. This translates into annual energy savings equivalent to 50,000 barrels of oil per day.

For the reasons that I have expressed I urge the enactment of H.R. 16102, which would place the United States on standard time from the last Sunday in October 1974 until the last Sunday in February 1975. Our best information indicates that this would result in the conservation of electrical energy during the months of March and April 1975 and would certainly permit a more thorough assessment of the overall impact of daylight saving time including its effect on total energy consumption.

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

Mr. BROYHILL of North Carolina. I yield to the gentleman from Kentucky.

Mr. SNYDER. I had one further question in furtherance of the colloquy between the gentleman from Kentucky and the chairman of the committee.

Mr. BROYHILL of North Carolina. I will be delighted to yield to the chairman and to the gentleman and I will be glad to respond as well.

Mr. SNYDER. Under last year's law where a time zone split a State, one of the options was to allow the Governor to request the Secretary to change the time zone line, which ours did. My question is now that we are taking care of the more difficult hours for schoolchildren and so forth, will the Governor still have either under existing law or under this bill the option to request the Secretary to revert to the original time zone line if he elected to do that?

Mr. STAGGERS. Yes; according to the Secretary, he would have a provision to do it. He would have the authority and the power and the Governor would have the authority and the power to do it for him.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield to the gentleman from Kentucky and a member of the committee who has been a strong advocate for taking this action we are now doing.

Mr. CARTER. Mr. Speaker, I support the bill, H.R. 16102, to amend the Emergency Daylight Saving Time Energy Conservation Act of 1973 by reestablishing standard time in the United States from the last Sunday in October of this year until the last Sunday in February 1975.

My support, however, is not without some reservation, Mr. Speaker. Although this measure will enable us to return to standard time during a portion of the winter season, it does not go far enough toward providing the remedy that we need. For years I have proposed that daylight saving time be effective only during the period from Memorial Day to Labor Day of each year, and I continue to believe that this would be the most reasonable solution to this entire matter.

In any case, it is clear that the Emergency Daylight Saving Time Energy Conservation Act of 1973 has not proved to be effective in conserving our vital energy resources, and I am in favor of this proposal to amend it.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. CcCOLLISTER), a member of the committee.

Mr. McCOLLISTER. Mr. Speaker, I rise in support of the legislation to end year-round daylight saving time. After 7 months of this experiment, we do not have enough data to abandon it completely, but we have enough to modify the system to meet the problems which have arisen.

Preliminary reports from the Department of Transportation indicate energy savings totaled about 1 percent during March and April, with coal the predominant fuel saved. The second year is needed to provide time to collect and evaluate heating fuel and electrical statistics which were not available for the interim report.

Another major factor in considering an amendment to the Emergency Daylight Saving Time Energy Conservation Act of 1973 is public concern for safety of schoolchildren. Reduced speed limits and gasoline shortages probably figured in increased traffic safety, but the data is inconclusive. There was a 23.8-percent decrease in motor vehicle fatalities for January-March 1974 compared with the same period in 1973. An increase in schoolchildren fatalities during the morning hours of 6 to 9 a.m. for February 1974 was offset by a decrease in fatalities in the early evening hours. Some schools advanced their starting times to alleviate the darkness problem, so it is nearly impossible to determine the actual effect.

Despite the lack of hard evidence on this point, the public anxiety and ill feeling it generated make it worthwhile to return to standard time during the 4 darkest months of the year. Sunrises during March and April are early enough to remove parental concern about a return to daylight saving time.

Public opinion is strongly on the side of March through October daylight saving time according to polls taken in March of this year during the experiment.

By allowing 2 more months on standard time, the adverse economic impact on some daytime only and full-time radio stations could be alleviated somewhat. Some stations have complained that they miss part of their prime time morning rush-hour broadcasts since they cannot come on the air until sunrise. The full-time stations receive morning interference from stations which are allowed to turn up their power between sunset and sunrise.

As much as the energy situation has eased since the end of the Arab oil embargo, we cannot drop all our conservation efforts now. After we have the results of the second year of the experiment we will be better equipped to study the whole question of daylight saving time.

I appreciate the fact that the Department of Transportation took public opinion and reaction into account in making their recommendations. And I am pleased to back a revised plan of daylight saving time from the last Sunday in February through the last Sunday in October and a return to standard time November through February.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. HEINZ), another member of the committee.

Mr. HEINZ. Mr. Speaker, as you know, the Emergency Daylight Saving Time Energy Conservation Act of 1973 was passed to provide for daylight saving time on a year-round basis for a 2-year trial period. In addition to the expected energy savings in electrical power consumption, other energy savings were anticipated by the act. One of the hoped-for effects of YRDST was that it would actively involve the American people in an energy conservation effort and that this involvement would lead individuals to a sensitivity to energy usage in their own homes. The magnitude of the resultant energy savings, however, was impossible to predict at the time of the passage of the act. Also, a number of ancillary benefits were anticipated by the act, including reduced crime, improved traffic safety, expanded economic opportunities both domestically and internationally, and increased opportunities for recreational activities. These benefits were also impossible to quantify when the act was passed. To gain a broader understanding of the effects of YRDST, we required that the Secretary of Transportation prepare an interim report by June 30, 1974, and a final report by June 30, 1975 on the operation and effects of the act.

The interim report supports continuing the DST experiment and recommends that the act be amended to provide that during the second year of the experiment, the Nation observe daylight time for 8 months of the year and return to standard time for the remainder, from the last Sunday in October 1974 to the last Sunday in February 1975.

I am pleased that my recommendations as set forth in H.R. 16229, which I introduced on August 1, 1974, were adopted by my colleagues on the Interstate and Foreign Commerce Committee, and I strongly support the clean bill reported by the committee.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. KETCHUM).

Mr. KETCHUM. Mr. Speaker, I rise to support H.R. 16102, the Emergency Daylight Saving Time Amendments. I supported the legislation that gave us year-round daylight saving time because I hoped it would conserve sufficient energy to offset any unpleasant side effects. Unfortunately, this has not proven to be the case.

The time to admit a mistake is when you have made one. It is clear that whatever energy was saved by changing to daylight saving time last winter was minimal. The early morning darkness caused by daylight saving time proved to be much more of a problem than we envisaged. Parents were understandably reluctant to allow their children to walk to school, or ride their bicycles in the dark. It appears that the darkness increased the early morning fatality rate for schoolchildren. The winter months are simply not suited for daylight saving time, and we cannot save energy by trying to make them so.

I hope that we pass this bill removing the darkest months from daylight saving. But the American people should not construe this action as meaning it is no longer necessary to conserve energy. That goal is just as important now as it was when we first passed the year-round legislation. That experiment did not work, and we should recognize it, and correct it, but we must not cease searching for ways to stretch our energy resources.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. SEBELIUS).

Mr. SEBELIUS. Mr. Speaker, I would like to add that I do not think we went far enough on this. I will rise later at the appropriate time to comment further on this.

Mr. Speaker, I appreciate the opportunity to make these remarks pertaining to the bill that would give us back some 4 months of standard time.

In behalf of all of the farmers, businessmen, mothers, and schoolchildren who get up in darkness in my congressional district, I want to thank my urban colleagues for providing us with 1 extra hour of daylight in the morning for 4 months.

Ever since coming to the Congress I have introduced legislation that would limit daylight saving time to the 3 summer months. Unfortunately, my bill never saw the light of day. Furthermore, when the energy crisis came upon us, the Sun set on my bill and we witnessed the dawning of a new era; daylight saving the year round.

Nevertheless, now that it has been shown we do not save any appreciable energy with daylight saving and considering the hardship "DST" brings to our citizens, I am hopeful that some day in the near future we will be able to shed new light on this subject. This action today at least provides some light at the end of the dark tunnel. I am always grateful for progress of any kind. I am reminded of the legend that states daylight saving time was invented by an old pioneer who cut off one end of a blanket and sewed it on to the other end in order to make it longer. I want to thank my colleagues for giving us part of our blanket back.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HOSMER).

Mr. HOSMER. Mr. Speaker, I rise in opposition to the bill, because the year-around daylight saving time experiment has just begun. There has not been any definitive indications made by the Department at this time one way or another about the proposition. It has been in too short a time to gain meaningful knowledge. I believe we should let the time run out on the law as it now is. Only the next 4 winter months are involved, but they are key months for all evaluating the proposition properly. That will give us a good runout. We will be able to know the right thing to do. Certainly we are just guessing, and guessing wildly, about the merits of this question as we consider it today. I urge defeat of the bill.

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

Mr. BROYHILL of North Carolina. I yield to the gentleman from Georgia.

Mr. BRINKLEY. I understand from the chairman of the committee that the general legislation will expire in 1975. Will that be the end of 1975, or does the gentleman know?

Mr. BROYHILL of North Carolina. I am sorry. I did not hear the gentleman's question. I understand he is asking when this would expire?

Mr. BRINKLEY. Negative. May I put the question again. I understand this legislation which we are considering today will be effective for 1 year only.

Mr. BROYHILL of North Carolina. For this year only, that is, for the months including the winter months of 1974–75.

Mr. BRINKLEY. And then in 1975 the law which this legislation modifies, that law expires——

Mr. BROYHILL of North Carolina. Next year, it would revert back to the basic law which is 6 and 6; 6 months of daylight time and 6 months of regular time. It means that next year we would observe regular time, standard time, from the last Sunday in October until the last Sunday in April of 1976.

Mr. BRINKLEY. Until the last Sunday in April 1976?

Mr. BROYHILL of North Carolina. Yes.

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

Mr. BROYHILL of North Carolina. I yield to the gentleman.

Mr. GROSS. That is if Congress does not go berserk again?

Mr. BROYHILL of North Carolina. That is unless Congress acts otherwise.

Mr. GROSS. I thank the gentleman.

Mr. BROYHILL of North Carolina. Mr. Speaker, I have no further requests for time.

Mr. STAGGERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Mrs. GRASSO).

Mrs. GRASSO. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of this legislation. I commend our distinguished chairman for acting on this matter with discretion and dispatch.

Mr. Speaker, most of my colleagues would agree that year-round daylight saving time has not been entirely successful as an energy conservation proposal.

Therefore, I strongly support passage of H.R. 16102, the Emergency Daylight Saving Time Act Amendments. The bill would return the United States to standard time for the winter months by reinstating standard time from the last Sunday in October 1974 to the last Sunday in February 1975.

Shortly after the country went on permanent daylight saving time in January 1974, I was disturbed by the disruptions in the schedules of working people in Connecticut and by reports of injuries suffered in traffic accidents by children who had to travel to school in the dark. At that time I urged the distinguished gentleman from West Virginia (Mr. STAGGERS) to conduct oversight hearings on the new law. By early February, I had been convinced that the new law needed revision and introduced a bill to reimpose standard time from the last Sunday of November to the last Sunday in February.

The recent interim report filed by the Department of Transportation substantiates the need for a revision in the present law by indicating that little energy saving resulted from the change to year-round daylight saving time during the months of January and February. Moreover, the report mentions school schedule changes, loss of revenue by radio stations, and adverse conditions in the construction industry as evidence of the confusion caused by the time change.

However, I take serious exception to the DOT's treatment of traffic fatalities involving schoolchildren. The Department indicates an overall decline in these fatalities in January and February, with a rise in early morning deaths offset by a decline in fatalities at night. This is an insensitive way of treating this subject. The Department should be reminded that it is dealing with children and not simply with cold, hard statistics, and that their protection is imperative at any hour.

Mr. Speaker, year-round daylight saving time was tried and it proved unsatisfactory. H.R. 16102 would rectify the present situation by returning the United States to 4 months of standard time in the late fall and early winter months.

The House must take favorable action on this legislation to curtail the year-round daylight saving time system. A prompt revision of the year-round plan is essential to the safety of our schoolchildren, the peace of mind of their parents, and the well-being of all our people.

I urge my colleagues to support H.R. 16102.

Mr. ICHORD. Mr. Speaker, the House Interstate and Foreign Commerce Committee has voted out a bill for our consideration today which would amend the Emergency Daylight Saving Time Energy Conservation Act of 1973 to place the United States on standard time from the last Sunday in October 1974 until the last Sunday in February 1975. This compromise bill would amend the year-round DST which went into effect on January 6, 1974, replacing it with 4 months of standard time rather than the normal 6 months of standard time which this Nation had prior to enactment of Public Law 93–182.

While I did not vote in favor of the original year-round DST legislation when it passed the House on November 27 due to my conviction that it strongly discriminated against selected segments of our population, would not save appreciable energy, and was only an expedient response to the critical and complex energy shortages which confronted this Nation in the fall of 1973, I do feel that this compromise bill offered by the Interstate and Foreign Commerce Committee should be commended and warrants the support of the Members of this body. The committee's bill represents the culmination of hearings which were held on August 12 which I had the privilege to participate in and is a direct response to the recommendations of the interim report of the Department of Transportation on the effect of YRDST which, after determining that energy savings under YRDST were "inconclusive," recommended that Public Law 93–182 be amended so that standard time is ob-

served for the 4 winter months. Under the legislation offered to the House today the Department of Transportation would be required to report to Congress on July 31, 1975, as to the full effects of of this amended version of daylight saving time. In the interest of energy conservation I believe that we should try this amended version of DST and fully determine if an energy conservation does result. By returning to standard time during the dark winter months we shall hopefully avoid many of the problems which arose under YRDST such as the detrimental effect of this Nation's schoolchildren and farmers. Thus, Mr. Speaker, while I have introduced legislation which would repeal YRDST entirely, I do support this compromise measure. At the same time, Mr. Speaker, I would urge that we also turn our full diplomatic skills to the Middle East in the hope that stability in that area of the world will preclude a future oil embargo such as the one which created the severe shortages of several months ago, and additionally, Mr. Speaker, I would urge this body to continue with deliberate and sensible long-range planning to encourage and expand domestic energy exploration and development and promote the wise use of our all too limited energy supplies.

Mr. BINGHAM. Mr. Speaker, I rise in opposition to this attempt to amend the Emergency Daylight Saving Time Energy Conservation Act of 1973. I believe the need for year-round daylight saving time—YRDST—exists to the same degree today as it did in November when this body voted to implement it, despite the apparent easing of the petroleum shortage.

Public Law 93–182 provided for a 2-year experiment in YRDST. The present bill provides for terminating the experiment and reverting to standard time from the last Sunday in October 1974, until the last Sunday in February 1975.

One of the provisions in the original emergency legislation required the Secretary of Transportation to submit an interim report on the effects and operations of YRDST. It is on the basis of that report and its recommendations that this legislation is before us today. I do not question the statistical expertise of the Department of Transportation, but I do question the wisdom of their conclusions.

In the first place, there was a measurable savings in energy during the period January–April 1974; 14,000 barrels of oil per day; 106 million cubic feet of gas—or another 19,500 barrels of oil; 9,650 tons of coal per day—or another 42,320 barrels of oil; 24,000 barrels per day equivalent of nuclear and hydropower.

During January and February, DOT estimated there was a three-quarter percent decrease in peakload energy consumption, and a 1-percent decrease during March and April. This bill then ignores a quantitative energy savings and the year-round need to conserve energy appears in order to appease a vocal segment of the public.

We are only deceiving ourselves if we believe that the energy shortage is over. When the heating season begins in November, heating oil supplies will get tight; why make them tighter by repealing d.s.t.?

Many of those who oppose YRDST and support this bill argue that early morning darkness has been responsible for an increased number of schoolbus related fatalities. While the DOT report does support the contention that there were an increased number of schoolchildren fatalities during the morning hours, the report also stated that there was an offsetting reduction in fatalities during the early evening hours. Furthermore, there is no direct evidence that darkness rather than human or mechanical failures were directly responsible for fatal accidents involving school age children.

DOT data for the January to March 1974 period shows a 28.5-percent decrease in motor vehicle fatalities for all segments of the population. While the reduction in the speed limit on our highways was no doubt the major factor in this saving of many human lives, I cannot believe that pushing dusk back—the most dangerous time of the day to drive—until after the end of the rushhour did not also contribute to the reduction in highway deaths.

Many senior citizens and pedestrains in my district have also benefited from the extra hour of daylight. Though there are no conclusive figures to support the contention that YRDST has reduced crime, many of my constituents believe that it has had such an effect, and statistics do in fact show that the greatest incidence of muggings, robberies, and purse snatchings occur during the early evening hours when most people are either returning from work or are shopping.

I believe that this is a hasty amendment to a reasonable emergency measure. It appears to represent a weakening of our resolve to conserve energy whenever possible despite a little inconvenience so that we may be in a better position to handle the next abrupt curtailment of energy supplies, be it from an increase in demand or foreign intervention. YRDST should be given at least 1 more year's trial.

Mr. HECHLER of West Virginia. Mr. Speaker, I strongly opposed and voted against winter daylight saving time when it was put into effect last year. For the life of me, I could not and cannot understand why small schoolchildren were forced to wait in the early morning darkness for the schoolbus to come along, and by what logic it could be claimed that fuel was being saved by this intolerable burden on the people.

In the early morning hours in the winter, the temperature is at its lowest. It stands to reason that more fuel must be expended in schools, homes and places of business during these hours when daylight saving time is in effect. Many school superintendents had to change their school hours during the darkest months of winter in order to protect the safety of young schoolchildren, and to save the fuel which was being burned up early in the morning. As a result, many parents who went to work at 9 a.m. found it difficult to bring their children to the schools or bus stops when school did not begin until later under the adjusted school hours.

Lots of people were grumpy all day when forced to get up and go to work in the middle of the night.

Personally, I would have preferred to see daylight saving time only from Memorial Day until Labor Day. However, the pending legislation is at least a step in the right direction, and I strongly favor and will vote for its adoption.

Mr. MILLER. Mr. Speaker, I rise in support of this proposal to return a measure of standard time to the Nation. Last December I voted against going to year-'round daylight saving time. In retrospect I think most Members will agree that the decision to make this switch was ill-conceived and done only for cosmetic purposes. Statistics just released show that no measurable savings were made by moving to YRDST. Indeed, those Members who voted in favor of the legislation last December did so only because of the great concern that something—anything—had to be done about our energy problem. Our energy crisis was not something that developed from November 30 of last year. It had been slowly building for the past 3 years. When the Arab oil embargo made the crunch more immediate there was a rush to show concern by adopting this move to daylight time.

The repeal today of the congressional action of last December shows that there are dangers involved in rushing to meet a problem with the depth of the energy shortage with stop-gap measures. In the future I hope that Congress will take a closer look at any such proposals before rushing to judgment.

I know that many of my constituents in the 10th District of Ohio will applaud the action we take here today. Since the instatement of YRDST last year my office has been flooded with letters complaining of the disadvantages of the switch. The primary concern was over the safety of schoolchildren in the early morning hours. With the start of the new school year only a few days away, the action we take here today will be a great comfort to parents of school-age children, especially when the dark months of midwinter are upon us and standard time becomes so important.

Mr. Speaker, I urge prompt passage of this important measure.

Mr. BAUMAN. Mr. Speaker, I rise in support of H.R. 16102, which amends the Emergency Daylight Saving Time Energy Conservation Act of 1973 to allow the United States to observe standard time during the 4 winter months, from the last Sunday in October of 1974 until the last Sunday in February 1975. As we all know, last November the Congress, as part of its efforts to take prompt action with regard to the energy crisis, passed the Emergency Daylight Saving Time Energy Conservation Act, which put the country on year-round daylight saving time. While I had reservations

at that time the overwhelming majority of both the House and Senate approved the measure and it took effect in January of this year.

In the 8 months which have elapsed since the move to year-round daylight saving time, it is apparent that the change was made in haste and that the advantages gained, if any, do not outweigh the increased danger which it presents for schoolchildren in my district in Maryland and throughout the country. The year-round daylight saving time study prepared by the Department of Transportation indicates that there was an increase in schoolchildren fatalities during the early morning hours of 6 to 9 a.m. for February of 1974 as opposed to February of 1973 and it is quite possible that this unfortunate increase was due to hasty enactment of the legislation.

Mr. Speaker, while I have sponsored legislation which provided for the repeal of the Emergency Daylight Saving Time Energy Conservation Act, I am pleased that the Department of Transportation and the Committee on Interstate and Foreign Commerce have supported a measure which provides for a return to standard time from November to February. I believe that the great majority of the people in my district and across the country favor a resumption of standard time during the winter months. It is my hope that the enactment of this legislation will provide safer commuting conditions for children who walk to school and wait for schoolbuses during the early morning hours at a time when many commuters are traveling to their places of business.

Mr. MATHIAS of California. Mr. Speaker, I see no reason to continue daylight saving time through a second winter. The positive effects of the program are outweighed by the public's dislike of year-round daylight saving time.

The continuation of this program produces nominal energy savings. Most Americans have adjusted their lives and lifestyles to stay within the boundaries necessarily established to conserve our energy resources. The dissolution of daylight saving time for 4 months a year should not adversely affect the sometimes stable, sometimes unstable energy situation.

In my district, Mr. Speaker, a large portion of the school aged children are transported to school along rural roads and highways. The early morning darkness of daylight saving time coupled with the thick Tule fogs we receive between November and February, increase the chances of serious injuries and fatalities to these children. There is not much that we can do to minimize the risk of injury to our children, but when the opportunity to eliminate a potential hazard comes along we must act upon it. Therefore, Mr. Speaker, I support H.R. 16102.

Mr. WHALEN. Mr. Speaker, I rise in favor of passing H.R. 16102 under the suspension of the rules.

Last December I voted for the Daylight Saving Time Energy Conservation Act of 1973. That legislation provided that DST would be in effect on a year-round basis for a 2-year period. Another important provision of that act, the inclusion of which I strongly supported, stipulated that the Secretary of Transportation submit to Congress an interim report detailing the effects of the time change.

That interim report has been completed. The legislation before us this afternoon is a result of the recommendations contained therein. That is, the Nation will return to standard time from the last Sunday in October 1974, until the last Sunday in February 1975. The requirement that the Secretary file a final report is continued, although the deadline is extended a month, from June 30, 1975, to July 31, 1975.

I have studied the Secretary's report and concur in the decision to recommend the resumption of standard time during the 4 winter months. The Secretary has acknowledged that the data on which his recommendations are based are not conclusive. As he stated in his summary:

> The effects were so small that they could not in general be reliably separated from effects of other changes occurring at the same time. . . . Consequently, the part winter season provided a poor basis for analysis and generalization . . . there is no unambiguous direct evidence that they were either beneficial or harmful.

For example, electricity consumption was reduced by only about 0.75 percent in January and February and by 1 percent in March and April.

Of great concern to parents were the effects on children going to school in the early morning darkness. While the available evidence showed that, indeed, fatalities at that time involving schoolchildren increased, there was an offsetting decrease in the early evening hours.

In addition, no significant effects on traffic safety could be attributed to year-round DST.

At best, then, the benefits of winter DST are marginal compared to the problems and inconveniences which polls show our people experienced. For that reason, I urge the prompt adoption of H.R. 16102.

Mr. BOLAND. Mr. Speaker, while there are many of us here today that would continue to disagree with the assertion that the energy crisis in this country is over, no one would deny that the sense of urgency that prevailed at the beginning of last year's embargo has greatly diminished.

It is therefore, in the light of reasoned reflection, that we reexamine today H.R. 16102 which would amend the Emergency Daylight Saving Time Energy Conservation Act of 1973.

What have been the energy savings that resulted from year-round daylight savings time? The Secretary of Transportation, who is required by the act to prepare a report on the efficacy of this legislation has submitted an extensive interim study which casts significant doubt on the energy savings contributions that the act has made. Many other contributing factors—including speed limit reductions, weekend gasoline station closings, and voluntary conservation efforts—have been cited as having had greater impact on the reduced energy consumption of the Nation.

Thus, the Committee on Interstate and Foreign Commerce has decided to recommend only a limited implementation of daylight saving time during the coming winter. Instead of year-round daylight saving time, the Nation would return to standard time from the last Sunday in October 1974 to the last Sunday in February 1975.

Mr. Speaker, I support this recommendation. As it has been proposed, during the months of March and April 1975, emergency daylight saving time would still be in effect. The Secretary of Transportation will thus still be able to complete his study of year-round daylight time, with 1975 data, while American workers and schoolchildren will be able to ride to work or school in relative light.

The increased incidence of child fatalities in the early morning hours of last winter, because of emergency daylight saving time, has disturbed me greatly. I feel that what energy savings might be attributable to daylight saving time must give way to safety for schoolchildren.

In addition, there are other areas of disruption which could be eliminated by this change back to Standard Time. Radio station interference would be lessened. School timetables advanced to avoid transporting children in the dark could be restored. All this could be achieved, we are told, without significant hindrance to the principal object of the Emergency Daylight Savings Time Energy Conservation Act, which was to assess the permanent advantage of regular year-round daylight savings time.

I urge my fellow Members to support H.R. 16102 as both a sensible and a responsible solution to one of our nagging energy problems.

Mr. FRENZEL. Mr. Speaker, I rise in opposition to the termination of daylight saving time.

Our energy conservation measures are falling away, one by one, at a time when there is no reason to believe that they are not needed.

The experiment with this important conservation measure is not complete. Early evidence indicates that year round DST does provide for a small reduction in energy consumption. More importantly, the reductions occur at time of peak electrical demands, and may be saved brown-outs this winter, and potential electric supply crises in winters to come.

This is no time for the Congress to pretend that we have, or can get, all the energy we need. Energy is high-priced and subject to embargo at any time. Last winter's price increases and embargo give us a fair warning which we seem unable to understand.

Termination of year-round DST is playing fast and loose with national energy policy. We need conservation, but this Congress seems determined to base its energy policy on politics rather than realities.

I oppose this bill although I know it will be a futile gesture. Just as we are unable to set realistic spending priori-

ties, so are we unable to establish a realistic energy policy.

Mr. REGULA. Mr. Speaker, I rise in support of H.R. 16102 to amend the Emergency Daylight Saving Time Act.

At the end of this month school boards and school superintendents will be planning year schedules. In doing so, it is critical that they know whether this country will observe standard or daylight saving time during the winter months.

To eliminate the safety hazard to children who would have to go to school in the dark, I introduced a similar bill last February, H.R. 12695. This June, Congress received an interim report from the U.S. Department of Transportation as required by the Emergency Daylight Saving Time Act. This study recommends that, as part of a continuing experiment, the Nation observe daylight saving time for 8 months of the year and standard time from the last Sunday in October 1974 through the last Sunday in February 1975. This exactly parallels my proposal, allowing for time changes to be made on Sundays.

The interim report notes that year-round daylight saving time—YRDST—probably resulted in an electrical energy savings of three-fourths percent to 1 percent this past winter. But the predominant fuel saved was coal, our most abundant fossil fuel.

The study also reveals that there was an increase in schoolchildren fatalities during the morning hours of 6 to 9 a.m. for February 1947 versus February 1973. There is great public apprehension over the safety of children traveling to school on dark mornings. In a national survey—conducted by the National Opinion and Research Center—NORC—of the University of Chicago—71 percent of those polled felt that such accidents were caused by the extra hour of darkness in the morning. The perceived threat to schoolchildren's safety resulted in 56 percent feeling that YRDST should be discontinued this coming winter.

It is generally accepted that light has a significant effect on motor vehicle accidents. The National Safety Council reports a death rate for night accidents which is 2.5 times that of daylight accidents. If parents are required to send their children to schools, it is our public responsibility to provide them with the safest possible transportation.

We should act to allay any parental fears by observing standard time during the winter months.

In Ohio's 16th District, the shortest day of the year has 9 hours and 12 minutes of sunlight. New York, Philadelphia, Pittsburgh, Columbus, Indianapolis, Des Moines, Denver, and Salt Lake City also get at least 9 hours of sunlight during the winter solstice. I submit that children of this latitude, and some even more northerly can go to and return from public schools in daylight. Observing standard time, the latest sunrise in the 16th District occurs at 7:25 a.m. and the earliest sunset at 4:31 p.m. A hypothetical school day of 8:15 to 3:30 would allow 45 minutes of daylight before and after school.

The strength of our Nation lies in the energies of its people. We can surely invest four-twelfths of any time-management energy saving in safety for our schoolchildren, to insure that their energies will grow and mature.

Mrs. HOLT. Mr. Speaker, last winter Congress enacted legislation to establish year-round daylight saving time in an effort to conserve our dwindling energy resources.

Through the months, it was determined that little, if any, energy savings resulted from continuous daylight savings time. It was determined, however, that much inconvenience was caused.

Mr. Speaker, I am relieved that we are taking early action to restore standard time through the 4 winter months. Putting our schoolchildren in danger cannot be condoned.

Mr. McKAY. Mr. Speaker, I am taking this opportunity to express my support for H.R. 16102 amending the Daylight Saving Time Energy Conservation Act of 1973.

I support this bill for the following reasons. First, the actual energy savings realized are in question. For example, schools were completed to turn on lights and heat earlier actually adding to their energy consumption. Parents were forced to drive their children to school because of the danger involved with their children walking to school in the dark. This extra fuel consumption was unnecessary and added to the fuel shortage. Most important of all the Department of Transportation has released an interim report on the operational effects of year-round daylight saving time. The results indicate that we are not conserving energy under this plan.

A second consideration is for the safety of the school aged children. Fatalities among schoolchildren increased during the early morning hours with the implementation of daylight saving time. I feel this is an unnecessary risk for these young citizens.

My third consideration is related to the factor of inconvenience. Farmers, dairymen, and construction workers are all adversely affected by the imposition of daylight saving time during the winter months.

It is my belief that the serious safety implications combined with considerations of convenience and actual energy savings does not warrant another winter under daylight saving time.

Mr. FLYNT. Mr. Speaker, I support H.R. 16102 and urge my colleagues to approve its passage.

Like many of my colleagues, I have introduced legislation to repeal the Emergency Daylight Saving Time Act of 1973. While I would like to have the opportunity to vote on legislation which would further shorten the period of daylight saving time beyond that recommended in H.R. 16102, I am pleased that the Committee on Interstate and Foreign Commerce has reported this legislation to remove daylight saving time during November, December, January, and February.

I opposed the Emergency Daylight Saving Time Energy Conservation Act when it was originally presented on the floor of the House in November 1973. I opposed year-round daylight saving time primarily because of the dangerous conditions in predawn hours on heavily traveled streets, roads, and highways when schoolchildren are required to await school buses or walk to school in the darkness. We have the opportunity and the responsibility today to reduce the dangers to which our schoolchildren are exposed by passing H.R. 16102.

The original rationale for the 1973 act was that by gaining an extra hour of daylight in the evening hours, energy would be saved. This has not proven to be true with people now needing extra lights in the morning to prepare themselves for the day. The additional energy now spent in the morning more than nullifies the energy saved by the additional hour of evening light.

In the past, Georgians have agreed with daylight saving time during the summer months but have opposed it in the fall because of the safety hazards to their schoolchildren. Literally hundreds of parents of young children have expressed to me their concern about the unsafe conditions created since year-round daylight saving time became effective on January 6, 1974. I urge my colleagues to approve H.R. 16102 and thereby contribute to a safer time environment for our children.

Mr. ROGERS. Mr. Speaker, I rise in support of H.R. 16102, a bill to amend the Public Law 93–182, the Emergency Daylight Saving Time Energy Conservation Act of 1973. This bill would place the United States on standard time from the last Sunday in October until the last Sunday in February.

Several reasons prompt my support of this legislation. I question the dubious results achieved in the area of energy conservation under year-round daylight saving time. Reports vary on the measure of success gained in pursuit of this desired goal in the face of our first peace time energy shortage.

Second, my reason for support of this bill to repeal winter daylight savings time is based upon the increase in traffic fatalities that occurred in the early morning hours as children walked to school in the dark. Rearranging of school hours alone cannot solve this problem.

It is significant to recognize that the House Interstate and Foreign Commerce Committee considered this legislation and ordered it reported to the House by a nearly unanimous voice vote. This fact is coupled with the committee's recommendation that H.R. 16102 should be enacted as expeditiously as possible so that school systems, railways, airlines, buslines, radio, and television networks and broadcast stations and other enterprises could make necessary schedule alterations to provide for a smooth transition.

In voicing my concern and the concern of those persons in my district in Florida, I introduced H.R. 12313, on January 28, 1974, a bill to repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973. It is my belief that H.R. 16102 combines the best of both proposals by allowing for a return to standard time during the winter months. I have felt that any energy conservation

resulting from the original bill would prove negligible, certainly nothing commensurate to the danger hundreds of thousands of schoolchildren face each morning.

Upon completion of our first year of year-round daylight saving time, the Department of Transportation, has authorized release of a summary of its effect. The results are inconclusive and the study itself admits "that since the measurable effects of YRDST were small, there is no unambiguous direct evidence that they were either beneficial or harmful." The Secretary of Transportation now recommends that Public Law 93–182 be amended as this legislation, H.R. 16102 proposes to do.

As we approach winter 1975, I would hope that we would assess the accomplishments and consequences of nationwide year round daylight saving time. Bearing in mind the increased incidence of traffic fatalities of schoolchildren, the increased morning use of gasoline and electricity, and the conflicting reports concerning the actual conservation of energy, I urge my colleagues in the House to discontinue the year round daylight saving time requirement during the winter months by supporting H.R. 16102.

In closing, I wish to enclose a letter from the Honorable Reubin O'D. Askew, Governor of the State of Florida copies of which were sent to all members of the Florida Delegation. It supports my earlier contentions and reads as follows:

STATE OF FLORIDA,
August 12, 1974.

Hon. JOHN E. MOSS,
Chairman, Subcommittee on Commerce and Finance, U.S. House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE MOSS: I greatly appreciate the opportunity to be able to send my written comments to your subcommittee for your hearings on year-round daylight saving time.

When the nation switched from standard to daylight saving time on January 6, 1974, the citizens of Florida were more than willing to participate in this national experiment to reduce energy consumption. We anticipated that there might be difficulties and inconveniences but we did not think that these problems would create a unique hardship necessary to justify requesting a specific exemption from the Secretary of Transportation.

Almost immediately after the change from standard to daylight saving time, Florida experienced a tragic increase in the number of fatal accidents involving school children in the pre-dawn hours.

At my request, the Florida Highway Patrol prepared a special report, copy enclosed, which attempted to isolate the relationship of the time change on school related fatalities. The report compares fatalities of school age children (5 to 18) during dawn (6:30–9:00 a.m.) and dusk (5:00–7:30 p.m.) hours during weekdays from January 6 to April 26, 1974 and from January 8 to April 27, 1973 as follows:

SCHOOL AGE TRAFFIC FATALITIES—WEEKDAYS

From 6:30 to 9 a.m.—1974: 22; 1973: 5.

From 5 to 7:30 p.m.—1974: 15; 1973: 18.

Total 1974: 37; 1973: 23.

As you can see, pre-dawn fatalities in 1974 increased *tragically* over 1973 from 5 to 22, and total morning and evening deaths increased from 23 to 37. These figures are even more revealing when compared to total highway fatalities for all ages which *decreased* from 887 in 1973 to 673 in 1974.

There is no way to know for certain how many of these accidents resulted from the morning darkness of daylight time or how many were caused by the unusually heavy fog that shrouded much of our State during January and February. Unfortunately, government can do little about the early morning fog and quick falling evening darkness, but it can control the clock that marks the coming and going of our school children.

Because of these highway tragedies, I strongly urge Congress to allow the citizens of Florida and the nation to enjoy daylight time in the summer and standard time in the winter. Either the provisions of the Uniform Time Act of 1966 or the eight months of daylight and four months of standard time recommended by the Administration would achieve this goal.

With warm regards,
Sincerely,

REUBIN ASKEW,
Governor.

Mr. BIAGGI. Mr. Speaker, I rise in support of the bill H.R. 16102, a bill which will amend the year-round daylight saving time bill to allow standard time to be in effect from the last Sunday in October of 1974 through the last Sunday in February of 1975. While I would have preferred to see my own bill H.R. 12586, which would have repealed the entire act, and made standard time in effect from the first Sunday in March until the last Sunday in October, I feel the important thing is to pass some legislation which will preclude Americans from having to endure the dangers of darkness on winter mornings.

Back in November of 1973, I joined with my colleagues in support of H.R. 11324 which authorized year round daylight savings time to be tried on an experimental basis for 2 years. I supported this legislation on the grounds that it had the potential to both conserve critically low energy supplies as well as reduce crime, both with a minimal adverse effect on the Nation as a whole.

However, what appeared to be a sound concept in theory has proved not to be so in practice. Year-round daylight savings time has presented many new and potentially dangerous problems for our citizens.

The supposed strong point of this policy was its potential to conserve electrical and other energy consumption through time management and indirectly reduce energy used by increased awareness and involvement by individuals, companies, and public agencies.

Yet, a recent study released by the Department of Transportation, summarizing the first full winter of year-round daylight saving time, showed that the positive effects on energy conservation were indeed minimal, as less than a 1-percent saving in overall energy consumption was achieved.

Without a doubt, the most serious problems created by this new time arrangement was endured by the millions of schoolchildren in our Nation. For many of these young Americans, year-round daylight saving time meant having to walk, ride bicycles or buses to school in the dark during the coldest months of the year.

As a result, there were increased incidences of children being killed or seriously injured during the early morning hours. Ten major States including Pennsylvania and Connecticut reported increased fatalities in 1974 over the comparible period of 1973. Of these States with increased fatalities, Florida showed the biggest increase, up five fatalities in January 1974 as compared with January of 1973.

The Department of Transportation attempted to minimize these increases and instead tried to twist these figures around. They stated that fatalities nationwide involving school age children over the entire day in both January and February of this year were reduced from the previous year. However, they conceded that in the morning between 6 and 9 a.m. there were sharp increases, but they claimed than an offsetting decrease in fatalities during the early evening hours effectively canceled these increases.

Yet, as most people know, very few schoolchildren, particularly the youngest ones, are required to return from school in the early evening hours. It is the early morning that we should be concerned with. These figures take on an even more tragic overtone when measured against the fact that less travel and gasoline use was recorded during the past winter than in 1973.

With a seeming return to normalcy being registered at the gasoline lines, it can be reasonably expected that more and more cars will be back on the roads by the time that the winter of 1975 arrives. It is because of the real potential for increased deaths and injuries to our schoolchildren, that I introduced my bill, and we are presently considering this bill both designed to amend the present period for which daylight savings time is in effect.

What this bill will do is not destroy the concept of maximum daylight, but rather modify it so that it no longer poses a daily life and death struggle for the young schoolchildren of this Nation. What is being proposed is an 8-month-a-year period for daylight savings time, with the 4 winter months returning to standard time. The long-range goal of achieving the maximum number of daylight hours during the course of the normal school/working day is a sound one.

However, year round daylight savings time is neither the best nor the safest way to achieve this.

In the month of January for example under year round daylight savings time, the sun does not rise until after 8 a.m., well after many schoolchildren are either in class or in route to school. Yet, under the provisions of this bill, during the months of November, December, January, and February, we would be under standard time thus allowing the sun to rise 1 full hour earlier.

The plight of our schoolchildren is but one of several important problems which have resulted from the conversion to YRDST. It has resulted in serious problems for a number or radio stations in this Nation, who in the midst of their important morning rush-hour broadcasts, encounter serious frequency interference problems.

As I mentioned earlier, I felt that more daylight might have a favorable effect in reducing the overall number of crimes committed in this Nation. Yet, accord-

ing to reliable figures, year round daylight savings time has had no effect in reducing these crimes.

Advocates of YRDST point to the fact that a majority of Americans as well as majorities in both Houses of Congress supported YRDST and helped to make it a law of the land. Yet, as sometimes happens, unforeseen difficulties which occur ipso facto have caused many of these former supporters to reassess their positions. My personal reassessment led to the introduction of my bill.

A revision in the present law is needed, one which makes DST an 8-month operation. We should no longer have to make school administrators undertake the arduous task of changing their hours of school operations. The children of our Nation should no longer have to fear for their lives simply going to school. And we should preclude the parents of these children from having to endure the anxiety of sending their children off to school in the dark, or worse, themselves driving, thus wasting more energy and presenting additional obstacles for the children who continue to walk.

I wish to pay particular tribute to the distinguished chairman of the committee (Mr. STAGGERS) for his efforts at reporting out a bill this session. We should admit to previous error rather than compounding it by allowing this law to stand. I urge its prompt passage.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and pass the bill H.R. 16102, as amended.

The question was taken.

Mr. SCHERLE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 3, rule XXVII, and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the bill under consideration.

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

There was no objection.

CONFERENCE REPORT ON S. 3698, AMENDING THE ATOMIC ENERGY ACT OF 1954

Mr. PRICE of Illinois submitted the following conference report and statement on the Senate bill (S. 3698) to amend the Atomic Energy Act of 1954, as amended, to enable Congress to concur in or disapprove international agreements for cooperation in regard to certain nuclear technology:

CONFERENCE REPORT (H. REPT. NO. 93-1299)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3698) to amend the Atomic Energy Act of 1954, as amended, to enable Congress to concur in or disapprove international agreements for cooperation in regard to certain nuclear technology, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That subsection 123 d. of the Atomic Energy Act of 1954, as amended, is revised to read as follows:

"d. The proposed agreement for cooperation, together with the approval and determination of the President, if arranged pursuant to subsection 91 c., 144 b., or 144 c., of if entailing implementation of sections 53, 54, 103, or 104 in relation to a reactor that may be capable of producing more than five thermal megawatts or special nuclear material for use in connection therewith, has been submitted to the Congress and referred to the Joint Committee and a period of sixty days has elapsed while Congress is in session (in computing such sixty days, there shall be excluded the days on which either House is not in session because of an adjournment of more than three days), but any such proposed agreement for cooperation shall not become effective if during such sixty-day period the Congress passes a concurrent resolution stating in substance that it does not favor the proposed agreement for cooperation: *Provided*, That prior to the elapse of the first thirty days of any such sixty-day period the Joint Committee shall submit a report to the Congress of its views and recommendations respecting the proposed agreement and an accompanying proposed concurrent resolution stating in substance that the Congress favors, or does not favor, as the case may be, the proposed agreement for cooperation. Any such concurrent resolution so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents) within twenty-five days and shall be voted on within five calendar days thereafter, unless such House shall otherwise determine.".

SEC. 2. This Act shall apply to proposed agreements for cooperation and to proposed amendments to agreements for cooperation hereafter submitted to the Congress.

And the House agree to the same.

MELVIN PRICE,
CHET HOLIFIELD,
CRAIG HOSMER,
MIKE MCCORMACK,
Managers on the Part of the House.

JOHN O. PASTORE,
GEORGE D. AIKEN,
HOWARD BAKER,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3698) to amend the Atomic Energy Act of 1954, as amended, to enable Congress to concur in or disapprove international agreements for cooperation in regard to certain nuclear technology, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below.

PROCEDURE FOR APPROVAL OF AGREEMENTS

The Senate bill provided that agreements for cooperation of the type specified in the bill would not become effective until they had been submitted to Congress and referred to the Joint Committee on Atomic Energy and a period of sixty days had elapsed. The Joint Committee was required to submit a report to the House and Senate within 30 days after receipt of the proposed agreement and to submit in addition a proposed concurrent resolution stating in substance that the Congress either favors or disfavors the proposed agreement. If within 60 days Congress were to pass a concurrent resolution stating in substance that it does not favor a proposed agreement, then the agreement would not become effective.

The House amendment provided that no proposed agreement of the type specified in the bill would become effective unless and until specifically approved by Act of Congress.

LEGISLATIVE PRIORITY AND ANTIFILIBUSTER PROVISION

The Senate bill provided that within 25 days after the Joint Committee on Atomic Energy reports its proposed concurrent resolution, such resolution becomes the pending business of the House in question and shall be voted on within five calendar days thereafter, unless such House shall otherwise determine by yeas and nays.

The House amendment contained no provisions for legislative priority for matters dealing with proposed agreements.

The conference substitute conforms essentially to the Senate bill with the exception that the yeas and nays aspect has been deleted. Each House may determine whether and how the proposed concurrent resolution becomes the pending business or is voted on by any method acceptable under its rules.

EFFECTIVE DATE OF BILL

The Senate bill provided that this Act will be applicable to proposed agreements for cooperation and to proposed amendments to agreements for cooperation submitted to Congress after its enactment.

The House amendment provided that the Act would apply to agreements and amendments proposed or entered into after July 1, 1974.

The conference substitute conforms to the Senate bill.

MELVIN PRICE,
CHET HOLIFIELD,
CRAIG HOSMER,
MIKE MCCORMACK,
Managers in the Part of the House.

JOHN O. PASTORE,
GEORGE D. AIKEN,
HOWARD BAKER,
Managers in the Part of the Senate.

CONFERENCE REPORT ON H.R. 14920, GEOTHERMAL ENERGY ACT OF 1974

Mr. MCCORMACK submitted the following conference report and statement on the bill (H.R. 14920) to further the conduct of research, development, and demonstrations in geothermal energy technologies, to establish a Geothermal Energy Coordination and Management Project, to amend the National Science Foundation Act of 1950 to provide for the funding of activities relating to geothermal energy, to amend the National Aeronautics and Space Act of 1958 to provide for the carrying out of research

and development in geothermal energy technology, to carry out a program of demonstrations in technologies for the utilization of geothermal resources, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 93-1301)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14920) to further the conduct of research, development, and demonstrations in geothermal energy technologies, to establish a Geothermal Energy Coordination and Management Project, to amend the National Science Foundation Act of 1950 to provide for the funding of activities relating to geothermal energy, to amend the National Aeronautics and Space Act of 1958 to provide for the carrying out of research and development in geothermal energy technology, to carry out a program of demonstrations in technologies for the utilization of geothermal resources, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SHORT TITLE

SECTION 1. This Act may be cited as the "Geothermal Energy Research, Development, and Demonstration Act of 1974".

FINDINGS

SEC. 2. The Congress hereby finds that—

(1) the Nation is currently suffering a critical shortage of environmentally acceptable forms of energy;

(2) the inadequate organization structures and levels of funding for energy research have limited the Nation's current and future options for meeting energy needs;

(3) electric energy is a clean and convenient form of energy at the location of its use and is the only practicable form of energy in some modern applications, but the demand for electric energy in every region of the United States is taxing all of the alternative energy sources presently available and is projected to increase; some of the sources available for electric power generation are already in short supply, and the development and use of other sources presently involve undesirable environmental impacts;

(4) the Nation's critical energy problems can be solved only if a national commitment is made to dedicate the necessary financial resources, and enlist the cooperation of the private and public sectors, in developing geothermal resources and other nonconventional sources of energy;

(5) the conventional geothermal resources which are presently being used have limited total potential; but geothermal resources which are different from those presently being used, and which have extremely large energy content, are known to exist;

(6) some geothermal resources contain energy in forms other than heat; examples are methane and extremely high pressures available upon release as kinetic energy;

(7) some geothermal resources contain valuable byproducts such as potable water and mineral compounds which should be processed and recovered as national resources;

(8) technologies are not presently available for the development of most of these geothermal resources, but technologies for the generation of electric energy from geothermal resources are potentially economical and environmentally desirable, and the development of geothermal resources offers possibilities of process energy and other nonelectric applications;

(9) much of the known geothermal resources exist on the public lands;

(10) Federal financial assistance is necessary to encourage the extensive exploration, research, and development in geothermal resources which will bring these technologies to the point of commercial application;

(11) the advancement of technology with the cooperation of private industry for the production of useful forms of energy from geothermal resources is important with respect to the Federal responsibility for the general welfare, to facilitate commerce, to encourage productive harmony between man and his environment, and to protect the public interest; and

(12) the Federal Government should encourage and assist private industry through Federal assistance for the development and demonstration of practicable means to produce useful energy from geothermal resources with environmentally acceptable processes.

DEFINITIONS

SEC. 3. For the purpose of this Act—

(1) the term "geothermal resources" means (A) all products of geothermal processes, embracing indigenous steam, hot water, and brines, (B) steam and other gases, hot water and hot brines resulting from water, gas, or other fluids artificially introduced into geothermal formations, and (C) any byproduct derived from them;

(2) the term "byproduct" means any mineral or minerals which are found in solution or in association with geothermal resources and which have a value of less than 75 percent of the value of the geothermal steam and associated geothermal resources or are not, because of quantity, quality, or technical difficulties in extraction and production, of sufficient value to warrant extraction and production by themselves;

(3) "pilot plant" means an experimental unit of small size used for early evaluation and development of new or improved processes and to obtain technical, engineering, and cost data;

(4) "demonstration plant" means a complete facility which produces electricity, heat energy, or useful byproducts for commercial disposal from geothermal resources and which will make a significant contribution to the knowledge of full-size technology, plant operation, and process economies;

(5) the term "Project" means the Geothermal Energy Coordination and Management Project established by section 101(a);

(6) the term "fund" means the Geothermal Resources Development Fund established by section 204(a); and

(7) the term "Chairman" means the Chairman of the Project.

TITLE I—GEOTHERMAL ENERGY COORDINATION AND MANAGEMENT PROJECT

ESTABLISHMENT

SEC. 101. (a) There is hereby established the Geothermal Energy Coordination and Management Project.

(b)(1) The Project shall be composed of six members as follows:

(A) one appointed by the President;

(B) an Assistant Director of the National Science Foundation;

(C) an Assistant Secretary of the Department of the Interior;

(D) an Associate Administrator of the National Aeronautics and Space Administration;

(E) the General Manager of the Atomic Energy Commission; and

(F) an Assistant Administrator of the Federal Energy Administration.

(2) The President shall designate one member of the Project to serve as Chairman of the Project.

(3) If the individual appointed under paragraph (1)(A) is an officer or employee of the Federal Government, he shall receive no additional pay on account of his service as a member of the Project. If such individual is not an officer or employee of the Federal Government, he shall be entitled to receive the daily equivalent of the annual rate of basic pay in effect for level IV of the Executive Schedule (5 U.S.C. 5315) for each day (including traveltime) during which he is engaged in the actual performance of duties vested in the Project.

(c) The Project shall have overall responsibility for the provision of effective management and coordination with respect to a national geothermal energy research, development, and demonstration program. Such program shall include—

(1) the determination and evaluation of the resource base;

(2) research and development with respect to exploration, extraction, and utilization technologies;

(3) the demonstration of appropriate technologies; and

(4) the loan guaranty program under title II.

(d)(1) The Project shall carry out its responsibilities under this section acting through the following Federal agencies;

(A) the Department of the Interior, the responsibilities of which shall include evaluation and assessment of the resource base, including development of exploration technologies;

(B) the National Aeronautics and Space Administration, the responsibilities of which shall include the provision of contract management capability, evaluation and assessment of the resource base, and the development of technologies pursuant to section 102(b);

(C) the Atomic Energy Commission, the responsibilities of which shall include the development of technologies; and

(D) the National Science Foundation, the responsibilities of which shall include basic and applied research.

(2) Upon request of the Project, the head of any such agency is authorized to detail or assign, on a reimbursable basis or otherwise, any of the personnel of such agency to the Project to assist it in carrying out its responsibilities under this Act.

(e) The Project shall have exclusive authority with respect to the establishment or approval of programs or projects initiated under this Act, except that the agency involved in any particular program or project shall be responsible for the operation and administration of such program or project.

PROGRAM DEFINITION

SEC. 102. (a)(1) The Chairman, acting through the Administrator of the National Aeronautics and Space Administration, is authorized and directed to prepare a comprehensive program definition of an integrated effort and commitment for effectively developing geothermal energy resources. Such Administrator, in preparing such comprehensive program definition, is authorized to consult with other Federal agencies and non-Federal entities.

(2) The Chairman shall transmit such comprehensive program definition to the President and to each House of the Congress. Interim reports shall be transmitted not later than November 30, 1974, and not later than January 31, 1975. Such comprehensive program definition shall be transmitted as soon as possible thereafter, but in any case not later than August 31, 1975.

(3) As part of the comprehensive program definition required by paragraph (1), the Chairman, acting through the Geological Survey, shall transmit to the President and to each House of the Congress a schedule and objectives for the inventorying of geothermal resources.

(b) The National Aeronautics and Space

Administration is authorized to undertake and carry out those programs assigned to it by the Project.

RESOURCE INVENTORY AND ASSESSMENT PROGRAM

SEC. 103. (a) The Chairman shall initiate a resource inventory and assessment program with the objective of making regional and national appraisals of all types of geothermal and resources, including identification of promising target areas for industrial exploration and development. The specific goals shall include—

(1) the improvement of geophysical, geochemical, geological, and hydrological techniques necessary for locating and conducting geothermal resources;

(2) the development of better methods for predicting the power potential and longevity of geothermal reservoirs;

(3) the determination and assessment of the nature and power potential of the deeper unexplored parts of high temperature geothermal conviction systems; and

(4) the survey and assessment of regional and national geothermal resources of all types.

(b) The Chairman, acting through the Geological Survey and other appropriate agencies shall—

(1) develop and carry out a general plan for the orderly inventorying of all forms of geothermal resources of the Federal lands and, where consistent with property rights and determined by the Chairman to be in the national interest, of non-Federal lands;

(2) conduct regional surveys, based upon such a general plan, using innovative geological, geophysical, geochemical, and stratagraphic drilling techniques, which will lead to a national inventory of geothermal resources in the United States;

(3) publish and make available maps, reports, and other documents developed from such surveys to encourage and facilitate the commercial development of geothermal resources for beneficial use and consistent with the national interest;

(4) make such recommendations for legislation as may from time to time appear to be necessary to make Federal leasing policy for geothermal resources consistent with known inventories of various resource types, with the current state of technologies for geothermal energy development, and with current evolutions of the environmental impacts of such development; and

(5) participate with appropriate Federal agencies and non-Federal entities in research to develop, improve, and test technologies for the discovery and evaluation of all forms of geothermal resources, and conduct research into the principles controlling the location, occurrence, size, temperature, energy content, producibility, and economic lifetimes of geothermal reservoirs.

RESEARCH AND DEVELOPMENT

SEC. 104. (a) The Chairman, acting through the appropriate Federal agencies and in cooperation with non-Federal entities, shall initiate a research and development program for the purpose of resolving all major technical problems inhibiting the fullest possible commercial utilization of geothermal resources in the United States. The specific goals of such program shall include—

(1) the development of effective and efficient drilling methods to operate at high temperatures in formations of geothermal interest;

(2) the development of reliable predictive methods and control techniques for the production of geothermal resources from reservoirs;

(3) the exploitation of new concepts for fracturing rock to permit recovery of contained heat reserves;

(4) the improvement of equipment and technology for the extraction of geothermal resources from reservoirs;

(5) the development of improved methods for converting geothermal resources and byproducts to useful forms;

(6) the development of improved methods for controlling emissions and wastes from geothermal utilization facilities, including new monitoring methods to any extent necessary;

(7) the development and evaluation of waste disposal control technologies and the evaluation of surface and subsurface environmental effects of geothermal and development;

(8) the improvement of the technical capability to predict environmental impacts resulting from the development of geothermal resources, the preparation of environmental impact statements, and the assuring of compliance with applicable standards and criteria;

(9) the identification of social, legal, and economic problems associated with geothermal development (both locally and regionally) for the purpose of developing policy and providing a framework of policy alternatives for the commercial utilization of geothermal resources;

(10) the provision for an adequate supply of scientists to perform required geothermal research and development activities; and

(11) the establishment of a program to encourage States to establish and maintain geothermal resources clearinghouses, which shall serve to (A) provide geothermal resources developers with information with respect to applicable local, State, and Federal laws, rules, and regulations, (B) coordinate the processing of permit applications, impact statements, and other information which geothermal resources developers are required to provide, (C) encourage uniformity with respect to local and State laws, rules, and regulations with respect to geothermal resources development, and (D) encourage establishment of land use plans, which would include zoning for geothermal resources development and which would assure that geothermal resources developers will be able to carry out development programs to the production stage.

(b) The Chairman, acting through the appropriate Federal agencies and in cooperation with non-Federal entities, shall implement a coordinated program of research and development in order to demonstrate the technical means for the extraction and utilization of the resource base, including any byproducts of such base, and in order to accomplish the goals established by subsection (a). Research authorized by this Act having potential applications in matters other than geothermal energy may be pursued to the extent that the findings of such research can be published in a form for utilization by others.

DEMONSTRATION

SEC. 105. (a) The Chairman, acting through the appropriate Federal agencies and in cooperation with non-Federal entities, shall initiate a program to design and construct geothermal demonstration plants. The specific goals of such program shall include—

(1) the development of economical geothermal resources production systems and components which meet environmental standards;

(2) the design of plants to produce electric power and, where appropriate, the large-scale production and utilization of any useful byproducts;

(3) the involvement of engineers, analysts, technicians, and managers from industry field and powerplant development, which shall lead to the early industrial exploitation of advanced geothermal resources;

(4) the provision for an adequate supply of trained geothermal engineers and technicians;

(5) the provision of experimental test beds for component testing and evaluation by laboratories operated by the Federal Government, industry, or institutions of higher education;

(6) the construction and operation of pilot plants; and

(7) the construction and operation of demonstration plants.

(b) In carrying out his responsibilities under this section, the Chairman, acting through the appropriate Federal agencies, and in cooperation with non-Federal entities, may provide for the establishment of one or more demonstration projects utilizing each geothermal resource base involved, which shall include, as appropriate, all of the exploration, siting, drilling, pilot plant construction and operation, demonstration plant construction and operation, and other facilities and activities which may be necessary for the generation of electric energy and the utilization of geothermal resource byproducts.

(c) The Chairman, acting through the appropriate Federal agencies, is authorized to investigate and enter into agreements for the cooperative development of facilities to demonstrate the production of energy from geothermal resources. The responsible Federal agency may consider—

(1) cooperative agreements with utilities and non-Federal governmental entities for construction of facilities to produce energy for commercial disposition; and

(2) cooperative agreements with other Federal agencies for the construction and operation of facilities to produce energy for direct Federal consumption.

(d) The responsible Federal agency is authorized to investigate the feasibility of, construct, and operate, demonstration projects without entering into cooperative agreements with respect to such projects, if the Chairman finds that—

(1) the nature of the resource, the geographical location, the scale and engineering design of the facilities, the techniques of production, or any other significant factor of the proposal offers opportunities to make important contributions to the general knowledge of geothermal resources, the techniques of its development, or public confidence in the technology; and

(2) there is no opportunity for cooperative agreements with any utility or non-Federal governmental entity willing and able to cooperate in the demonstration project under subsection (c)(1), and there is no opportunity for cooperative agreements with other Federal agencies under subsection (c)(2).

(e) Before favorably considering proposals under subsection (c), the responsible Federal agency must find that—

(1) the nature of the resource, the geographical location, the scale and engineering design of the facilties, the techniques of production, or any other significant factor of the proposal offers opportunities to make important contributions to the general knowledge of geothermal resources, the techniques of its development, or public confidence in the technology;

(2) the development of the practical benefits as set forth in paragraph (1) are unlikely to be accomplished without such cooperative development; and

(3) where non-Federal participants are involved, the proposal is not eligible for adequate Federal assistance under the loan guaranty provisions of title II of this Act.

(f) If the estimate of the Federal investment with respect to construction and operation costs of any demonstration project proposed to be established under this section exceeds $10,000,000, no amount may be appropriated for such project except as specifically authorized by legislation hereafter enacted by the Congress.

(g)(1) At the conclusion of the program under this section or as soon thereafter as may be practicable, the responsible Federal agencies shall, by sale, lease, or otherwise, dispose of all Federal property interests

which they have acquired pursuant to this section (including mineral rights) in accordance with existing law and the terms of the cooperative agreements involved.

(2) The agency involved shall, under appropriate agreements or other arrangements, provide for the disposition of geothermal resource byproducts of the project administered by such agency.

SCIENTIFIC AND TECHNICAL EDUCATION

SEC. 106. (a) It is the policy of the Congress to encourage the development and maintenance of programs through which there may be provided the necessary trained personnel to perform required geothermal research, development, and demonstration activities under sections 103, 104, and 105.

(b) The National Science Foundation is authorized to support programs of education in the sciences and engineering to carry out the policy of subsection (a). Such support may include fellowships, traineeships, technical training programs, technologist training programs, and summer institute programs.

(c) The National Science Foundation is authorized and directed to coordinate its actions, to the maximum extent practicable, with the Project or any permanent Federal organization or agency having jurisdiction over the energy research and development functions of the United States, in determining the optimal selection of programs of education to carry out the policy of subsection (a).

(d) The National Science Foundation is authorized to encourage, to the maximum extent practicable, international participation and cooperation in the development and maintenance of programs of education to carry out the policy of subsection (a).

TITLE II—LOAN GUARANTIES

ESTABLISHING OF LOAN GUARANTY PROGRAM

SEC. 201. (a) It is the policy of the Congress to encourage and assist in the commercial development of practicable means to produce useful energy from geothermal resources with environmentally acceptable processes. Accordingly, it is the policy of the Congress to facilitate such commercial development by authorizing the Chairman of the Project to designate an appropriate Federal agency to guarantee loans for such purposes.

(b) In order to encourage the commercial production of energy from geothermal resources, the head of the designated agency is authorized to, in consultation with the Secretary of the Treasury, guarantee, and to enter into commitments to guarantee, lenders against loss of principal or interest on loans made by such lenders to qualified borrowers for the purposes of—

(1) the determination and evaluation of the resource base;

(2) research and development with respect to extraction and utilization technologies;

(3) acquiring rights in geothermal resources; or

(4) development, construction, and operation of facilities for the demonstration or commercial production of energy from geothermal resources.

(c) Any guaranty under this title shall apply only to so much of the principal amount of any loan as does not exceed 75 percent of the aggregate cost of the project with respect to which the loan is made.

(d) Loan guaranties under this title shall be on such terms and conditions as the head of the designated agency determines, except that a guaranty shall be made under this title only if—

(1) the loan bears interest at a rate not to exceed such annual per centum on the principal obligation outstanding as the head of the designated agency determines to be reasonable, taking into account the range of interest rates prevailing in the private sector for similar loans and risks by the United States;

(2) the terms of such loan require full repayment over a period not to exceed thirty years, or the useful life of any physical asset to be financed by such loan, whichever is less (as determined by the head of the designated agency);

(3) in the judgment of the head of the designated agency, the amount of the loan (when combined with amounts available to the qualified borrower from other sources) will be sufficient to carry out the project; and

(4) in the judgment of the head of the designated agency, there is reasonable assurance of repayment of the loan by the qualified borrower of the guaranteed indebtedness.

(e) The amount of the guaranty for any loan for a project shall not exceed $25,000,000, and the amount of the guaranty for any combination of loans for any single qualified borrower shall not exceed $50,000,000.

(f) As used in this title, the term "qualified borrower" means any public or private agency, institution, association, partnership, corporation, political subdivision, or other legal entity which (as determined by the head of the designated agency) has presented satisfactory evidence of an interest in geothermal resource and is capable of performing research or completing the development and production of energy in an acceptable manner.

PAYMENT OF INTEREST

SEC. 202. (a) With respect to any loan guaranteed pursuant to this title, the head of the designated agency is authorized to enter into a contract to pay, and to pay, the lender for and on behalf of the borrower the interest charges which become due and payable on the unpaid balance of any such loan if the head of the designated agency finds—

(1) that the borrower is unable to meet interest charges, and that it is in the public interest to permit the borrower to continue to pursue the purposes of his project, and that the probable net cost to the Federal Government in paying such interest will be less than that which would result in the event of a default; and

(2) the amount of such interest charges which the head of the designated agency is authorized to pay shall be no greater than the amount of interest which the borrower is obligated to pay under the loan agreement.

(b) In the event of any default by a qualified borrower on a guaranteed loan, the head of the designated agency is authorized to make payment in accordance with the guaranty, and the Attorney General shall take such action as may be appropriate to recover the amounts of such payments (including any payment of interest under subsection (a)) from such assets of the defaulting borrower as are associated with the project, or from any other surety included in the terms of the guaranty.

PERIOD OF GUARANTIES AND INTEREST ASSISTANCE

SEC. 203. No loan guaranties shall be made, or interest assistance contract entered into, pursuant to this title, after the expiration of the ten-calendar-year periood following the date of enactment of this Act.

GEOTHERMAL RESOURCES DEVELOPMENT FUND

SEC. 204. (a) There is established in the Treasury of the United States a Geothermal Resources Development Fund, which shall be available to the head of the designated agency for carrying out the loan guaranty and interest assistance program authorized by this title, including the payment of administrative expenses incurred in connection therewith. Moneys in the fund not needed for current operations may, with the approval of the Secretary of the Treasury, be invested in bonds or other obligations of, or guaranteed by, the United States.

(b) There shall be paid into the fund the amounts appropriated pursuant to section 304(c) and such amounts as may be returned to the United States pursuant to section 202(b), and the amounts in the fund shall remain available until expended, except that after the expiration of the ten-year period established by section 203, such amounts in the fund which are not required to secure outstanding guaranty obligations shall be paid into the general fund of the Treasury.

(c) Business-type financial reports covering the operations of the fund shall be submitted to the Congress by the head of the designated agency annually upon the completion of an appropriate accounting period.

TITLE III—GENERAL PROVISIONS

PROTECTION OF ENVIRONMENT

SEC. 301. In the conduct of its activities, the Project and any participating public or private persons or agencies shall place particular emphasis upon the objective of assuring that the environment and the safety of persons or property are effectively protected; and the program under title I shall include such special research and development as may be necessary for the achievement of that objective.

REPORTING REQUIREMENTS

SEC. 302. (a) Chairman of the Project shall submit to the President and the Congress full and complete annual reports of the activities of the Project, including such projections and estimates as may be necessary to evaluate the progress of the national geothermal energy research, development, and demonstration program and to provide the basis for as accurate a judgment as is possible concerning the extent to which the objectives of this Act will have been achieved by June 30, 1989.

(b) No later than one year after the termination of each demonstration project under section 105, the Chairman of the Project shall submit to the President and the Congress a final report on the activities of the Project related to each project, including his recommendations with respect to any further legislative, administrative, and other actions which should be taken in support of the objectives of this Act.

TRANSFER OF FUNCTIONS

SEC. 303. (a) Within sixty days after the effective date of the law creating a permanent Federal organization or agency having jurisdiction over the energy research and development functions of the United States (or within sixty days after the date of the enactment of this Act if the effective date of such law occurs prior to the date of the enactment of this Act), all of the research, development, and demonstration functions (including the loan guaranty program) vested in the Project under this Act, along with related records, documents, personnel, obligations, and other items to the extent necessary or appropriate, shall, in accordance with regulations prescribed by the Office of Management and Budget, be transferred to and rested in such organization or agency.

(b) Upon the establishment of a permanent Federal organization or agency having jurisdiction over the energy research and development functions of the United States, and when all research and development (and other) functions of the Project are transferred, the members of the Project may provide advice and counsel to the head of such organization or agency, in accordance with arrangements made at that time.

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 304. (a) For the fiscal years ending June 30, 1976, and September 30 1977, 1978, 1979, and 1980, only such sums may be appropriated as the Congress may hereafter authorize by law.

(b) There are authorized to be appropriated to the National Aeronautics and Space Administration not to exceed $2,500,000 for the fiscal year ending June 30, 1975, for the purpose of preparing the program definition under section 102(a).

(c) In addition to sums authorized to be appropriated by subsection (b), there are authorized to be appropriated to the fund not to exceed $50,000,000 annually, such sums to carry out the provisions of the loan guaranty program by the Project under title II.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the House bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the title of the House bill, insert the following: "An Act to further the conduct of research, development, and demonstrations in geothermal energy technologies, to establish a Geothermal Energy Coordination and Management Project, to provide for the carrying out of research and development in geothermal energy technology, to carry out a program of demonstrations in technologies for the utilization of geothermal resources, to establish a loan guaranty program for the financing of geothermal energy development, and for other purposes."

And the Senate agree to the same.

OLIN E. TEAGUE,
MIKE MCCORMACK,
DON FUQUA,
JIM SYMINGTON,
CHARLES A. MOSHER,
BARRY M. GOLDWATER,
JOHN WYDLER,
Managers on the Part of the House.

HENRY M. JACKSON,
ALAN BIBLE,
FRANK CHURCH,
LEE METCALF,
FLOYD K. HASKELL,
PAUL FANNIN,
MARK O. HATFIELD,
JAMES A. MCCLURE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14920) to further the conduct of research, development, and demonstrations in geothermal energy technologies, to establish a Geothermal Energy Coordination and Management Project, to amend the National Science Foundation Act of 1950 to provide for the funding of activities relating to geothermal energy, to amend the National Aeronautics and Space Act of 1958 to provide for the carrying out of research and development in geothermal energy technology, to carry out a program of demonstrations in technologies for the utilization of geothermal resources, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment to the text of the bill struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

Short title

House Bill

The House bill provided that this legislation shall be cited as the "Geothermal Energy Research Development, and Demonstration Act of 1974".

Senate Amendments

The Senate amendments provided that this legislation shall be cited as the "Geothermal Energy Act of 1974".

Conference Substitute

The conference substitute is the same as the House bill.

Findings

House Bill

Section 2 of the House bill provided that the Congress finds that (1) there is a national energy shortage; (2) present organizational structures and funding levels are not adequate to meet energy needs; (3) although electric energy is a convenient form of energy, the sources for electric power generation are in short supply; (4) national energy problems can be solved only if there is a commitment to develop geothermal resources; (5) undeveloped geothermal resources are known to have a large energy content; (6) some geothermal resources contain energy in forms other than heat; (7) some geothermal resources contain valuable byproducts; (8) technologies for the development of most geothermal resources presently are not available, but such technologies are potentially economical and desirable; (9) much of the known geothermal resources exist on public lands; (10) Federal financial assistance is necessary for the development of geothermal resources; and (11) there is a Federal responsibility to encourage private industry in the development of geothermal resources.

Senate Amendments

Section 201 of the Senate amendments sets forth that the policy of the Congress to encourage the development of geothermal energy through resource inventory, research, and financial and technical assistance for the construction of pilot and demonstration geothermal developments.

Conference Substitute

The conference substitute is the same as the House bill, except that an addition is made to reflect the policy stated in section 201 of the Senate amendments.

Definitions

House Bill

Section 3 of the House bill defined the term "byproduct" as any mineral found in association with geothermal steam and associated geothermal resources which has a value of less than 75 percent of the value of such geothermal steam and associated geothermal resources, or which is not of sufficient value to warrant extraction and production by itself.

Such section provided that the term "geothermal steam and associated geothermal resources" has the meaning given it by section 2(c) of the Geothermal Steam Act of 1970 (30 U.S.C. 1001(c)), except that any amendment of such subsection occurring after the date of the enactment of this legislation shall not affect the meaning of such term for purposes of this legislation.

Such section provided that the term "known geothermal resources area" has the meaning given it by section 2(c) of such Act (30 U.S.C. 1001(e)), except that any amendment of such subsection occurring after the date of the enactment of this legislation shall not affect the meaning of such term for purposes of this legislation.

Such section defined the term "fund" as the Geothermal Resources Development Fund.

Such section defined the term "Project" as the Geothermal Energy Coordination and Management Project.

Senate Amendments

Section 210 of the Senate amendments contained definitions of the terms "geothermal resources", "qualified borrower", "pilot plant", and "demonstration development". Section 104 of the Senate amendments defined the term "fund" to mean the Geothermal Resources Development Fund.

Conference Substitute

The conference substitute is the same as the House bill, except for the following changes: (1) the definition of "known geothermal resources area" is eliminated; (2) the Senate amendments' definition of "pilot plant" and "demonstration development" are added, with the latter term changed to "development plant"; (3) the definition of "Chairman" is added; and (4) the Senate amendments' definition of "geothermal resources" is substituted for the definition of "geothermal steam and associated geothermal resources". The manner in which the Senate amendments defined such term has the same substantive effect as the definition contained in the House bill.

COORDINATION OF GEOTHERMAL ENERGY DEVELOPMENT

Establishment of Geothermal Energy Coordination and Management Project

House Bill

Subsection (a) of section 101 of the House bill provided for the establishment of the Geothermal Energy Coordination and Management Project (hereinafter in this statement referred to as the "Project"). Subsection (b) of section 101 provided that the Project shall have the following members: the Administrator of the Federal Energy Administration; an Assistant Director of the National Science Foundation (hereinafter in this statement referred to as "NSF") an Assistant Secretary of the Department of the Interior; an Associate Administrator of the National Aeronautics and Space Administration (hereinafter in this statement referred to as "NASA"); and the General Manager of the Atomic Energy Commission (hereinafter in this statement referred to as "AEC"). Such subsection also provided that the Administrator of the Federal Energy Administration (hereinafter in this statement referred to as "FEA") shall act as Chairman of the Project.

Subsection (c) of section 101 provided that the Project shall be responsible for managing and coordinating national geothermal energy research, development, and demonstration programs, including determination and evaluation of the resource base, research and development with respect to various technologies, demonstration of appropriate technologies, and administration of the loan guaranty program established by this legislation.

Subsection (d) of section 101 provided that the Project shall cooperate with the Department of the Interior, NASA, AEC, and NSF, in carrying out its responsibilities. Such subsection also provided for the responsibilities of each such agency.

Subsection (e) of section 101 provided that the Project shall have overall authority with respect to programs and projects initiated under this legislation. The agencies involved, however, shall be responsible for the operation and administration of each such program or project.

Senate Amendments

The Senate amendments required functions to be performed with respect to management and coordination of a national geothermal energy research, development, and demonstration program, which are similar to functions established by section 101(c) of the House bill.

The Senate amendments assigned such functions to Federal agencies in the following manner: (1) section 202 of the Senate

amendments assigned the function of determining and evaluating the resource base to the Secretary of the Interior (hereinafter in this statement referred to as the "Secretary"); (2) sections 202(e) and 207 of the Senate amendments assigned the function of research and development with respect to exploration, extraction, and utilization technologies to the Secretary and to AEC; (3) sections 202(e) and 207 of the Senate amendments assigned the function of demonstrating appropriate technologies to the Secretary and AEC; and (4) title I of the Senate amendments required the Secretary to administer a loan guaranty program.

Section 205 of the Senate amendments required NASA to prepare and furnish a proposal for the employment of space technologies for the inventorying and mapping of geothermal resources, and section 202(c) of the Senate amendments required the Secretary to participate with NASA in the development of techniques for the discovery and evaluation of geothermal energy resources.

Section 203 of the Senate amendments required the Secretary to coordinate with the AEC geothermal energy development programs established by the Senate amendments.

Conference Substitute

The conference substitute is the same as the House bill, with the following changes: (1) the conference substitute gives the President authority to appoint a member to the Project; (2) the President is given authority to designate one of the members of the Project to serve as Chairman; (3) an Assistant Administrator of FEA is made a member of the Project to replace the Administrator of FEA; and (4) the conference substitute clarifies the intent that NASA shall provide its contract management capabilities to aid other members of the Project in accomplishing the goals of this legislation.

Specific inclusion of the Assistant Administrator of FEA as a member of the Project was agreed to in light of the duty assigned to the Administrator of FEA under section 5(b)(2) of the Federal Energy Administration Act of 1974 (P.L. 93-275; 88 Stat. 99), whereby the Administrator is "to assess the adequacy of energy resources". It is believed that FEA, in its planning capacity, should be aware of the activities and progress of the Project, and this goal would be served by designation of the Assistant Administrator of FEA as a member of the Project.

Functions of National Science Foundation

House Bill

Subsection (a) of section 102 of the House bill amended section 3 of the National Science Foundation Act of 1950 (42 U.S.C. 1862) by inserting a new subsection (c) which provides that the Director of NSF shall support geothermal energy research, development, and demonstration programs in accordance with section 102(b) of this legislation.

Subsection (b) of section 102 provided that the Director of NSF shall support and fund geothermal energy research, development, and demonstration programs initiated and approved by the Project. Such subsection further provided that its provisions in no way restrict the authority of the Director to support and fund basic research, but that such provisions do not authorize the Director to support and fund any demonstration project which is not included in any program initiated and approved by the Project. The Director may, however, support and fund such a project if any other provision of law provides him with authority to do so.

Senate Amendments

Section 202(e) of the Senate amendments required the Secretary to participate with NSF, together with other Federal agencies, in the assessment of geothermal energy resources.

Conference Substitute

The conference substitute omits section 102 of the House bill and section 202(e) of the Senate amendments. The omission of section 102 is based upon the fact that no amendment to the National Science Foundation Act of 1950 is necessary in order to provide NSF with authority to carry out functions assigned to it by this legislation.

Functions of National Aeronautics and Space Administration

House Bill

Subsection (a) of section 103 of the House bill amended section 203 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473) by inserting a new subsection (b) which provides that NASA shall carry out geothermal energy technology research and development in accordance with section 103(b) of this legislation.

Subsection (b) of section 103 provided that NASA may undertake and carry out programs assigned to it by the Project.

Subsection (c) of section 103 required the Administrator of NASA to prepare, in consultation with various public and private agencies and organizations, a comprehensive program definition with respect to the development of geothermal energy resources.

Senate Amendments

No provision.

Conference Substitute

The conference substitute omits subsection (a) of section 103 of the House bill. Section 103(b) is retained by the conference substitute and subsection 103(c) is retained with the following changes: (1) the interim report filing date is changed from October 31, 1974, to November 30, 1974; (2) the final report filing date with respect to the program definition is changed from June 30, 1975, to August 31, 1975; and (3) a provision is added which establishes a resource inventory and assessment program to be carried out by the Geological Survey as an important part of the program definition. This latter provision is drawn from section 202 of the Senate amendments.

Resource inventory and assessment program

House Bill

Subsection (a) of section 104 of the House bill required the Project to make regional and national appraisals of geothermal resources. The goals of the appraisal program shall include (1) improving geophysical and other techniques necessary to locate and evaluate geothermal resources; (2) developing better methods to predict the power potential of geothermal reservoirs; (3) determining and assessing the nature and power potential of high temperature geothermal convention systems; and (4) surveying and assessing regional and national geothermal resources.

Subsection (b) of section 104 required the Project, acting through the Geological Survey and other appropriate agencies, to (1) inventory geothermal resources on Federal land and, with the explicit permission of the owner involved, on non-Federal land; (2) conduct regional surveys, using drilling and other techniques, leading to a national inventory of geothermal resources; (3) make available maps and reports developed from such surveys to encourage commercial development of geothermal resources; (4) recommend legislation with respect to Federal leasing policies for geothermal resources; and (5) participate with various public and private agencies and organizations in developing technologies for the discovery and evaluation of geothermal resources.

Senate Amendments

Section 203 of the Senate amendments required the Secretary to undertake a resource inventory and assessment program similar to the program established by section 104(a) of the House bill.

Section 202 of the Senate amendments required the Secretary, acting through the Geological Survey, to undertake steps with respect to resource inventory and assessment which are similar to the steps required by section 104(b) of the House bill.

Conference Substitute

The conference substitute is the same as the House bill, with the following changes: (1) the heading for section 104 of the House bill is changed to reflect the approach taken by the Senate amendments; and (2) the nature of drilling techniques to be used is modified by the conference substitute, to clarify the intent that this research should be to establish the extent and nature of geothermal resources, and should not involve any exploratory drilling, which is and should remain the province of private industry.

Research and development

House Bill

Section 105 of the House bill required the Project to initiate a research and development program to resolve problems with respect to commercial utilization of geothermal resources. The goals of such program shall include (1) development of effective drilling methods; (2) development of reliable predictive and control methods; (3) exploitation of rock fracturing techniques; (4) improvement of extraction equipment and technology; (5) development of geothermal energy conversion methods; (6) development of methods to control emissions and wastes; (7) development of waste disposal control technologies; (8) improvement of the capability to predict the environmental impact of developing geothermal energy resources; (9) identification of social legal, and economic problems with respect to geothermal resources development; (10) provision for an adequate supply of scientists to perform required geothermal research and development activities; and (11) establishment of a program to encourage States to establish geothermal energy research and development.

Such section also required the Project to implement a coordinated research and development program to demonstrate extraction and utilization technologies and to accomplish such goals.

Senate Amendments

Section 207 of the Senate amendments established a research and development program which was similar to the program established by the House bill. The differences between the two programs are as follows:

1. The Senate amendments required by the AEC to carry out the research and development program, in cooperation with private industry.

2. The Senate amendments required the AEC to continue research authorized by the Senate amendments having potential applications in fields other than those exclusively related to geothermal energy. The House bill limited the Project to research which is directly related to geothermal energy.

3. The Senate amendments did not include specifically in the research and development program the following goals: (1) identification of social, legal, and economic programs related to geothermal energy research; (2) provision for an adequate supply of scientists; and (3) encouragement of States to establish geothermal energy information clearing houses.

Conference substitute

The conference substitute is the same as the House bill, except that the conference substitute incorporates the provision of the Senate amendments which requires the Project to continue research authorized by this legislation having potential applications in fields other than those exclusively related to geothermal resources.

It is the intent of the conferees that the term "non-Federal entity" shall include, but

shall not be limited to, private industry, academic institutions, municipalities, public utility districts, State and local governments, and private research laboratories.

Demonstration

House bill

Subsection (a) of section 106 of the House bill provided that the Project shall initiate a program to design and construct geothermal demonstration plants. The goals of such program include (1) developing economical geothermal energy production systems and components; (2) designing and constructing plants to produce electrical power; (3) operating such plants for a period of time; (4) providing experimental test beds; (5) involving engineers and technicians from private industry in developing methods of geothermal energy exploitation; and (6) providing for an adequate supply of trained geothermal engineers and technicians.

Subsection (b) of section 106 permitted the Project to establish a separate demonstration project for each geothermal resource base. The Project was given authority to obtain, through appropriate Federal agencies, plants and other real property used in any demonstration project.

Any agency designated by the Project to conduct a demonstration project shall provide for the disposal of electric energy and other geothermal resource byproducts of such project. Such disposition, to the maximum extent possible, shall be achieved through the sale of such byproducts.

Such subsection also provided that, at the conclusion of the program required under subsection (a), agencies designated by the Project to conduct demonstration projects shall, to the extent possible or appropriate, dispose of such projects or dispose of all electric energy and other geothermal resource byproducts produced by such projects.

Such subsection also provided that preference shall be given to known geothermal resource areas in making site selections for demonstration plants.

Senate Amendments

Section 208 of the Senate amendments authorized the AEC to enter into cooperative agreements with non-Federal entities for the construction, operation, and maintenance of demonstration developments for the production of electric or heat energy from geothermal resources. The non-Federal participants would be expected to make some contribution in the form of funds, rights in property, services, or other valuable consideration. The amount of the non-Federal contribution would be left to the discretion of the AEC on a case-by-case basis.

It was anticipated that several such demonstrations would be selected to reflect the development of a variety of geothermal resource types, the application of a variety of energy development and utilization technologies and a variety of conditions of energy and byproduct needs.

The AEC was authorized to proceed with such developments in which the estimated Federal investment will not exceed $10,000,000.

The AEC was authorized to investigate potential agreements for major demonstration facilities (in which the Federal investment will exceed $10,000,000) and to submit proposals to proceed with such agreements to the Congress for authorization.

In preparing proposals for cooperative agreements with non-Federal entities to construct major geothermal energy facilities, it was intended that non-Federal participants shall be selected which have the financial, technical, and management competence to perform the functions required of them pursuant to the agreement.

Conference Substitute

The conference substitute is the same as the House bill, with the following changes: (1) the goals of the program established by section 106(a) of the House bill are expanded to include construction and operation of pilot plants and demonstration plants; (2) the provisions of the House bill relating to disposition of electric energy and demonstration projects are replaced by comparable provisions of the Senate amendments; and (3) the conference substitute eliminates the provision that preference shall be given to known geothermal resource areas in making site selections for demonstration plants.

The conference substitute incorporates provisions of section 208 of the Senate amendments which would authorize the Project to enter into cooperative agreements with non-Federal entities for the construction, operation, and maintenance of demonstration plants for the production of electric or heat energy from geothermal resources. The non-Federal participants would be expected to make some contribution in the form of funds, rights in property, services, or other valuable consideration. The amount of the non-Federal contribution would be left to the discretion of the Project on a case-by-case basis.

The conference substitute also adds a provision which is intended to complement the provisions of the Senate amendments which are incorporated and to provide an opportunity for the establishment of demonstration projects without cooperative agreements in the event that there are no possibilities for cooperative agreements with non-Federal entities.

The legislative intent of the Senate amendments was adopted by the conferees regarding the disposal of electric energy produced by demonstrations utilizing geothermal resources. The principal intent is to clearly specify those conditions which must be fully met prior to any consideration of Federal sale and disposition of electric energy resulting from demonstration projects initiated under this legislation. The measure insures that where electric energy is produced by jointly financed demonstration projects the non-Federal participating entity would market the power. In those instances where the criteria for a totally Federally financed and operated demonstration project are met, the resultant electric energy is to be consumed only by the Federal Government. In unusual circumstances, where (1) there is no non-Federal entity willing and able to participate, (2) the stringent criteria justifying a Federally-owned and operated project have been fully met, and (3) there is no opportunity for Federal consumption of the resultant electric energy, only then may the appropriate Federal agency consider direct commercial sale and disposition of the resultant electric energy.

The conference substitute also includes a provision, which is based upon a provision contained in section 208 of the Senate amendments, which requires specific congressional authority for any proposed demonstration project if the estimated Federal investment for such project exceeds $10,000,000.

Scientific and technical education

House Bill

Section 107 of the House bill provided that it is the policy of the Congress to encourage programs to provide trained personnel to carry out geothermal research, development, and demonstration activities. NSF was authorized to support educational programs designed to effectuate such policy. NSF was required to coordinate its activities with various public and private agencies and organizations, and was authorized to encourage international participation and cooperation with respect to such educational programs.

Senate Amendments

No provision.

Conference Substitute

The conference substitute is the same as the House bill.

LOAN GUARANTIES

Estabishment of loan guaranty program

House Bill

Subsection (a) of section 201 of the House bill provided that it is the policy of the Congress to authorize the Chairman of the Project to designate an appropriate Federal agency to guarantee loans to encourage commercial development of geothermal resources.

Subsection (b) of section 201 provided that the head of the designated Federal agency may guarantee any loan made for purposes of (1) determining and evaluating the resource base; (2) extraction and utilization research and development; (3) acquiring rights to geothermal resources; and (4) constructing and operating geothermal resources demonstration facilities.

Subsection (c) of section 201 provided that loan guaranties may not exceed 75 percent of the aggregate cost of the project involved. Subsection (d) of section 201 authorized the head of the designated agency to establish terms and conditions for loan guaranties, and further provided that a guaranty may be made only if (1) the rate of interest for the loan involved does not exceed prevailing interest rates for conventional construction loans; (2) the loan must be fully repaid within 30 years; (3) the amount of the loan, together with amounts otherwise available, is sufficient to carry out the project involved; and (4) there is reasonable assurance of repayment of the loan by the qualified borrower.

Subsection (e) of section 201 prohibited the head of the designated agency from guarantying any loan if such loan is in excess of $25,000,000 for any project, or from guarantying any combination of loans to a single qualified borrower in excess of $50,000,000.

Subsection (f) of section 201 defined the term "qualified borrower" as any public or private agency or organization which, as determined by the head of the designated agency, has an interest in geothermal resources and is capable of carrying out research or development activities with respect to energy production.

Senate Amendments

The Senate amendments were the same as the House bill, with the following differences:

1. The Senate amendments authorized the Secretary to administer the loan guaranty program.

2. The Senate amendments did not authorize specifically the making of loan guaranties for the following purposes: (1) determination and evaluation of the resource base; and (2) research and development with respect to extraction and utilization technologies.

3. The committee report with respect to the Senate amendments indicated that section 101(e) of the Senate amendments was designed to permit loan guaranties of no more than $25,000,000 for a single project, and loan guaranties of no more than $50,000,000 for a single borrower. The committee report with respect to the House bill indicated that section 201(e) of the House bill was designed to permit loan guaranties for loans for a single project if the amount of loans did not exceed $25,000,000, and to permit loan guaranties for loans to a single borrower if the amount of such loans did not exceed $50,000,000.

4. The definition of "qualified borrower" contained in section 210(b) of the Senate amendments specifically required that a potential borrower, in order to be considered a

qualified borrower, must have the financial responsibility to operate a geothermal energy commercial facility. The definition of "qualified borrower" contained in section 201(1) of the House bill did not make any specific reference to financial responsibility, but did require that a qualified borrower be capable of performing research or completing development and production of geothermal energy in an acceptable manner.

Conference Substitute

The conference substitute is the same as the House bill, with the following changes: section 201(c) of the House bill is clarified to indicate that this legislation intends to permit loan guaranties of no more than $25,000,000 for a single project, and loan guaranties on no more than $50,000,000 for a single borrower; and (2) the conference substitute makes technical changes in the provisions relating to the operation of the loan guaranty program to conform with current Federal practices and policies relating to the operation of similar loan guaranty programs.

The conference substitute retains the provision of the House bill which required the Chairman of the Project to designate the head of a Federal agency to administer the loan guaranty program. It is the intent of the conferees that the Federal agency which is designated should have the competence and field organizations necessary to receive and process applications.

The conference substitute also retains the provision of the House bill which authorized the making of loan guaranties for the determination and evaluation of the resource base and for research and development with respect to extraction and utilization technologies. The conference substitute also retains the definition of "qualified borrower" which is contained in the House bill and which is consistent with the establishment of eligibility for research and development loans.

Payment of interest

House Bill

Subsection (a) of section 202 of the House bill provided that the head of the designated agency may pay to the lender any interest charges due on the unpaid balance of a guaranteed loan if the head of the designated agency finds that (1) the borrower is unable to pay such interest charges and it is in the public interest to permit the borrower to pursue the project involved; and (2) the amount of such interest charges does not exceed an amount equal to the average prime interest rate for the preceding fiscal year, plus one-half of 1 percent.

Subsection (b) of section 202 provided that if a qualified borrower defaults on a guaranteed loan, the head of the designated agency may make payment in accordance with the terms of the guaranty. The Attorney General of the United States was required to take appropriate action to recover the amount of such payments from assets of the qualified borrower which are associated with the project involved.

Senate Amendments

Section 102 of the Senate amendments was the same as the House bill, except that section 102 assigned responsibilities to the Secretary, and not to an agency designated by the Chairman of the Project.

Conference Substitute

The conference substitute is the same as the House bill, except that the conference substitute provides that the Attorney General also may recover payments from surety contained in the loan guaranty agreement.

Period of guaranties and interest assistance

House Bill

Section 203 of the House bill provided that no loan guaranties or interest assistance contracts shall be made after the 10-calendar-year period following the date of the enactment of this legislation.

Senate Amendments

Section 103 of the Senate amendments was the same as the House bill.

Conference Substitute

The conference substitute is the same as the House bill.

Geothermal resources development fund

The conference substitute is the same as the House bill.

House Bill

Subsection (a) of section 204 of the House bill established in the Treasury of the United States a Geothermal Resources Development Fund (hereinafter in this statement referred to as the "fund"). The fund shall be available to the head of the designated agency for carrying out the loan guaranty and interest assistance program authorized by this legislation.

Such subsection also provided that moneys in the fund not needed for current operations shall be invested in bonds or other obligations of the United States.

Subsection (b) of section 204 provided that payments into the fund shall be made from amount appropriated by the Congress pursuant to section 304(c) and from amounts returned to the United States pursuant to section 202(b).

Such subsection also provided that amounts in the fund shall remain available until expended, except that amounts available in the fund after the 10-calendar-year period following the date of the enactment of this legislation shall be paid into the general fund of the Treasury.

Subsection (c) of section 204 required the head of the designated agency to submit annual reports to the Congress with respect to the operation of the fund.

Senate Amendments

The Senate amendments were the same as the House bill, except that the Senate amendments required the Secretary (and not the head of a designated agency) to submit annual reports to the Congress with respect to the operation of the fund.

Conference substitute

The conference substitute is the same as the House bill.

GENERAL PROVISIONS

Protection of environment

House Bill

Section 301 of the House bill provided that activities under this legislation shall be designed to protect the environment and to assure the safety of persons and property. Such section also provided that the program developed by the Project under title I of this legislation shall include special research and development to assure environmental protection and the safety of persons and property.

Senate Amendments

Section 201 and section 207(a)(5) of the Senate amendments contained provisions similar to those of the House bill with respect to protection of the environment.

Conference substitute

The conference substitute is the same as the House bill.

Reporting requirements

House Bill

Subsection (a) of section 302 of the House bill required the Chairman of the Project to submit biannual reports to the President and to the Congress with respect to the activities of the Project.

Subsection (b) of section 302 required the Chairman of the Project to submit reports to the President and to the Congress with respect to each demonstration project conducted under section 106 of the House bill.

Senate Amendments

Section 206 of the Senate amendments required the Secretary to submit the exploration plan and schedule required by section 202 of the Senate amendments, to the President and to the Congress no later than one year after the date of the enactment of this legislation. Annual progress reports would be required thereafter.

Conference Substitute

The conference substitute is the same as the House bill, except that the conference substitute requires reports annually, and not semi-annually.

Transfer of functions

House Bill

Section 303 of the House bill provided that, upon the establishment of a permanent Federal organization or agency having jurisdiction over energy research and development, the functions of the Project shall be transferred to and vested in such organization or agency. Such section also provided that, after such transfer and vesting, members of the Project shall provide advice and counsel to the head of such organiation or agency.

Senate Amendments

No provision.

Conference Substitute

The conference substitute is the same as the House bill. It is the intent of the conferees that the transfer procedures established by this legislation will not involve the physical transfer of personnel, programs, or agencies which are not otherwise specifically designated for such transfer by legislation such as that creating the Energy Research and Development Administration. Accordingly, it is contemplated that such personnel, programs, or agencies which are engaged in the geothermal programs created by this legislation and which are not transferred to a new agency such as the Energy Research and Development Administration shall continue to engage in such existing programs following the creation of such new agency.

Authorization of appropriations

House Bill

Section 304 of the House bill provided that, for fiscal years 1976, 1977, 1978, 1979, and 1980, only such sums may be appropriated to carry out this legislation as the Congress may authorize by law after the date of the enactment of this legislation.

Such section also authorized to be appropriated $2,500,000 for fiscal year 1975 to the Administrator of NASA to prepare program definitions under section 103(c).

Such section also authorized to be appropriated $50,000,000 annually to carry out the loan guaranty program established by this legislation.

Senate Amendments

Section 106 of the Senate amendments authorized appropriations to the fund not to exceed $50,000,000 annually.

Section 209 of the Senate amendments authorized appropriations for fiscal years 1974, 1975, and 1976, as follows: (1) $10,000,000 annually to the Secretary; (2) $35,000,000 annually to AEC; and (3) such amounts as may be required to NASA.

Conference Substitute

The conference substitute is the same as the House bill.

OLIN E. TEAGUE,
MIKE MCCORMACK,
DON FUQUA,
JIM SYMINGTON,
CHARLES A. MOSHER,
BARRY M. GOLDWATER,
JOHN WYDLER,
Managers on the Part of the House.

HENRY M. JACKSON,
ALAN BIBLE,
FRANK CHURCH,
LEE METCALF,
FLOYD K. HASKELL,
PAUL FANNIN,
MARK O. HATFIELD,
JAMES A. MCCLURE,
Managers on the Part of the Senate.

NATIONAL GAS PIPELINE SAFETY ACT AMENDMENTS OF 1974

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15205) to amend the National Gas Pipeline Safety Act of 1968, as amended, to authorize additional appropriations, and for other purposes, as amended.

The Clerk read as follows:

H.R. 15205

A bill to amend the Natural Gas Pipeline Safety Act of 1968, as amended, to authorize additional appropriations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Natural Gas Pipeline Safety Act Amendments of 1974".

SEC. 2. Section 5(c) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1674 (c)) is amended by renumbering paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting immediately after paragraph (1) the following new paragraph:

"(2) Funds authorized to be appropriated by section 15(b) of this Act shall be allocated among the several States for payments to aid in the conduct of pipeline safety programs in accordance with paragraph (1) of this section.".

SEC. 3. Section 15 of such Act (49 U.S.C. 1684) is amended to read as follows:

"APPROPRIATIONS AUTHORIZED

"SEC. 15. (a) There are authorized to be appropriated $2,000,000 for the fiscal year ending June 30, 1975, and $2,850,000 for the fiscal year ending June 30, 1976, for the purpose of carrying out the provisions of this Act, except that the funds appropriated pursuant to this subsection shall not be used for Federal grants-in-aid.

"(b) For the purpose of carrying out the provisions of section 5(c) of this Act, there are authorized to be appropriated for Federal grants-in-aid, $1,800,000 for the fiscal year ending June 30, 1975, and $2,500,000 for the fiscal year ending June 30, 1976.".

The SPEAKER. Is a second demanded?

Mr. BROWN of Ohio. Mr. Speaker, I demand a second.

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

There was no objection.

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

Mr. Speaker, H.R. 15205 is a simple extension of authorizations of appropriations for fiscal years 1975 and 1976 to carry out the Natural Gas Pipeline Safety Act of 1968. That act provides for the setting of Federal safety standards for those facilities in or affecting commerce used in the transportation by pipeline or storage of natural or other gases. This is a unique Federal-State cooperative program, Mr. Speaker. Under the program, State agencies may administer State standards equivalent to or stricter than Federal standards with respect to intrastate pipelines or may serve as the Federal agent for administering Federal standards with regard to such pipelines. In addition, States may serve as agents of the Federal Government for the purpose of enforcing the Federal standards with respect to interstate gas pipeline systems. At present, 22 States are serving as Federal agents with regard to interstate pipelines within their borders. Of the 52 jurisdictions covered by the legislation—the 50 States, the District of Columbia and Puerto Rico—only the State of New Jersey is not participating in the program under the act.

States which participate in the program under the act are entitled to receive up to 50 percent of their cost of personnel, equipment, and activities committed to carrying out the act.

Mr. Speaker, the importance of the gas pipeline safety program has been vividly demonstrated by two explosions which occurred in 1974.

In April, a gas explosion wrecked a 24-story office building in New York City. Only because it occurred before the beginning of the normal business day was a massive loss of life avoided. As it was, 70 persons were injured and $10 million in damage was done by the explosion.

In June, an interstate pipeline burst and exploded about 50 miles from Washington, in Fauquier County, Va. The explosion occurred at night and the flames which I understand shot up nearly 4,500 feet could be seen in the sky over Washington. Again we were fortunate. Because the explosion took place in a remote rural area, no injuries or fatalities resulted from it.

To prevent such gas explosions, H.R. 15205 would authorize $3,800,000 for fiscal year 1975, of which $1,800,000 would be for grants-in-aid to the States, and $5,350,000 for fiscal year 1976, of which amount $2,500,000 would be for State grants-in-aid.

Mr. Speaker, I urge the passage of H.R. 15205.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the chairman in seeking your support of H.R. 15205, the bill providing a 2-year extension of authorizations for the DOT Office of Pipeline Safety. The act provides $2 million for fiscal year 1975 and $2.85 million for fiscal year 1976 for administrative and operational expenses of the Office. The legislation also authorizes Federal grants-in-aid for State pipeline safety programs in the amounts of $1.8 million for fiscal year 1975 and $2.5 million for fiscal year 1976. This bill passed both the subcommittee and full committee unanimously.

The Natural Gas Pipeline Safety Act, enacted in 1968, directs the DOT Office of Pipeline Safety to set and enforce safety standards for facilities used in transporting natural and other gases by pipeline, and in storing such gases.

This involves approximately 1.4 million miles of gas pipeline system, including some 70,000 miles of gathering lines, 260,000 miles of transmission pipelines, and 650,000 miles of distribution mains, plus an additional 400,000 miles of gas service lines. These pipeline facilities transport more than a third of the Nation's energy needs while serving approximately 43.7 million customers.

Federal safety standards under the act may apply to the design, installation, inspection, testing, construction, extension, operation, replacement and maintenance of gas pipeline facilities.

The act creates exclusive Federal safety authority over gas pipeline systems, generally described as interstate systems. In addition, the act gives the Office of Pipeline Safety overall responsibility for the safety regulation of intrastate gas pipeline systems.

A State may assume responsibility for enforcement of safety standards covering intrastate facilities through certain certification procedures with OPS or may enter into an agreement with the Office of Pipeline Safety to assist in the enforcement of the Federal safety standards. A certifying State agency may adopt additional, or more stringent, standards applicable to intrastate pipeline facilities, which are not incompatible with the Federal standards.

This law provides that OPS make grants-in-aid of up to 50 percent of the cost of personnel, equipment and activities of a State agency to help it in carrying out a safety program under the certification or agreement procedures or to aid a State as it acts as an agent for OPS in enforcing safety standards of interstate gas pipeline facilities. At present, 22 States act as agents of the Secretary for such purpose.

The repeated occurrence of gas pipeline accidents underscores the importance of supporting the pipeline safety program through those authorizations and through continuing scrutiny of the Office of Pipeline Safety. I ask your backing of H.R. 15205.

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

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. I have not been able to get a report. Is there a report in existence on this bill?

Mr. BROWN of Ohio. There is a report, I would say to my friend, the gentleman from Iowa; I picked up one in the back of the Chamber, near the page desk.

Mr. GROSS. I was given a bill, H.R. 15205, for scrutiny over the weekend. That, evidently, is not the bill before the House.

Mr. BROWN of Ohio. The bill under consideration is as reported out of the committee on August 16, 1974.

Mr. GROSS. This bill was reported out on June 5, 1974.

Mr. BROWN of Ohio. I think that is the date, if I may say to the gentleman, on which the bill was introduced.

Mr. GROSS. That is the bill that was

made available to me by the document room.

Mr. BROWN of Ohio. As the gentleman certainly knows, I do not have any responsibility for the document room.

Mr. GROSS. I understand that perfectly, but in the absence of a report, where does the money for fiscal year 1975, the $3.8 million, go? To the States, or to whom does this money go?

Mr. BROWN of Ohio. Some of the money goes to the States, as indicated in my remarks, to finance the operation of the State inspection and administration of pipeline safety in those States which have contracts with the Federal Government permitting them to undertake the responsibility for pipeline safety in their State. That is one of the provisions of the Natural Gas Pipeline Safety Act enacted in 1968. The rest of the money provided by this authorization goes to the Federal Government or, rather, is used by the Federal administration, under the provisions of the 1968 pipeline safety legislation, to administer the national portion of this program under the Department of Transportation.

Mr. GROSS. The grants in aid to the States and the administrative expense money to the Federal Government; is that what the gentleman is saying?

Mr. BROWN of Ohio. That is correct.

Mr. GROSS. And the gentleman feels that the States must have this assistance?

Mr. BROWN of Ohio. The money is to finance the work done by the States rather than have the Federal Government bureaucracy expanded to the extent of adding personnel who would then have to go out into the States and do the actual work of administering the program. In other words, many of the States currently have, or already had when the bill was passed in 1968, personnel for existing State programs to provide for pipeline inspection and the setting of standards and so forth.

Many of those people were already on the local payroll at that time. Some, of course, have been added since in States which did not have pipeline safety programs at the time, but are supported by the grant-in-aid program from the Federal Government since those States undertook to establish programs to encourage pipeline safety in conformity with the 1968 Federal law.

The approach of the 1968 law is the old Hinshaw approach on regulatory activities, where the Federal Government assists with the costs of State regulatory activities, if the State activities will comply with the Federal law—thus saving the necessity of duplicating Federal and State regulatory activities.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, is this a new program with respect to pipelines?

Mr. BROWN of Ohio. Mr. Speaker, it is a program which was originally passed in 1968.

Mr. GROSS. So it is not a new program?

Mr. BROWN of Ohio. No; it is not now a new program, although it was new in 1968. At that time it provided for assistance to the States in administering new standards set by the Federal Government for pipeline safety.

Some States at that time already had such programs; some States did not. We now have 22 States which are cooperating with the Federal Government and receiving grants-in-aid and acting for the Federal Government in maintaining standards of pipeline safety.

Mr. GROSS. Mr. Speaker, do we do this for other utilities, or is it required for other utilities by the nature of their product?

Mr. BROWN of Ohio. Mr. Speaker, I would have to say, "Yes" and "No" in response to the gentleman's inquiry.

The pattern, as I indicated, is a pattern originally established legislatively by former Congressman Hinshaw, who, I think, served back in the thirties and forties—he was a Congressman from California, and he is no relation to the current Congressman from California—providing for the Federal Government to provide funds to assist with the administration of Federal standards by State agencies.

Mr. Speaker, this is done in other utility areas, but I am sorry to say I cannot identify all of the programs which the gentleman has inquired about.

Mr. STAGGERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. ROGERS).

Mr. STAGGERS. Mr. Speaker, I yield such time as as may consume to the gentleman from Massachusetts (Mr. MACDONALD).

Mr. MACDONALD. Mr. Speaker, the bill we are considering today, H.R. 15205, extends the authorization for the Office of Gas Pipeline Safety for 2 years, and also authorizes for 2 years the continuation and expansion of the program supervised by that office which provides grants-in-aid to the States. These grants-in-aid contribute up to 50 percent of the cost of the States' activities in pipeline safety, which are the backbone of the system.

The administration requested open-end authorizations for the administrative costs of the OPS, which your committee rejected. Instead, we have recommended that specific sums be authorized—$2 million for fiscal 1975, $2.8 million for fiscal 1976. The fiscal 1975 appropriations have already passed the House, provided for in the Department of Transportation funds.

We have also recommended the authorization of Federal grants-in-aid to the States of $1.8 million for fiscal 1975 and $2.5 million for fiscal 1976. These sums are in line with recommendations of the National Association of Regulatory Utility Commissioners.

Aside from the general policy of this committee against granting long term, open end authorizations, there is another basic reason that we have recommended extending the authorization for the Office of Pipeline Safety by only 2 years: During the hearings which our subcommittee held on June 13, we put a great many questions to the Director of OPS, Mr. Caldwell, and to the Deputy Assistant Secretary of Transportation, Mr. Sedan. The subcommittee intends to exercise its oversight authority and satisfy itself that the Office of Pipeline Safety is really doing the vitally important job the Congress has directed it to do, namely to insure that there will be no recurrence of the pipeline explosions that we have seen in the past year. Some of these tragic accidents have occurred within the local gas distribution systems which do not come under Federal control. The latest incident did occur in an interstate pipeline, but in a nonpopulated area in Virginia. There is, of course, no guarantee that we will be so lucky next time. It is the responsibility of Congress to see that the Office of Pipeline Safety is doing all that is humanly possible to prevent future accidents. We fully intend to assume that responsibility.

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

Mr. BROWN of Ohio. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. MCFALL). The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and pass the bill H.R. 15205, 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.

EXTENDING THE APPROPRIATION AUTHORIZATION FOR REPORTING OF WEATHER MODIFICATION ACTIVITIES

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15008) to extend the appropriation authorization for reporting of weather modification activities, as amended.

The Clerk read as follows:

H.R. 15008

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act to provide for the reporting of weather modification activities to the Federal Government", approved December 18, 1971 (15 U.S.C. 330e), is amended by striking out "ending June 30, 1973, and June 30, 1974," and inserting in lieu thereof "1973, 1974, 1975, 1976, and 1977,".

The SPEAKER pro tempore. Is there a second demanded?

Mr. BROWN of Ohio. Mr. Speaker, I demand a second.

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, I rise in support of H.R. 15008, a bill to extend the authorization of appropriations to the Secretary of Commerce to administer programs on the reporting of weather modification activities. This bill would extend the authorizations for 3 fiscal years. Each year $200,000 would be authorized to be appropriated, the same level as for fiscal year 1974.

The bill has the unanimous support of the Commerce Committee and is supported by the administration. By extending the authorizations, we will be able to keep track of the weather modification activities that are going on and to use this valuable information to protect the

health, safety, and property of the people of the Nation.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge you to approve the weather modification reporting authorizations which both the subcommitee and the full committee unanimously approved.

This legislation extends the authorizations at their current level for the weather modification reporting program which is administered by the National Oceanic and Atmospheric Administration—NOAA—of the Department of Commerce. It authorizes $200,000 per year for fiscal year 1975 through fiscal year 1977.

"Weather modification" refers to artificially produced change in the weather; that is, cloud "seeding," hail suppression, tornado and hurricane modification, fog dissipation, lightning suppression, precipitation redistribution, and so forth. Such activities are carried out for research, experimental and other purposes by municipalities, educational institutions, scientific organizations, airports, airlines, and commercial firms. Presently the conduct of weather modification projects is not regulated by Federal law but is subject to State law in about two-thirds of the States.

In 1971, since such activities had a potentially significant impact and since there was then no central source of information on weather modification, the Congress passed the Weather Modification Reporting Act. This act required anyone engaging in non-Federal weather modification to submit reports to NOAA before and after undertaking a weather modification activity. And, since 1973, Federal agencies with weather modification projects also report such experimental activities to NOAA. NOAA maintains records of each and publishes periodic summaries of modification projects.

The most recent NOAA summary published shows that 67 weather modification activities were carried out in 19 States from November 1972 to December 1973.

This program provides the only central source of weather modification information in the country. Such a source of public information facilitates weather forecasting, avoids duplication of projects and more easily identifies potential hazards. It is a necessary program, and I urge you to support authorizations to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. STAGGERS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Massachusetts (Mr. MACDONALD), the chairman of the subcommittee.

Mr. MACDONALD. Mr. Speaker, this bill simply extends the authorizations, for 3 years, for the weather modification reporting program of the Department of Commerce. The authorizations for fiscal 1975, 1976, and 1977 are identical—$200,000 per year—and are at precisely the same level as the past 2 years.

As you know, this program is an information service that keeps track of all weather modification activities in the country. It is the only coordinated central source of this information.

Mr. Speaker, it is a service to the public to maintain this source of information on development in attempts to change the weather artificially. I urge your support of this legislation.

Mr. STAGGERS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida (Mr. ROGERS).

Mr. ROGERS. Mr. Speaker, I rise in support of H.R. 15008, the weather modification authorization. This program has been in existence for some time now and already we have some promising leads into one of mankind's most vexing problems—the weather.

We are seeing reports now that we are on the right track in developing methods of suppressing fog, which will be of great use to the navigation industry and to the American people who travel by air.

We have seen research which, if proven out, might help us in breaking up air pollution and of course, we are still working on the basic problem of actually modifying weather.

I saw just this past week interviews with farmers in the West and Midwest who are turning to individuals who claim that they can bring rain. These farmers, hard pressed by long periods of drought, are willing to spend large amounts of money in order to save their crops.

I am not aware of any private ventures which have brought such success, but in certain experiments in Florida, there have been promising results which need to be looked into.

In addition, the work of the National Oceanic and Atmospheric Administration in surveillance is vitally important to all Americans for economic as well as personal safety reasons. We in Florida are dependent on the National Hurricane Center's capabilities to forewarn us on tropical storms and hurricanes, And the more we can increase our capabilities in weather forecasting, the greater our guarantee that we will not be subject to surprise disasters such as we experienced in the 1938 hurricane disaster. I strongly urge the passage of this legislation.

The SPEAKER pro tempore (Mr. MCFALL). The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and pass the bill, H.R. 15008, 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. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from further consideration of the Senate bill (S. 3320) to extend the appropriation authorization for reporting of weather modification activities, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 3320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of December 18, 1971 (85 Stat. 736; 15 U.S.C. 330e), is amended by striking the word "and" after "June 30, 1973," and inserting after "June 30, 1974," the words "June 30, 1975, June 30, 1976, and June 30, 1977,".

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of S. 3320 and to insert in lieu thereof the provisions of H.R. 15008, as passed.

The motion 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. 15008) was laid on the table.

YOUTH CONSERVATION CORPS

Mr. DOMINICK V. DANIELS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14897) to amend the Youth Conservation Corps Act of 1972 (Public Law 92–597, 86 Stat. 1319) to expand and make permanent the Youth Conservation Corps, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 13, 1970 (84 Stat. 794) is amended to read as follows:

"POLICY AND PURPOSE

"SECTION 1. The Congress finds that the Youth Conservation Corps has demonstrated a high degree of success as a pilot program wherein American youth, representing all segments of society, have benefited by gainful employment in the healthful outdoor atmosphere of the national park system, the national forest system, other public land and water areas of the United States and by their employment have developed, enhanced, and maintained the natural resources of the United States, and whereas in so doing the youth have gained an understanding and appreciation of the Nation's environment and heritage equal to one full academic year of study, it is accordingly the purpose of this Act to expand and make permanent the Youth Conservation Corps and thereby further the development and maintenance of the natural resources by America's youth, and in so doing to prepare them for the ultimate responsibility of maintaining and managing these resources for the American people.

"YOUTH CONSERVATION CORPS

"SEC. 2. (a) To carry out the purposes of this Act, there is established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter referred to as the 'Corps'). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, possessions, trust territories, or Commonwealth of Puerto Rico who have attained age fifteen but have not attained age nineteen, and whom the Secre-

tary of the Interior or the Secretary of Agriculture may employ without regard to the civil service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining the lands and waters of the United States.

"(b) The Corps shall be open to youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 3. (a) In carrying out this Act, the Secretary of the Interior and the Secretary of Agriculture shall—

"(1) determine the areas under their administrative jurisdictions which are appropriate for carrying out the programs using employees of the Corps;

"(2) determine with other Federal agencies the areas under the administrative jurisdiction of these agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education programs and projects for participation by members of the Corps;

"(3) determine the rates of pay, hours, and other conditions of employment in the Corps, except that all members of the Corps shall not be deemed to be Federal employees other than for the purpose of chapter 171 of title 28, United States Code, and chapter 81 of title 5, United States Code.

"(4) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties;

"(5) promulgate regulation to insure the safety, health, and welfare of the Corps members; and

"(6) provide to the extent possible, that permanent or semi-permanent facilities used as Corps camps be made available to local schools, school districts, State junior colleges and universities, and other educational institutions for use as environmental ecological education camps during periods of non-use by the Corps program.

Costs for operations maintenance, and staffing of Corps camp facilities during periods of use by non-Corps programs as well as any liability for personal injury or property damage stemming from such use shall be the responsibility of the entity or organization using the facility and shall not be a responsibility of the Secretaries or the Corps.

"(b) Existing but unoccupied Federal facilities and surplus or unused equipment (or both), of all types including military facilities and equipment, shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved. To minimize transportation costs, Corps members shall be employed on conservation projects as near to their places of residence as is feasible.

"(c) The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for at least five years for the operation of any Youth Conservation Corps project.

"GRANT PROGRAM FOR STATE PROJECTS

"SEC. 4. (a) The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term 'States' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

"(b)(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

"(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall (i) have attained the age of fifteen but not attained the age of nineteen, (ii) be permanent residents of the United States or its territories, possessions, or the Trust Territory of the Pacific Islands, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than ninety days in any calendar year, and (v) be employed without regard to their sex or social, economic, or racial classification; and

"(B) such other information as the Secretaries may jointly by regulation prescribe.

"(2) The Secretaries may approve applications which they determine (A) to meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

"(c)(1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

"(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

"(d) Thirty per centum of the sums appropriated under section 6 for any fiscal year shall be made available for grants under this section for such fiscal year.

"SECRETARIAL REPORTS

"SEC. 5. The Secretary of the Interior and Secretary of Agriculture shall annually prepare a joint report detailing the activities carried out under this Act and providing recommendations. Each report for a program year shall be submitted concurrently to the President and the Congress not later than April 1 following the close of that program year.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. There are authorized to be appropriated amounts not to exceed $60,000,000 for each fiscal year, which amounts shall be made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this Act. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this Act shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated.".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 498]

Alexander	Gunter	Rees
Anderson, Ill.	Hammer-schmidt	Reid
Arends	Hanna	Rhodes
Aspin	Harsha	Rodino
Badillo	Hastings	Roncalio, Wyo.
Baker	Hébert	Roncallo, N.Y.
Beard	Holifield	Rooney, N.Y.
Bolling	Ichord	Rosenthal
Brasco	Johnson, Colo.	Ruppe
Brotzman	Jones, Ala.	Ryan
Burton, John	Kastenmeier	Satterfield
Butler	Kluczynski	Shuster
Carey, N.Y.	Litton	Sikes
Clark	McClory	Stanton, James V.
Conyers	McKinney	Steele
Coughlin	McSpadden	Steiger, Ariz.
Culver	Madigan	Steiger, Wis.
Daniel, Dan	Mathis, Ga.	Stokes
Davis, Ga.	Mayne	Stuckey
de la Garza	Mink	Teague
Dickinson	Moakley	Udall
Diggs	Mollohan	Van Deerlin
Dorn	Murphy, N.Y.	Williams
Dulski	Nedzi	Wilson, Charles H., Calif.
Edwards, Calif.	O'Brien	Young, Alaska
Evans, Colo.	Pepper	Young, Ill.
Evins, Tenn.	Pike	Young, S.C.
Fisher	Preyer	
Frelinghuysen	Pritchard	
Gettys	Quie	
Giaimo	Rarick	
Gibbons		

The SPEAKER. On this rollcall 344 Members have recorded their presence by electronic device, a quorum.

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

YOUTH CONSERVATION CORPS

Mr. DOMINICK V. DANIELS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wholeheartedly support H.R. 14897, a bill to expand and make permanent the Youth Conservation Corps.

As chairman of the Select Subcommittee on Labor, I am pleased to report to all the Members of this House that we can be proud of the results and accomplishments of the Youth Conservation Corps pilot program authorized by Public Law 91-378. Like the Civil Conservation Corps—CCC—whose improvements and benefits can still be seen in the countryside, the Youth Conservation Corps has proved itself a success in accomplishing needed environmental work and in providing meaningful outdoor employment to 9,771 young people during the first 3 years of the pilot program.

The program provided young men and women with the experience of outdoor living and working, and intensifying their understanding of the ecological and environmental problems facing our country.

The Department of Agriculture reports the enrollees completed $4,464,000 worth of high priority conservation work on Federal lands during the first 2 years of the program. This represents an estimated return of 79 cents on every Federal dollar spent in the form of conservation work and improvements on public lands.

The testimony heard by the subcommittee concerning the extension and expansion of YCC was unanimous in its praise of the program, both in human and economic terms. The enrollees who came before the subcommittee reflected the enthusiasm and wealth of experience gained from participation in the YCC. It is also noteworthy that one of the directives included in the legislation is that participants are drawn from all socioeconomic and racial backgraunds. This directive assures that enrollees are provided an opportunity to work and socialize with young people who they would not ordinarily get to meet in their normal everyday life. It provides an experiment in social interaction in addition to the other benefits already described.

Because of this unsullied experience, the full Committee on Education and Labor decided that the continued success of the Youth Conservation Corps could best be guaranteed by making the program permanent at an annual authorization level of $60 million. This funding level would permit the program to accommodate 60,000 enrollees a summer and assure that continuing work would be performed on our high priority conservation programs.

At a time when employment of our young people during the summer months is a growing problem, and at a juncture in environmental history when our country has a reforestation backlog of 3.3 million acres, the YCC offers a means to cope with and alleviate, to a significant extent, both concerns. I strongly urge my colleagues to vote in favor of this investment in the well-being of our young Americans, and the preservation of our national beauty.

This is a highly successful conservation work program and I am pleased to commend the gentlemen from Washington (Mr. MEEDS), the chief architect of this legislation, who will explain more fully the details of H.R. 14897.

Mr. MEEDS. Mr. Speaker and Members of the House, the purpose of H.R. 14897 is to expand and to make permanent the highly successful Youth Conservation Corps pilot program, which is now in its fourth year of operation.

In the summer of 1971 we had a program of $2.5 million, which provided healthful outdoor experience for 2,676 young people; in 1972, a $3.5 million program, which provided this type of work for 3,495 young people; in 1973, a $3.5 million program, which provided this type of work for 3,500 young people; and this summer, a program established at $10 million, which has in it approximately 10,000 young enrollees.

The legislation before us today will authorize permanently $60 million which will provide funding for approximately 60,000 young people. Indeed, it will be more than that because of the State-Federal cost-sharing program, about which I shall speak a little later.

This legislation is cosponsored by over 60 Members of this body, and it was passed in the other body unanimously not too long ago. It has been praised by everyone who has had contact with the program.

The program we are talking about, Mr. Speaker, was copied from the Civilian Conservation Corps program of the 1930's, the CCC's. Its concept is to combine the high unemployment rate of young people with the backlog of needed work on our Federal lands and to provide involvement of young people who ultimately will inherit the management of the natural resources of this country.

It has been a highly successful program. The concept with which we commenced initially has been thoroughly tested. Approximately 20,000 young people from all geographic areas, all social, economic, ethnic, and racial groups, and both sexes in this country have served in the program. It is a program which boasts a retention rate of 96 percent across the 4-year period it has been in operation. In other words, there is only a 4-percent dropout during the entire four summers of operation of this program.

Talking strictly in material terms, for every dollar that has been paid into the Youth Conservation Corps program, we have received back in improvement of our Federal lands 79 cents, and in addition some 20,000 young people have gotten approximately $300 for each of their summer's work.

The program has contributed in 2 years alone $4½ million of priority conservation work on the Federal lands. A University of Michigan study indicated that the Youth Corps enrollees had each achieved an average of 1 year's schooling in environmental studies, what it would have taken them 1 year in the regular school term to achieve.

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

Mr. MEEDS. I am delighted to yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I note, of course, that the previous bill provided for $10 million, and this calls for $60 million.

I would like to say this: I believe that the old Civilian Conservation Corps provided for some of the finest returns for the moneys that we spent. But I am wondering here about the ages of those in the program.

As I remember, the old Civilian Conservation Corps was made up of men above 18 years of age.

Mr. Speaker, will the gentleman give us some further explanation of this?

Mr. MEEDS. Yes. Mr. Speaker, I would be delighted to respond to the gentleman.

This is a summer program. It operates during the summer season only. The CCC's operated the year around.

This is not intended to replace the educational experiences that young people of this age should be accomplishing, and, therefore, most of the programs are only for a period of 8 weeks during the summer. The wages may differ in varying programs, but the average across the Nation has been $300 for each summer worked. The ages covered are 15 through 18.

Now, the gentleman mentioned an increase. This is not an increase. We authorized in the bill which this will amend and replace $60 million for fiscal year 1975, as we do in this legislation. It is true that the money was never appropriated. We are not here acting on appropriation either.

So in terms of money authorization, this is exactly the same as it was in the last bill that this one amends.

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

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

Mr. ROUSH. Mr. Speaker, it is my understanding that we have Federal laws which prohibit the requirement of the signing of a "pledge of allegiance" to any political party as a condition of Federal employment, and that we do have laws which do prohibit "kickbacks" as a result of Federal employment.

Now, my understanding of this bill is that 30 percent of the moneys to be used for these grant programs would go to the States for projects within the State, in other words, State land and water conservation projects; is that correct?

Mr. MEEDS. That is correct, including municipalities.

Mr. ROUSH. What would happen, I would ask the gentleman, in the instance of a State which leases projects which have been constructed with Federal funds, and the State desires to use a portion of their money to conduct conservation programs on those projects? Would it be the gentleman's contention and belief that the Federal laws would prohibit these requirements of "allegiance to a political party," or the so-called kickbacks? Would they apply in such an instance wherein the youth employed would be employed on a project built with Federal funds but is leased to the State?

Mr. MEEDS. It is my feeling that where the funds are mainly Federal that the Federal law with respect to kickbacks and pledge of allegiance would have to apply.

I would have to look into it more carefully, because the gentleman has mentioned this, and it is the first I have heard of it.

I might also say that every State in the Union has an antikickback law, and probably most honor the other law too.

Mr. ROUSH. The gentleman is not acquainted with certain political practices in the State of Indiana. I have deplored the fact that on projects that have been constructed with Federal funds but which are being leased by the State, a political party can require a lifeguard or a young college man, woman, or teacher who is in summer employment to contribute 2 percent of his or her salary to a political party in my State and require political clearance as a condition of employment.

I do not want to see money dedicated to the very worthy things which the gentleman has set out in his bill used in such a manner in my State or in any other State for such purposes. I would hope that some time a committee of this Congress might direct its attention to what I consider to be a very deplorable and disgraceful practice.

Mr. MEEDS. I would certainly join the gentleman from Indiana in condemning that type of practice, and I will say to the gentleman that I would personally work with the gentleman to see that it is prevented.

Mr. ROUSH. I thank the gentleman.

Mr. MEEDS. Mr. Speaker, the question has been asked why we should make this program permanent. It should be made permanent, and it should be fully funded at $60 million, because of the following factors. First of all, unemployment among young people in this country is three times the national average of adults. It is 15.6 percent.

As a group, some of the highest unemployment in this entire Nation exists with young people, and young people who are actively seeking employment. This is not some figure that one pulls out of the sky and says that that is how many young people are unemployed, but these are the hard figures that are gathered through unemployment compensation, and other measures of unemployment in this Nation.

The applications for this program—and I think this is significant both in terms of merit and in terms of how good a program this really is—we have had an average of 30 applications for every one of the positions we have been able to fill with the funds available.

Indeed, in the first year of this program for about 2,500 job positions we had 130,000 applications. We have had an average of 100,000 applications for each 3,000 job positions every year that the program has been in existence and yet we have been able to fill only one out of 30 of those.

There is a vast backlog of conservation work needed in this country. Trails need to be repaired, or built, and also camp grounds. As the gentleman from New Jersey indicated earlier, we are still using today some of the camp grounds, trails and roads that were built by the CCC in the 1930's. Many of these are in disrepair, and need to be repaired.

The Forest Service alone tells us that 3.5 million acres of Federal forest lands have been cut over and never replanted. These people can be utilized to work on these kinds of programs.

We found in this legislation something that we should have and did suspect from the very beginning, that we needed a different kind of a program to really make it available to all American youths. If we look at a map that shows the location of the Federal lands, we find that they are located, by and large, away from the urban population centers, in other words, where the majority of young people are now. So we inaugurated this year for the first time the Federal-State cost-sharing program. Under that, 30 percent of the funds appropriated will be utilized in State-Federal cost-sharing with the Conservation Corps-type programs.

This year for the first year a Youth Conservation Corps program, either Federal or Federal-State cost-sharing program, is operating in every State of this Union. The Federal Government will contribute up to 80 percent, and all States are participating.

Mr. Speaker, this has been a highly successful program which has combined young people who need jobs with jobs that need doing. It has been carefully tested for 4 years now and has shown great promise and should be expanded and made permanent. Both in material terms and in human terms, it deserves our support.

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

Mr. ESCH. Mr. Speaker, I would like to ask my colleagues whether they think it is good public policy that the Government get a significant return on every dollar it invests. I am sure the obvious answer is yes.

Unfortunately, quite often legislation is passed which has good intentions designed to provide services to specific areas or groups but does not benefit all Americans. That is certainly not to say specific or directed legislation is bad or even unnecessary, but when legislation does come before the House which provides tangible results which can be seen and documented, then I believe it is worthy of note. The legislation before us today does just that. The Youth Conservation Corps provides employment for men and women, age 15 through 18, and puts them to work on national and State parklands to provide needed conservation and improvement work on these public lands.

The work is hard and the hours are generally long, yet last year over 100,000 applications were received for the YCC jobs. Now you might ask why would 100,000 young people want to work very hard for relatively few dollars. Someone might say, "It just doesn't make sense," and the more suspicious among you might even say, "There has got to be some sort of 'boondoggle' involved in this program." Well, the simple facts are that the youth of this Nation are often improperly stereotyped. Young people want to and are willing to work very hard, particularly when they can see that their efforts are benefiting society. They are concerned about the environment. Working in this program gives them an opportunity to contribute to improving the environment. Young people want to learn more about nature and the wilderness. This program gives them an opportunity not only to learn but to actually work to preserve it. Young people want to be contributing and productive members of society. The experiences that they receive while working in this program, the personal growth and values which they derive from participating in it become the basis upon which they will, as they get older, help them as they become the future leaders of this Nation. I think that I would be reassured with the knowledge that tomorrow's leaders have a foundation made in part out of sweat and hard work. This program, it is fair to say, is in the best traditions of all of the values that we Americans hold dear.

Mr. Speaker, the legislation before us today did not emerge from our committee overnight but was the result of almost two years of considerable thought and consideration. This legislation is the result of the efforts of many individuals and I extend my particular praise and thanks to the gentleman from Washington, LLOYD MEEDS, the gentleman from New Jersey, DOMINICK DANIELS, and the gentleman from Minnesota, AL QUIE, for their untiring efforts on behalf of this legislation. I can say to my colleagues with a clear conscience that this bill is one which could and should be supported by everyone and I hope that it is passed unanimously.

Mr. Speaker, at this time I yield 3 minutes to the gentleman from Indiana (Mr. LANDGREBE), a member of the committee.

Mr. LANDGREBE. Mr. Speaker, I thank the gentleman for yielding me this 3 minutes. I could not possibly start to tell and say all the things I dislike about this proposal in the 3 minutes but I will do the best I can.

I happen to have lived during the days of the original CCC camps. I know about some of the evils of those camps and of course some of the good. There is one major difference between the CCC camps of the early 1930's and those proposed today under this legislation. The difference is that there are tens of thousands of jobs awaiting the youth of today. I suggest the Members drive in any direction all over America and they will see "Help Wanted" signs. The restaurants look like employment agencies rather than places where one can purchase food and drink.

I feel today the youth of America would be much better served and would better serve others by accepting jobs in the marketplace where they could not only earn decent salaries but also learn a craft or a trade or a business, rather than go out into the forest to learn how to use a shovel. They can learn that any place.

There are jobs just waiting for willing hands. We need people to do those jobs and we also need the tax money that they would produce. The backlog of unfilled orders in industry is getting longer and longer and there are decent respectable people in America today who are working two or three jobs trying to meet the demands and many are working six and seven days per week while literally thousands of our young people wander around aimlessly in search of ways to avoid taking a respectable job.

Worst of all, our national debt is at the half trillion dollar mark. It is amazing how few Americans realize that the interest bill on that national debt for this fiscal year is in excess of $30 billion. That figure for interest on our debt makes the $84 billion outlay for national defense look rather modest, by comparison.

Mr. Speaker, I urge that this bill certainly be laid to rest, and if the time ever comes again when there are no jobs and our young people really need to be gathered up off the streets and given something to do, that will be plenty of time to enact this type legislation. Today we have jobs and prosperity and from this businessman Congressman's standpoint I see absolutely no need for this legislation.

Mr. ESCH. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. PEYSER).

Mr. PEYSER. Mr. Speaker, I find it equally difficult in 3 minutes to give the number of reasons why the Members hopefully will overwhelmingly support this bill.

I would rather not speak at all at this point to the many wonderful things that this bill has done for young people

but rather look for a moment at some of the problems the young people are facing around this country today and see what this legislation offers as an alternative.

We have juvenile crime with the statistics showing an ever-increasing number of crimes taking place. We have youthful unemployment at triple the rate of our regular unemployment.

We have alcohol usage on the rise this year. It is becoming a real crisis in our national life today for our young people. We have all these things at work.

On the other side of the coin one of the bright lights we have is the Youth Conservation Corps.

My only objection to this bill is that under the present amount we have allocated in this program it can only reach 60,000 young people aged 15 to 18 a year. My objection is that I wish it could reach at least three times that number, because if we had three times that number of openings, we would have every one of those jobs filled with young people who are anxious and willing to get the opportunity.

Someone said that you can learn to dig or live in the woods anywhere. Well, that is not true. The opportunity is not there anywhere. To do something constructive and something good and to give us the opportunity in Congress to make this possible on a permanent basis, I just cannot think of anything more worthwhile than to overwhelmingly vote for this bill, show our young people in this country that we care and that we are willing to give them the opportunity to do something constructive and to learn.

Mr. ESCH. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, make no mistake about it, slice it thick or thin, we are right back to the good old leaf-raking days of the Civilian Conservation Corps. This bill costs, we are told, $60 million. With 60,000 people a year to be benefited for a summer's employment, that amounts to $1,000 each for 3 months or less.

Why not just give them the $1,000 each? Why not just give them the $1,000 and hope that they will get some benefit. Where are the departmental reports in connection with this bill? The Office of Management and Budget and other departments ought to be interested in it, yet there is no word in the report from any department or agency.

Mr. DOMINICK V. DANIELS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Of course, I yield.

Mr. DOMINICK V. DANIELS. I would like to say that the Secretary of Agriculture and the Secretary of the Interior appeared before the subcommittee when the hearings were held and were high in their praise for the program. So I conclude from that that this program had the approval and met with the satisfaction of the Federal agencies involved.

Mr. GROSS. But the report is completely silent as to their positions. The Department of the Interior and the Department of Agriculture and others have made no reports in connection with this bill. You are asking the taxpayers to put up $60 million, although some of the proponents appear to be saying that we are asking for $60 million and hope to get $10 million from the Appropriations Committee. Now, which is it?

Mr. DOMINICK V. DANIELS. I might say in last year's extension, we asked for an authorization of $60 million, but the committee only allowed $3,500,000 for 3,500 enrollees of the program; so we are asking for the same authorization that was approved by this Congress for the fiscal year 1974.

Mr. GROSS. So you do not anticipate getting $60 million?

Mr. DOMINICK V. DANIELS. No. I do not anticipate getting it.

Mr. GROSS. Then why in the world are you asking for it?

Mr. DOMINICK V. DANIELS. However, the Department has asked for at least 40,000 enrollees. More than 100,000 applications are on file.

Mr. GROSS. Mr. Speaker, this Government continues to try to be all things to all people around the world yet here we are today in a throwback to the old CCC days of the depression of the thirties with a program to provide $60 million for another leaf-raking operation.

It seems to me that before Congress approves this made-work program there ought to be the declaration of an emergency by the President. In the absence of such a declaration I am not going to support this program.

Mr. ESCH. Mr. Speaker, I would want to emphasize to the Members that of the $60 million authorized—if it were ever appropriated to the fullest extent, the experience of the first 4 years indicates that for every dollar spent on this program, we get a direct return in benefit, in work projects in our national forests and in our parks, of 79 cents. In other words, in building campsites, building trails and developing other projects which contribute to all of us in our national parks and in our national forests, we get a return of 79 cents for every dollar spent in the program.

Mr. Speaker, I would challenge the other Members of the House to find another program anywhere in our great bureaucracy which gives us that much return for the dollar.

Another point that should be emphasized is that indeed, the indications are from the Department of the Interior that although it is not listed in the report, they do support the bill. According to the information which we have, the administration has no objection to this bill.

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

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

Mr. GROSS. By whose evaluation does the gentleman make the statement?

Mr ESCH. In testimony before our committee, both from the Department of Agriculture and Department of the Interior, they explicitly stated that the valuation has been made that 79 cents per dollar is returned.

Mr. GROSS. Well, that is just lovely. Then, why not just give them $1,000 and the return probably would be better, would it not?

Mr. ESCH. I would say to the gentleman from Iowa that the only additional cost, because it is overlaid on the present programs we have, is an additional cost involving travel, food, and lodging expenses in addition to what they are paid directly.

So, I think the gentleman will find there is a minimum amount of bureaucracy and a maximum amount of return for the dollar.

Mr. Speaker, I yield 2 minutes to a member of the committee, the gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. Mr. Speaker, I would like to speak directly to the comment of my friend from Iowa, as to why we should not just give the participants in this program the $1,000. That would basically miss much of the fundamental points of this program. The testimony before the committee, the testimony on the floor today from members of the committee, has been that two great advantages come from this program.

First of all, the young people involved are not just handed something for doing nothing. What they get is meaningful and educational employment. They end up with a program which is enjoyable, but they end up with a program which is also, from their standpoint, extremely valuable. That is one reason why they should not be given the dollars. I would say to my colleague and friend that they should be made—as this program makes them—to earn the dollars.

Then second, the point that was alluded to just a moment ago by my friend from Michigan (Mr. ESCH). There is very considerable value of a direct, tangible nature, to the projects and to the areas where this work is done. The gentleman from Michigan gave some estimate of the dollar return. Those of us who come from the areas of the West, where we see some of this work actually accomplished, realize the value that has been yielded to the national forests and to the other areas where this work has been accomplished. There is a very considerable, tangible benefit that flows from it.

Mr. Speaker, I could go on at greater length—2 minutes is far too short—but I would close by rising in support of this legislation; by commending the gentleman from Washington (Mr. MEEDS), the gentleman from New Jersey (Mr. DANIELS), and the gentleman from Michigan (Mr. ESCH), for having steered this through the subcommittee and through the committee.

I started out, when this program first began, as something less than completely supportive and strong in my support of this program. As I have watched it, however, I have become convinced that it is excellent, and I urge adoption today of this bill by an overwhelming vote of this House.

Mr. ESCH. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. MILLER).

Mr. MILLER. Mr. Speaker, I thank the gentleman for yielding.

I take this time to ask if someone on the committee can answer the question as to why the bill states that individuals employed under the project for which an application is submitted shall be employed without regard to the personnel

laws, rules, and regulations applicable to full-time employees of the applicant.

Mr. MEEDS. Mr. Speaker, if the gentleman will yield, there are matters of retirement and unemployment compensation and other matters as to which these people are not intended to be covered. They are intended to be covered, however, for accidental injury, and they are intended to be covered by workmen's compensation and to be covered by the Federal Court of Claims.

Mr. MILLER. Is the language in the bill in any way intended to sidestep the minimum wage law in the employment of the youths?

Mr. MEEDS. No; it is not.

Mr. DOMINICK V. DANIELS. Mr. Speaker, I now yield 2 minutes to the distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS).

Mrs. GRASSO. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentlewoman from Connecticut.

Mrs. GRASSO. Mr. Speaker, let me first take the opportunity to thank the distinguished chairman of the Select Labor Subcommittee and my friend, the gentleman from New Jersey (Mr. DANIELS), and my colleague and friend, the gentleman from Washington (Mr. MEEDS), for their efforts on behalf of H.R. 14897, a bill to amend the Youth Conservation Corps Act. As a member of the subcommittee and a cosponsor of the bill, I know the time and labor which were devoted to getting this legislation to the floor.

In a relatively short period of time the Youth Conservation Corps—YCC—has proven itself to be an excellent program which not only provides needed summer employment for our Nation's young people but also enables them to help improve and maintain the quality of their environment.

In 1970, the Congress created a 3-year pilot Youth Conservation Corps to allow young people to perform important environmental and conservation work on Federal parks and forest lands. The programs proved so successful in its first 2 years that the 92d Congress extended the pilot program for an additional year with an increased authorization.

The bill under consideration today, H.R. 14897, would make two significant changes in the present YCC law. First, it would provide permanent authority for the program and authorize $60 million for each fiscal year. Second, it would change the present pilot program for State YCC programs into a permanent feature of the bill.

I am particularly satisfied with the continuation of the State-operated YCC provision of the present law. During subcommittee consideration of similar legislation in 1972, I introduced and strongly supported this requirement that 30 percent of the funds appropriated each year for the program be spent on YCC operations on State-owned park and forest land. Because of this section of Public Law 92–597, my State of Connecticut—which has no Federal park or forest land—was allocated $72,000 to employ 84 young people in its first YCC program in 1974.

If the YCC is established on a permanent basis, Connecticut youngsters will have continued opportunities for work in the fresh air of our beautiful State parks and forests for many summers to come. Through this experience they will learn to appreciate more deeply the natural beauty of our State, while contributing to the preservation of that beauty.

For these reasons, prompt passage of this vital measure is essential. I am confident that my colleagues will join me in supporting this bill.

Mr. PERKINS. Mr. Speaker, I rise in spport of the legislation.

Mr. Speaker, the time has come to make a decision about the factors of one of the most effective programs for youth in which the Federal Government is involved.

The fact that we can bring the Youth Conservation Corps bill to the floor under suspension of the rules is a clear indication that the decision is an easy one.

Since its creation by Public Law 91–378 in 1970, the Youth Conservation Corps has been a most successful program.

It began small, as a pilot program to provide summer employment for some 3,000 young people on our national lands. The age bracket was 15 through 18—the bracket in which overall unemployment in this country reaches upward past 15 percent.

Last year, there were approximately 100,000 applications for the 3,500 slots, the figure to which enrollment was raised under increased authorizations.

In all nearly 10,000 young people have been employed during the 8-week summer period in national forests and on public lands.

As the Members know, this program is the lineal descendant of the old Civilian Conservation Corps established back in the 1930's. This was one of the most successful New Deal programs, for it took young unemployed youngsters and put them to work on a variety of outdoor programs—building trails, planting new forests, culling timber, building drainage structuers in small watersheds, and the like. In our national parks and national forests today, you can still find the evidence of this good program of 40 years ago.

The Youth Conservation Corps is, I suppose, a sort of cousin of the program established nearly a decade ago in the Job Corps under the Economic Opportunity Act. A number of Job Corps conservation centers were established around the country with many features of the old CCC.

We had one of these conservation centers in Menifee County, in my Congressional district, in the Daniel Boone National Forest. In this, hundreds of young men were taken from the ranks of the jobless and taught job skills relating to conservation, the environment and land management.

This particular center was closed by the former Administration about 5 years ago when former Labor Secretay Schultz undertook to "improve" the Job Corps by reducing the training opportunities available to young Americans.

In hindsight, we all recognize that was the kind of "improvement" the undertaker has in mind.

Be that as it may, the Job Corps center in my area was closed, but I hope to see some kind of conservation center established there again some day.

A few days ago, the House completed action on the public works appropriation bill, providing funds to commence construction of the Red River Lake in a beautiful area of the Daniel Boone National Forest at the edge of the vast Cumberland Plateau.

This lake will be one of the most scenic, and one of the best sources of pure water in America. I anticipate that within a short time the upper Red River gorge and the tributaries of the Red River in that area will be taken over and preserved in their native state for our posterity.

The Youth Conservation Corps could play a major role in that work in that area—removing litter, keeping the areas clean, helping with the selective harvesting of timber, and providing paths and trails to make that beautiful area more accessible to all Americans. That work will pay for itself.

But paying for itself has already become a tradition in the 3-year history of the present Youth Conservation Corps. Testimony gathered by the Committee on Education and Labor indicates that an estimated 79 cents was returned to the Government for every dollar spent. This return was in the form of conservation work and improvement on public lands.

The legislation before us today makes the Youth Conservation Corps a permanent, rather than a pilot, program. The committee unhesitatingly recommends your approval of it as a contribution to improving the quality of American life.

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

Mr. DOMINICK V. DANIELS. Mr. Speaker, I would like to call the attention of the Members of this House to page 8 of the hearings conducted on this bill.

I refer to the testimony of Paul Vander Myde, Deputy Assistant Secretary of Conservation, Research and Education, U.S. Department of Agriculture. In the third paragraph from the bottom, I quote as follows:

> In determining future programs levels, we believe it is most desirable to have adequate flexibility for funding—

And after a statement containing a few more words, he goes on to say as follows:

> If the committee feels that this program should be continued at the current level of $60 million as authorized by Public Law 92–597, the Department of Agriculture would have no objection.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 14897 which makes permanent the Youth Conservation Corps program.

The YCC program was originally enacted by Congress in 1970 as a pilot demonstration project to provide employment during the summer months for young men and women for conservation work in Federal forests and parks. Ten million dollars were made available this summer for the program, an increase of $6.5 million over the previous year. In

addition, the YCC program was expanded this summer to include State participation for the first time since its inception. Of the total amounts available, $3 million in matching grant funds were awarded to 46 States for cost-share projects on non-Federal public lands and water.

I believe there is no disagreement that the YCC program has proven itself a success. Since the program began in 1970, young men and women between the ages of 15 and 18 from varied socioeconomic and racial backgrounds have been able to find meaningful outdoor employment by accomplishing needed environmental work while at the same time developing an understanding and appreciation of our Nation's environmental heritage.

The committee has found that the proven success of the YCC program can best be assured by making it permanent at an annual authorization level of $60 million. Because the need for conservation work is as great on State lands as the need on federally owned lands, the committee bill also establishes a grant program to States to assist them in providing conservation programs for non-Federal public lands and waters within the States. The Federal share of the cost of State-operated camps cannot exceed 80 percent.

As a cosponsor of this bill, I urge my colleagues to join me in supporting H.R. 14897.

Mr. QUIE. Mr. Speaker, the legislation before the House today is one that I can say with all confidence can be supported by all Members. This is rare legislation because, in addition to its great purposes, the Youth Conservation Corps program actually brings a measurable return to government, Federal or State. It has been documented that almost 80 cents out of every dollar the Federal Government spends in this program is returned in the form of actual and needed improvements to public lands.

This legislation is significant in that it provides an opportunity for young people to work, and I might add work very hard, at improving the Nation's environment. Youth corpsmen and women, receiving minimal pay, work on national and State parks, national forests, national wildlife refuges, and other Federal land and water areas administered by the Secretary of Agriculture and the Secretary of the Interior, and use their talents and skills to improve those lands for all Americans to use.

The benefits of this program go beyond just hard work. It affords our young citizens an opportunity to get out, see nature, and become part of it. By working in the outdoors they gain an appreciation of and a love for nature and the magnificent wilderness. They become in a real sense part of nature as they gain more understanding while they help to preserve and improve it.

Over the years I have been on trips into wilderness and parkland areas where young people have participated. I have watched them grow and develop as a result of their interaction with nature. I have found that by spending time in the wilderness young people develop a capacity for independence and self-sufficiency and this quite often in my judgment helps them to become better citizens.

I am proud of this legislation and think it is very significant. I extend the highest praise to my colleagues, MARVIN ESCH of Michigan, LLOYD MEEDS of Washington, DOMINICK DANIELS of New Jersey, and JOHN DELLENBACK of Oregon, with whom I have worked to develop this bill to which we can all point with pride.

I ask all of my colleagues to support this legislation.

Mr. BIAGGI. Mr. Speaker, I rise in support of the bill H.R. 14897, legislation which will expand and make permanent, the Youth Conservation Corps. This program is a proven success. I was pleased to cosponsor the legislation 4 years ago which created the YCC, and I am pleased today to cosponsor this legislation which will make the YCC a permanent Federal program.

In 1970 the Youth Conservation Corps was created. It was to be modeled after the famous Civilian Conservation Corps of the 1930's which provided tens of thousands of persons with employment, while making great advances in conservation efforts. The new YCC program was hailed by many in this Nation, and now 4 years later, it appears to have exceeded everyone's expectations both in terms of providing employment for young Americans and tending to some key conservation projects.

For the first 3 years, the YCC provided over 10,000 Americans between the ages of 16 and 19 with gainful employment. In addition, it has been estimated that the YCC accomplished some $4.5 million worth of high-priority conservation work on Federal lands.

Yet despite these glowing statistics, the YCC since the outset has been hampered by inadequate funding. While Congress raised the authorization levels for fiscal years 1973 and 1974, the administration requested only enough appropriations to employ 10,000 persons for the current summer, far below the number who were seeking these jobs.

This legislation today seeks to provide the YCC with a more viable and realistic budget so as to continue their work. The program will now become permanent with an annual authorization level of $60 million. If this full amount is appropriated, it is expected that some 60,000 persons a year can be employed by this program.

This program takes on added significance when measured against the fact that traditionally young people between the ages of 16 and 19 suffer one of the highest levels of unemployment of any group in this Nation. This is particularly true in the nonschool months of summer when the demand for jobs is especially high. In June of 1974 the unemployment rate for this group of Americans reached 15.6 percent, some 10 percent higher than the national average.

We as a nation are more concerned about the consequences of unemployment among our youth, because in the long idle hours of the summer, many well-intentioned young men or women have found themselves engaging in nonconstructive activities instead of enjoying the virtues of hard work which many of them would prefer.

Not only does the YCC provide jobs for young people, it also provides them with an education. Their education consists of having an opportunity to work directly with nature, and gaining a lasting respect for our Nation's environment. It educates them to work closely with young people their own age. And above all, it provides them with an education on the value of a dollar.

Throughout the hearings which were conducted on this bill glowing testimony was received by beneficiaries of the YCC program, who recounted their own personal observations on the unique experience of working for the protection of our Nation's environment.

In a time when this Nation is concerned about inflation and wasteful Government spending, it should be pointed out that for each dollar spent on YCC, an estimated 79 cents was returned to the Government in the form of conservation work and improvements on public lands. Further, by providing jobs, it reduces unemployment, which is an integral cause for the unprecedented levels of inflation we have today.

Mr. Speaker, all of my colleagues should relish the opportunity to pass legislation as worthwhile as this. We have a stake in the future of the youth of this Nation as well as a stake in preserving and protecting our environment, both for ourselves and our children. The YCC is a program designed to assist both these concerns. It deserves your support and I am confident that it will receive it.

Mr. GAYDOS. Mr. Speaker, I rise in support of this legislation.

The purpose of this legislation is to expand and make permanent the Youth Conservation Corps which was established in 1970.

After several unsuccessful attempts, Congress finally passed the Youth Conservation Corps Act in 1970. This was a pilot program which provided summer employment for 2,600 youths, age 14 to 18, in 1971, and 3,500 youths of that age in 1972. The act was amended in 1972 to expand the scope of the program both in the number of youths employed as well as to provide for a Federal-State cost-sharing program. In 1973, 3,500 youths were employed for the 8-week program, out of 100,000 applicants. In 1974, there were 10,000 participants in the program, with States participating for the first time in this program, with 3,500 of the 10,000 engaged in the State program.

This program has been highly successful. It has a twofold effect in that it provides summer employment for youths representing all segments of society, while at the same time, many conservation projects have been undertaken. In the first 2 years of the program, $4,464,000 worth of high priority conservation work was performed on Federal lands. It is estimated that out of every dollar spent in the program, 79 cents has been returned to the Government in the form of improvements on Federal lands. This, of course, is the most obvious financial return on the investment. But the other

return in the form of educational value to the participants as well as providing meaningful employment to youths who otherwise might well have spent a summer of indolance is immeasurable. Furthermore, the majority of the participants have used their earnings from the program to help finance their education.

The Departments of Interior and Agriculture have indicated that 40,000 youths could be employed in the program. What better way to conserve our natural resources for future generations than to use our most valuable asset, our youth, who can take personal pride in their participation in reclaiming and preserving our natural heritage.

I urge my colleagues to give strong support to this legislation.

The SPEAKER pro tempore (Mr. NATCHER). The question is on the motion offered by the gentleman from New Jersey (Mr. DOMINICK V. DANIELS), that the House suspend the rules and pass the bill H.R. 14897.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 3 of rule XXVII and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXTENSION OF THE MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15540) to extend for 2 years the authorization for appropriations to implement title I of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended.

The Clerk read as follows:

H.R. 15540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 111 of the Marine Protection, Research, and Sanctuaries Act of 1972 (Public Law 92-532; 86 Stat. 1052) is amended by striking "fiscal year 1974," and inserting in lieu thereof "fiscal years 1974 and 1975,".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, the bill before the House today would extend for 1 year, and at present levels of expenditure, the authorization available to the Environmental Protection Agency to carry out its responsibilities under the so-called Ocean Dumping Act. It is a simple bill, designed to meet a simple and unobjectionable objective.

In enacting the basic law 2 years ago, the Congress participated in the making of an important commitment: The protection of the ocean and U.S. coastal waters from unregulated dumping of all materials. The range of ocean dumping activities which had taken place prior to that time was extensive: It included radioactive materials, nerve gas, a bewildering array of industrial chemicals and much other miscellaneous and unknown debris, from various sources and of varying composition. Indeed, a large part of the problem arose from the fact that no one was quite sure just what was being dumped at all.

Accordingly, we enacted in 1972 the Marine Protection, Research and Sanctuaries Act, in order to give us a handle on these activities, and to provide some measure of protection to the world's oceans, which were rapidly becoming perceived as far from immune from deterioration as a result of man's activities. That act gives to the Administrator of EPA the power to review proposed dumping activities, to permit those activities which will be harmless, to phase out those which cannot much longer be tolerated, and to prohibit absolutely those which should not be permitted in any case. It does a great many other things as well, which need not be detailed at this time, but it is clear that there is no controversy whatever as to the importance of keeping the program going at this time.

Enactment of the legislation before the House today will also enable the United States to meet its international obligations, in accordance with the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. That convention has been ratified by the United States, and we have already taken action to conform the existing law to its requirements. As principal sponsor of this convention, the United States has a commitment to see that we are in a position to carry out our own responsibilities under it.

The authorization for funding under title I of the act expired over a month ago, on June 30; I understand that the administration is continuing its activities, on a temporary basis, under authorizations contained in other legislation, but that the need for prompt and favorable action on this legislation is urgent.

Accordingly, and because I believe that this is important and necessary legislation, if we are to succeed in our goal of protecting the oceans and U.S. coastal waters, I ask for approval of H.R. 15540.

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

Mr. MOSHER. Mr. Speaker, I strongly support H.R. 15540, which would amend the Marine Protection, Research, and Sanctuaries Act of 1972 by extending for 1 year the authorization for appropriations to implement title I of the act at its present level.

The Marine Protection, Research, and Sanctuaries Act of 1972 became effective on April 23, 1973. It represents a national commitment to protect ocean waters which are recognized to be essential to the very survival of mankind.

There is a crucial need for research to fill in the great gaps in our knowledge of the oceans, necessary for proper management of a dumping permit program. Progress is being made, but the present authorization for funding under the act expired on June 30, 1974. It is essential that the continuity of this important environmental effort be maintained during fiscal year 1975.

The legislation calls for a 1 year extension of the authorization for appropriations. It is estimated that the cost of this extension would be no more than $5.5 million.

The passage of H.R. 15540 was endorsed by the Environmental Protection Agency, the Department of Commerce, and the Department of Transportation. I urge that all Members join with me in voting for the passage of H.R. 15540.

Mrs. SULLIVAN. Mr. Speaker, passage of the legislation before the House today is both noncontroversial and essential. The purpose of the bill is to extend, for a period of 1 year, and at existing levels, the authorizations available to the Environmental Protection Agency under title I of the Marine Protection, Research, and Sanctuaries Act of 1972, also known as the Ocean Dumping Act.

That legislation was enacted 2 years ago; its purpose was to provide a system whereby it would be possible to regulate the hitherto uncontrolled dumping of waste materials into the oceans and the coastal waters of the United States. Enactment of this legislation is necessary in order to permit EPA to carry on with the job to which we have assigned it: the regulation of ocean dumping by U.S. citizens and ships, or in U.S. waters.

There is also in existence an international treaty, covering the same general subject, of which this country was a principal sponsor. If we are to live up to our obligations, both under the statute and under the treaty, we must act favorably upon this legislation immediately.

Our committee has held a series of overnight hearings on agency progress under the Ocean Dumping Act—a practice which we have undertaken with respect to much of the legislation over which our committee has jurisdiction. We anticipate further oversight hearings in the next Congress as well, including sessions to consider activities undertaken by the Department of Commerce with respect to its obligations under titles II and III of this act. It will be in order, next year, to consider extending the authorizations for every title of the act.

Mr. Speaker, if we are serious about the goals to which the administration and the country have committed themselves, we must provide adequate authority for the responsible agency to take the necessary steps to that end. Enactment of H.R. 15540 is a necessary step in this direction.

I urge its favorable consideration.

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the subject of this legislation.

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

There was no objection.

Mr. DOWNING. I rise to endorse and urge all Members to support H.R. 15540, which will provide for fiscal year 1975 authorization for appropriations under title I of the Marine Protection, Research, and Sanctuaries Act of 1972.

In 1971, this House took a significant step forward in passing H.R. 9727, which

was designed to restore a proper balance between the economic and environmental needs related to disposal of waste into the oceans. That bill, after a long and difficult conference with the other body, resulted in Public Law 92-532, the act which we propose to amend today. Title I of that act provided for a permit system under which careful consideration could be given to the utilization of the ocean as a place for disposal of wastes originating from the land. We made it clear that we intended that the abuse of the ocean from toxic materials should cease and at the same time we recognized that certain materials might continue to be dumped into the ocean, so long as they were properly regulated to insure the minimum of impact on ocean waters. The permit system established by the act has been in effect for a period of more than 1 year, and while the implementation has been sometime slower than we had hoped, its apparent that its continuation is mandatory if we are to continue to use the ocean rationally, and thereby to protect it from the deterioration which could occur without our constant attention.

One of the major problems facing this country and the world today relates to the maximum feasible utilization of the fisheries resources of the sea. Unless we continue to protect the ocean waters from the threat of unlimited pollution, those resources will rapidly disappear from the scene. Another threat to the fisheries resources off our coast is, of course, the massive activity of foreign fleets and that is another issue which we must face shortly. But equally dangerous is the pollution threat and the Marine Protection, Research, and Sanctuaries Act give promise of going a long way toward the solution of the problem.

In this area, the United States once again has demonstrated its leadership in facing up to what is a worldwide problem. Subsequent to the passage of the act, an international convention addressing the same subject was signed in London, and this Nation has ratified that convention.

Both for the value of the program itself, and our international commitment, we must continue the ocean dumping permit program. The Committee on Merchant Marine and Fisheries, through its responsible subcommittees, is now engaged in the review of the basic act and the effectiveness of its implementation. I believe that, early in the next Congress, we may recommend certain amendments to the act to make it even more effective. In the meantime, the bill before us today will authorize the continuation of the ocean dumping permit system for the balance of the present fiscal year at the same level as was authorized in fiscal year 1974. I urge the support of all Members for the bill.

Mr. BIAGGI. Mr. Speaker, as cosponsor of this bill to extend the Marine Protection, Research, and Sanctuaries Act of 1972, I would like to give my wholehearted support to its passage. The protection of our marine resources is a crucial part of any meaningful national commitment to the preservation of our environment.

Too often in recent years it has taken an imminent shortage of consumer commodities or the existence of dangerous health conditions to awaken us to the need for a rational policy of resource management and environmental protection. But with the realization that the resources of our planet are limited has come the realization that reactive measures in times of crises are not enough. If we neglect our marine resources until the day that pollution leaves our beaches cluttered with refuse and dead marine life, it will be too late to do anything about it.

The passage of this act initially established a national commitment for the protection of a part of the environment which had not previously been the subject of any protective regulatory activities. It established a regulatory scheme to control materials from the United States, as well as certain materials originating outside of the United States, that are being transported for the purpose of being dumped into the ocean waters. Only with our continued support can this commitment to the preservation of our marine environment be implemented properly.

The bill before us today would extend the existing act. I would like to see those responsible for the act's administration deal with the serious dumping problems that are threatening our beaches and shores. In the New York City area, the dumping of sludge in the ocean has become a serious threat to the coastal beaches as the accumulations gradually move closer to the shores. This type of dumping must be brought under control.

Efforts to protect the marine environment must cut across political boundaries. Human disturbances of nature's highly sensitive ecological balance do not stop at artifically drawn State and national borders. The need for international cooperation was recognized with the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. The ratification of that convention and the incorporation of its provisions into law established the cooperation of the United States in this international effort. Surely its continued success depends on the cooperation of major powers such as the United States.

Rather than a reactive effort, the act of 1972 anticipated national needs to protect ocean waters, which are vital to the continued existence of mankind. It works toward this end by establishing a permit program of ocean waste disposal. It has also imposed specific research requirements to add to the great dearth of the knowledge required for the management of a rational and effective program.

Conditions prior to the passage of the act provide alarming evidence of this lack of knowledge. Of the 200 dumping sites then in use for disposal of wastes at sea, only 10 had ever been studied to determine the potential impact on the ocean environment. There is still a great deal to be learned about the extent of the effects of human interference with ecological balances. Vigorous research activity is therefore a vital corequisite to any effective policy of environmental protection.

We must have a sophisticated understanding of exactly how we are affecting our environment so that we can prevent what may eventually become irreversible damage. Surely we cannot falter in our commitment to the protection of our marine resources, by failing to extend this vital act.

Mr. ROGERS. Mr. Speaker, I rise in support of H.R. 15540, a bill to extend the authorizations for appropriations to implement title I of the Marine Protection, Research, and Sanctuaries Act of 1972. As a member of both the Subcommittee on Oceanography and the Subcommittee on Fisheries and Wildlife Conservation and the Environment of the House Merchant Marine and Fisheries Committee, I have been concerned about the lack of effective legal controls on the dumping of wastes at sea over the years. In 1969 and 1970 this concern was accentuated by incidents involving the dumping of nerve gas and other warfare agents into the ocean by the Department of Defense. Because of this concern on September 9, 1970, I introduced H.R. 19088, a bill to prohibit the future dumping of chemical, biological, radiological, and other warfare wastes into the ocean. Also, on September 21, 1970, I introduced H.R. 19359, a bill which directed the designation of areas where dumping of all wastes would be prohibited and the designation of standards for dumping in other areas so as to eliminate or minimize detrimental impact on health and environment.

Subsequently, I was pleased to join several of my colleagues on the committee in sponsoring the Marine Protection, Research, and Sanctuaries Act of 1972 which contained some of the provisions of my prior bills. This act establishes a procedure for sound environmental regulation of the dumping of all wastes into the ocean, except dredged spoil under the jurisdiction of the Corps of Engineers and discharge through outfalls under the Federal Water Pollution Control Administration.

Interim regulations for the permit program mandated under title I of the act were issued in April 1973 and permanent regulations were issued on October 2, 1973. Since the time the program was initiated, 90 permits for ocean disposal have been issued. The bill before the House today would extend the authorizations for the continued administration of the title I permit program for 1 year at last year's authorization level. The committee estimates that the total cost of the program extension is $5.5 million for EPA, the Army Corps of Engineers, and the Coast Guard—the agencies sharing the administration and enforcement responsibilities under title I of the act.

It is the intent of the committee to continue its oversight hearings on the administration and research portions of the program during this session of Congress.

Mr. Speaker, I wish to commend Chairman SULLIVAN, and Subcommittee Chairmen DINGELL and DOWNING and my other colleagues' fine work on this legislation and in overseeing the implementation of the existing act. I wish to urge all

House Members in joining me in support of the bill on the floor today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. DINGELL) that the House suspend the rules and pass the bill H.R. 15540, as amended.

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

The title was amended so as to read: "To extend for one year the authorization for appropriations to implement Title I of the Marine Protection, Research, and Sanctuaries Act of 1972."

A motion to reconsider was laid on the table.

INCREASING THE BORROWING AUTHORITY OF THE PANAMA CANAL COMPANY

Mr. LEGGETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14600) to increase the borrowing authority of the Panama Canal Company and revise the method of computing interest thereon.

The Clerk read as follows:

H.R. 14600

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 71 of title 2 of the Canal Zone Code is amended as follows:

(1) By striking out from the first sentence "$10,000,000" and inserting in lieu thereof "$40,000,000".

(2) By striking out the third sentence and inserting in lieu thereof "Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations.".

The SPEAKER pro tempore. Is a second demanded?

Mr. SNYDER. 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 Chair recognizes the gentleman from California (Mr. LEGGETT).

GENERAL LEAVE

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on this legislation at this time.

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

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, this past Thursday the Panama Canal celebrated some 60 years of operational existence. Since August 15, 1914, when the SS *Ancon* made passage through the interoceanic waterway, over 400,000 vessels have likewise transited the Canal. The Panama Canal has been a successful enterprise, bringing great benefits for world commerce and for our Nation's national security since its construction. And not only has the Canal been a great asset to the international oceanic commerce of the world, it has been a project which has paid into the Treasury many of the costs incurred in its construction and operation. As you know, the Canal now operates on a cost-recovery basis and it is required that its revenues, derived chiefly from tolls on vessels which transit the Canal, be equal to or greater than the costs incurred in operating that enterprise. The legislation which we have before us today is a measure to insure that the Panama Canal has adequate financial protection in the event that for any reason a serious disruption should halt the flow of those revenues.

H.R. 14600 is simply designed to increase the borrowing authority of the Panama Canal Company so that it can continue to operate and meet its various financial obligations during those times when it is beset by an emergency or a constraining situation of any type.

Proceeding on the basis of reasonable assumptions is the best we can do in any situation. And though the borrowing authority has never been utilized before, the nearly 15,000 transits of the canal per year, and incidentally, about a quarter of those are ships whose navigation allows little room for error in the canal, make it possible that a situation could develop in which the flow of revenues would be interrupted and a borrowing authority needed. On the other hand, though it is possible to imagine some circumstances in which proposed borrowing authority might be inadequate to sustain operations, let us say, when some catastrophe might occur, and that consequently the Panama Canal Company would have to come to Congress for funds anyway, despite this I believe the proposed $40 million limit of borrowing authority is a sum which should cover most of the potential interruptions of canal revenue.

This legislation for our consideration today, H.R. 14600, is part of the detailed nuts-and-bolts statutes which together make the grand operation of the Panama Canal a reality. H.R. 14600 is, in my opinion, clearly needed at this time and I would ask those who wish to assure an adequate amount of financial protection for the canal to favorably consider it.

Thank you.

Mr. LEGGETT. Mr. Speaker, I rise in support of H.R. 14600, which increases the limit of the amount the Panama Canal Company may borrow from the U.S. Treasury from $10 million to $40 million, and also makes a technical change in the method by which the rate of interest on any sum borrowed by the Company would be computed.

This bill passed in our subcommittee and in the full committee without contest.

Essentially what the bill does is recognize that occasionally the Panama Canal Company's operations may run into difficulty due to blockage of the canal, labor strife, political problems, et cetera, and that we need to have a method to continue the operations of the canal when the Company's income is arrested.

Since 1951 when the Panama Canal Company was reorganized, it has been required by status to operate on a cost-recovery basis. The Company sustains the great majority of its revenues from tolls on vessels which transit the canal, and these revenues and others provide the funds from which the expenditures of the Company are made. The sister organization of the Panama Canal Company, the Canal Zone Government, receives appropriations each fiscal year but is required to pay back these appropriations into the U.S. Treasury by the end of the fiscal year from Company revenues. The self-sustaining arrangement for this Government corporation has worked well for over a generation, a fact which I believe shows the wisdom of that arrangement and the great importance of the canal.

Considering that the Panama Canal has been a successful Government venture for some 60 years and 4 days and considering that the canal's importance to international commerce and national security is generally acknowledged, it would be preposterous to think that the U.S. Government would not provide some adequate financial protection, some kind of good insurance, for that waterway. And Congress did provide that protection many years ago. The question today is whether it is adequate.

We established many years ago a borrowing fund of $10 million at a time when the tolls income from the canal was in the order of $30 million.

The 1948 special $10 million fund was set up in the U.S. Treasury and the Panama Canal Company could borrow from it when an emergency such as a blockage of the canal from a rockslide or vessel accident or political problems or otherwise might put a stop to the flow of canal revenues. That $10 million fund was not needed, and was not utilized.

In 1959 we had found it prudent to eliminate the fund since by earmarking this money and setting it aside the Company lost interest on the money in the fund, and this was not in accordance with the best interests of the operations of the Panama Canal Company.

In 1959, Public Law 86-200 abolished the borrowing fund on grounds that the $10 million in revenues could be better assisting the financial position of the Panama Canal Company. The new law gave the Company the authority to borrow up to $10 million without any special fund. Perhaps as much by good fortune as well as skill, that authority has never been needed, and never utilized.

Hopefully, the borrowing authority will never be needed. But vigilance requires us to anticipate otherwise. The longest the canal has been closed in recent years was 27 hours due to an accident with a vessel transiting the canal. Early in its existence the canal was closed for a long period due to rock slides in one of its most vulnerable areas. Those slides continue to be a danger but engineering work on the hills adjacent to the canal and the use of seismic devices to monitor earth movements have greatly reduced this danger.

The major hazard to canal traffic today is the transiting of large vessels, many of which are designed for maximum tonnage that can transit the canal, and whose dimensions demand the most careful handling and good conditions in going through that waterway. Since the

most critical as well as the most vulnerable locations in the Panama Canal are the locks and the facilities adjacent thereto, a single mistake, unfortunate occurence, or anything begetting a shearing, breakage, explosion, or collision in or near the locks could very well knock out the canal for a lengthy period of time.

These potentialities are the reason for establishment of a borrowing authority. But $10 million today does not provide adequate financial backstop authority. In fiscal year 1952 the annual sum of canal tolls revenues was $30.4 million. In fiscal year 1973, it was $113 million, and the projected tolls revenue since the tolls increase is a great deal higher than that figure. In short, whereas $10 million in the early 1950's represented 3 or 4 months revenue, it represents only about one-quarter of that today. And so, I believe the new proposed limit for the borrowing authority is wise and not extravagant.

Concurrent with this change, we thought that since the general policy of the Federal Government on the interest rate on borrowing had changed from the older method of doing it, that is what we called the coupon plan, we thought it might be well to upgrade the method of determining interest by which any borrowings of the Panama Canal Company might take place under the current borrowing authority. The Company may have to borrow from the U.S. Treasury.

So the bill, then, does two things. It increases the borrowing rate for the Panama Canal Company from $10 million to $40 million and also has the effect of changing the interest rate from the coupon rate of current Governnment marketable obligations of comparable maturities to the current borrowing rate of the Government. I think it is proper and frugal and in the interest of good canal administration that this particular bill be enacted.

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

Mr. LEGGETT. I yield to the gentleman from Florida.

Mr. HALEY. I thank the gentleman for yielding.

I think the gentleman has very well answered the question I had in mind as to why the necessity of raising the limits from $10 million to $40 million. Does the gentleman, or anyone, anticipate any situation that might arise that would require this amount of money?

Mr. LEGGETT. I do not really believe that any particular incident precipitated the current reanalysis. We could all speculate as to what may have happened, as a practical matter, had we had to use the old borrowing fund or had we been required to use the present borrowing authority, but we do think today if we are required to use the borrowing authority what would be required would be larger than $10 million, and therefore this is the reason for this action.

Mr. HALEY. Will the gentleman yield further?

Mr. LEGGETT. I yield to the gentleman.

Mr. HALEY. I understand our Secretary of State has been down talking to the people in Panama. If it came to the proposition of his turning this canal over to Panama—which I hope never happens—in that case if it were turned over, what would happen to this authority? Would it remain in the Government here or would it remain and would it be in the possession or the authorization of something we would furnish to Panama?

Mr. LEGGETT. To answer the gentleman, this is merely one of perhaps a thousand laws that affect the Panama Canal Zone at the present time, and were any treaty negotiated that were to affect these thousand laws, I believe that everybody with whom I have talked in the Department of State, plus the Members of Congress with whom I have talked, all concede that the Congress would have to review the matter and determine our new laws in these particulars.

So this will be law while the United States is running the Canal and until further action of the U.S. Congress.

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

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

Mr. GROSS. For the purposes of the record, may we have the assurance of the gentleman from California that this borrowing authority would be used only very sparingly, perhaps in the event of an emergency of some nature?

Mr. LEGGETT. I think I can clearly give that guarantee based on the experience to date, in that we have not used the borrowing authority to date. The Governor down there in this respect has been very frugal and very fortunately we have had enough business going through the canal that we have not needed to resort to the borrowing authority.

I think the track record is really the best answer, and we just have not had to borrow up to date.

Mr. GROSS. I thank the gentleman.

Mr. LEGGETT. Mr. Speaker, I reserve the balance of my time.

Mr. SNYDER. Mr. Speaker, I wholeheartedly endorse the statements that have been made by the chairman of the subcommittee.

Mr. Speaker, I rise in support of H.R. 14600, a bill to increase the borrowing authority of the Panama Canal Company and to revise the method of computing interest thereon.

This legislation is intended to increase the long-established authority of the Panama Canal Company to borrow from the U.S. Treasury. The form of the present borrowing authority dates from 1959 when Public Law 86-200 came into being. The present borrowing limit was set at $10 million because that was the amount of a special Treasury fund set up in 1948 to provide emergency capital for the Company.

Due to efficient management and the fact that there have been no major accidents or incidents affecting the flow of traffic through the canal, the Company has never found it necessary to exercise its borrowing authority. However, the world has not stood still since 1958 when the $10 million limit was set.

The volatile situation in the Republic of Panama and inflation have raised questions as to the adequacy of the amount of money available to the Company. Both the volume and size of ships have significantly increased. No one in this Chamber needs to be lectured on the effects of inflation nor reminded that it is rampant throughout the world. The Panama Canal Company, dependent as it is on both United States and Panamanian sources for planning, materials, and labor, is certainly not immune from inflation's ravages. The volume of shipping has doubled since the early fifties. This new workload of canal pilots and other workers increases the mathematical probability of a major accident. Ship size has increased to the point where nearly one-fourth of the ships transiting the canal have a beam width of 80 feet or more. Given a lock width of only 110 feet, the risk of a significant blockage is further heightened.

The emphasis on the risk of blockage of the canal is derived from the fact that the Company operations are financed from tolls revenue. Serious problems could arise if the canal had to be shut down for any length of time. The $10 million borrowing authority as established in Public Law 86-200 gave the Company the ability to borrow nearly 78 days, tolls revenue in 1959.

In 1948, when the $10 million figure was first used, it represented over four months' revenues. Today, it is equivalent to less than 1 month's tolls.

There will be no "cost" to the taxpayers as a result of this legislation. If the borrowing authority is ever used, the money borrowed will be repaid to the Treasury at the market rate of interest.

I urge the passage of H.R. 14600 as a sound planning measure taken to insure the security of operation of a canal, the maintenance and operation of which are vital to the interests of the United States of America.

Mr. SNYDER. Mr. Speaker, I have no further request for time.

Mr. LEGGETT. Mr. Speaker, I have no further request for time.

The SPEAKER pro tempore (Mr. NATCHER). The question is on the motion offered by the gentleman from California (Mr. LEGGETT) that the House suspend the rules and pass the bill H.R. 14600.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEGGETT. 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 H.R. 14600.

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

There was no objection.

NATIONAL HISTORIC SITES

Mr. TAYLOR of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13157) to provide for the establishment of the Clara Barton

National Historic Site, Md.; John Day Fossil Beds National Monument, Oreg.; Knife River Indian Villages National Historic Site, N. Dak.; Springfield Armory National Historic Site, Mass.; Tuskegee Institute National Historic Site, Ala.; and Martin Van Buren National Historic Site, N.Y.; and for other purposes, as amended.

The Clerk read as follows:

H.R. 13157

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as hereafter provided for establishment as units of the national park system, as follows:

(1) for establishment as the Clara Barton National Historic Site, Maryland, those lands depicted on the map entitled "Boundary Map, Clara Barton National Historic Site, Maryland", numbered NHS-CLBA 90.001 and dated February 1974, which shall include the land and improvements occupied by Clara Barton founder of the American Red Cross, located at 5801 Oxford Road, Glen Echo, Maryland: *Provided,* That the above mentioned land and improvements may be acquired only by donation: *And provided further,* That the donation of any privately owned lands within the historic site may not be accepted unless and until the property is vacant;

(2) for establishment as the John Day Fossil Beds National Monument, Oregon, those lands depicted on the map entitled "Boundary Map, John Day Fossil Beds National Monument", numbered NM-JDFB-20,014-A and dated June 1971: *Provided,* That the national monument shall not be established unless and until the State of Oregon donates or agrees to donate the Thomas Condon-John Day Fossil Beds, Clarno, and Painted Hills State Parks: *Provided further,* That the Secretary shall not acquire a fee title interest to more than one thousand acres of privately owned lands except by donation or exchange: *Provided further,* That the Secretary shall designate the principal visitor center as the "Thomas Condon Visitor Center";

(3) for establishment as the Knife River Indian Villages National Historic Site, North Dakota, those lands depicted on the map entitled "Boundary Map, Knife River Indian Villages National Historic Site, North Dakota", numbered 468-20,012 and dated July 1970;

(4) for establishment as the Springfield Armory National Historic Site, Massachusetts, those lands depicted on the map entitled "Boundary Map, Springfield Armory National Historic Site, Massachusetts", numbered NHS-SPAR-91,003 and dated January 1974, the oldest manufacturing arsenal in the United States: *Provided,* That the historic site shall not be established unless an agreement is executed which will assure the historical integrity of the site and until such lands as are needed for the historic site are donated for this purpose;

(5) for establishment as the Tuskegee Institute National Historic Site, Alabama, those lands depicted on the map entitled "Boundary Map, Tuskegee Institute National Historic Site, Alabama", numbered NHS-TI-20,000-C and dated September 1973, which shall include the home of Booker T. Washington, the Carver Museum, and an antebellum property adjacent to the campus of Tuskegee Institute, known as Grey Columns; and

(6) for establishment as the Martin Van Buren National Historic Site, New York, those lands depicted on the map entitled "Boundary Map, Martin Van Buren National Historic Site, New York", numbered NHS-MAVA-91,001 and dated January 1974, which shall include the home of Martin Van Buren, eighth President of the United States.

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 2. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committee on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a notice to that effect in the Federal Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an explanation of the interests acquired and the costs incident thereto. The Secretary may refrain from acquiring property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 3. Notwithstanding any other provision of law, the Secretary is authorized to construct roads on real property in non-Federal ownership within the boundaries of the Tuskegee Institute National Historic Site. Any roads so constructed shall be controlled and maintained by the owners of the real property.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

(a) Clara Barton, National Historic Site, $812,000 for development;

(b) John Day Fossil Beds National Monument, $400,000 for the acquistion of lands and interests in lands and $4,435,200 for development;

(c) Knife River Indian Villages National Historic Site, $600,000 for the acquisition of lands and interest in lands and $1,130,000 for development;

(d) Springfield Armory National Historic Site, $5,300,000 for development;

(e) Tuskegee Institute National Historic Site, $185,000 for the acquisition of lands and interests in lands and $2,722,000 for development; and

(f) Martin Van Buren National Historic Site, $213,000 for acquisition of lands and interests in lands and $2,737,000 for development.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. TAYLOR of North Carolina. Mr. Speaker, H.R. 13157 is an omnibus bill authorizing the establishment of six new units of the National Park System. It is the end product of the constructive efforts of not only the members of the Subcommittee on National Parks and Recreation and the Committee on Interior and Insular Affairs, but of almost 20 other Members of this House who sponsored or cosponsored proposals dealing with individual components of this bill.

BRIEF BACKGROUND OF COMPONENTS OF H.R. 13157

Without consuming too much time, Mr. Speaker, I want to briefly describe the six units which H.R. 13157 proposes to add to the National Park System.

First, the bill would create the Clara Barton National Historic Site. Located in Glen Echo, Md., this site includes the home of Clara Barton, the founder of the American Red Cross. It is an interesting structure, but, more importantly, it can tell the story of this great humanitarian and it can interpret the early evolution of one of this Nation's outstanding charitable organizations—the American Red Cross.

Second, the bill authorizes the establishment of the John Day Fossil Beds National Monument. This important fossil field is located in north-central Oregon. While there are other units of the national park system which protect the scientific values of certain fossil fields, the John Day area possesses a great diversity of life history which is not represented at any of the other areas.

The third component of H.R. 13157 is the Knife River Indian Villages National Historic Site located in the State of North Dakota. The new unit will add to the national park system several important archeological sites where the life of the Plains Indians can be studied and interpreted. At one time, it was a hub for trading between tribes, as well as with white fur traders. In addition, it is important as a place where Indian culture and agricultural adaptation developed. Protection of the archeological sites in this area is needed, but equally important is the need to properly study, develop, and interpret the area for the visiting public.

The fourth component is the proposed Springfield Armory National Historic Site in Springfield, Mass. Few places in the national park system demonstrate and interpret the role of manufacturing in the early history of the Nation. The Springfield Armory can help to present this phase of our history, because it was at this location that the mass production of small arms, with interchangeable parts, began. In addition to its intrinsic historical significance, it will interest many Members to note that it houses the largest collection of small arms in the world. Not only does it contain examples of every weapon produced at the Springfield Armory, but it includes weapons produced by other American manufacturers, as well as weapons from around the world. For my southern colleagues, I should also note that its collection of Confederate weapons is said to be the most comprehensive in existence.

The fifth unit included in H.R. 13157 is the Tuskegee Institute National Historic Site in the State of Alabama. This site tells a different part of America's

cultural story. It tells of a struggle of black people to help themselves through hard work, dedication, and education. Tuskegee Institute was founded in 1881 by Booker T. Washington—a man who was valued as a boy at $400, but whose value to his people and to the Nation could never be measured in dollars. The historic site will include his home and will be used to interpret his life and times to the visiting public. It will also feature the museum and laboratory established by George Washington Carver—the man whose practical experiments were so important for many common products of the southern farmlands—including the development of hundreds of uses for the peanut, sweet potato, soybean, and cotton. This historic site will represent living history, because it will be closely associated with the continuing functions of Tuskegee Institute.

The sixth, and last, unit is the Martin Van Buren National Historic Site near Kinderhook, N.Y. This feature of the bill will assure the preservation and interpretation of the life of the eighth President of the United States. The key property of the site is the mansion, known as "Lindenwald," which was the home of Martin Van Buren for the last 20 years of his life. It is presently being held by the National Park Foundation and will be conveyed to the United States at cost.

Mr. Speaker, all six of these areas represent important additions to the National Park System. They will each tell their own important story for the American public. They certainly constitute places of recognized national significance.

LEGISLATIVE CONSIDERATION

I want to emphasize that even though there is very little, if any, controversy concerning these proposals, they received careful consideration by the committee. Before developing the omnibus bill which is now before the House, separate public hearings were held on each component.

While the departmental recommendations, in some cases, stop short of an administration endorsement, it is clear from the record and from the recommendations of the Secretary's Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, that all of them merit the recognition which H.R. 13157 will extend to them. I hasten to add that it is the function of the Congress—and not the executive branch—to make this final determination.

COST

Mr. Speaker, the land acquisition costs in these six units will be relatively nominal since much of the real estate is to be donated. H.R. 13157 contains the usual limitation on appropriations for these purposes for each unit. Altogether, the land acquisition authorization totals $1,398,000.

Development costs must necessarily take into account the facilities which are required to accommodate large numbers of people. Sanitation facilities, heat and light needs, administrative and maintenance facilities, access roads and trails, signs, parking areas, and a host of interpretive devices must all be taken into account when the master plan is made. These costs sometimes seem high, but everyone who visits a park unit recognizes their importance for a meaningful and pleasant experience. As with land acquisition costs, H.R. 13157 includes a development appropriation ceiling for each unit. Taken together, development costs at these six units over a period of 5 or more years is expected to total about $17,136,000.

CONCLUSION AND RECOMMENDATION

Mr. Speaker, I am pleased to bring H.R. 13157 to the House floor for the consideration of the Members and I urge its adoption, as amended by the committee.

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

Mr. TAYLOR of North Carolina. I will be glad to yield to the chairman of the Committee on Interior and Insular Affairs (Mr. HALEY).

Mr. HALEY. Mr. Speaker, I thank the genteman for yielding.

I am happy to rise in support of this legislation. Especially do I want to call attention to the Tuskegee Institute, the National Historic Site in Alabama. This pays honor to one of the great black educators of this Nation, one of the great outstanding Americans, in my opinion.

Also, I am glad to see some recognition being given to George Washington Carver, who is a gentleman from North Carolina. Many of us in the South realize what a tremendous job he did to bring about the economic development of the southern States.

Mr. TAYLOR of North Carolina. Mr. Speaker, let me state to the gentleman that while visiting Tuskegee I was impressed by the many quotations from the great American, Booker T. Washington. Let me quote a few:

> There is as much dignity in tilling a field as in writing a book.
>
> No man who has the privilege of rendering service to his fellows ever makes a sacrifice.
>
> At Hampton, I not only learned that it was not a disgrace to labour, but learned to love labour not alone for its financial value but for labour's own sake and for the independence and self-reliance which the ability to do something which the world wants done brings.
>
> I will not permit any person to debase my soul by making me hate him.

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

Mr. TAYLOR of North Carolina. I yield to the gentleman from Iowa.

Mr. GROSS. What is the total cost of this bill for all the projects set forth?

Mr. TAYLOR of North Carolina. The land acquisition, the cost is relatively low because many of the properties will be donated. In fact, most of them will be donated. The total land acquisition for all six areas is $1,398,000. The development cost, which is subject to the annual appropriation process for the six areas would have a total cost of $17,136,200.

Mr. GROSS. So the total bill is approximately $18 million to $20 million?

Mr. TAYLOR of North Carolina. About $18½ million.

Mr. GROSS. The total land acquisition and development?

Mr. TAYLOR of North Carolina. The gentleman is correct, for the six areas.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Speaker, I rise in support of H.R. 13157, an omnibus bill to provide for the establishment of six national historic sites, including the Springfield Armory National Historic Site in my home city in Massachusetts.

My colleague from western Massachusetts, Congressman SILVIO O. CONTE, and I are cosponsors of the original bill in this Congress, H.R. 329, to authorize the establishment of the Springfield Armory National Historic Site, now included in the legislation before us today.

This legislation would authorize the Secretary of the Interior to accept from the city of Springfield portions of the historic Springfield Armory property, together with a donation of improvements and personal property on such lands. Specifically, they are the major arsenal buildings: the commanding officer's quarters, the master armorer's quarters, and the main arsenal. The main arsenal houses the Springfield Armory Museum, which contains the outstanding Benton arms collection.

For nearly two centuries the armory has been the heart of the Springfield area. From the beginning, the operating center of the Springfield Armory has been Armory Square, where these three buildings are located on a magnificent bluff overlooking the center city and the picturesque Connecticut River.

The Armory Square complex contains a tree-covered parade and various historic buildings once used for housing, administration, manufacturing, and storage at the armory. Since 1968, when the armory was deactivated, many of these buildings have been converted to educational use by the Commonwealth of Massachusetts which operates the recently established and highly successful Springfield Technical Community College. The State has agreed that the college will assure the historical integrity of the site and the nearby buildings.

The Armory Square complex, surrounded by a majestic iron fence, is on a commanding site overlooking the original town and is notable for the spacious surroundings allotted its buildings. The consistent scale and restrained, dignified character of the structures, and the uniform use of sturdy brick construction, white trim, and slate roof, all contribute to a harmonious totality in which the sum is greater than any single part.

Armory Square has retained its identity and overall architectural composition for the past 100 years. The square's size and distinction, provided in part by its elevation and the iron fence enclosing it, provide a degree of isolation from the adjacent urban environment. Within walking distance is the famous quadrangle that is considered the cultural heart of Springfield.

The proposed Springfield Armory national site would commemorate the im-

portant role of the Springfield Armory in the Nation's military and industrial history. For nearly 200 years, the armory was a center for manufacturing and development of small arms, producing weapons which achieved a justified reputation for quality, accuracy, and dependability. For a substantial portion of this time, the armory made Springfield the small arms center of the world.

Springfield Armory played an important role in the development of the principle of interchangeability of parts, a necessary forerunner of the modern assembly line techniques of American industry. In 1822, an armory workman named Thomas Blanchard designed a machine for turning gun stocks; though conceived for that specific purpose, his machine proved a forerunner of subsequently perfected machinery for making other interchangeable gun parts. Blanchard's gunstock machine is in the museum collection at the armory.

When, in 1774, the British Parliament imposed an embargo on the shipment of firearms to the American colonies, the Massachusetts committee of safety took measures to supply the need. An armorer for the colony was named, and all qualified gunsmiths were encouraged to address themselves diligently to their trade. In the Springfield area, three local mechanics by March 1776 were engaged in fabricating guns: One making barrels; a second, locks and rigging; and the third, turning the stocks.

Col. Henry Knox, commanding a Continental artillery regiment within the defenses of New York City, on September 27, 1776, suggested to the Continental Congress the establishment of "one or more capital laboratories" for manufacture of guns and ordnance stores. In December of that year, General Washington had Knox promoted to brigadier general, named him chief of artillery and assigned him the job of setting up of such laboratories at York, Pa., and Hartford, Conn. After careful inspection of potential sites, Knox selected Springfield over Hartford as the "best place in New England for a laboratory, cannon foundry, et cetera." Though located on the Connecticut River for a power source, Springfield was far enough upstream for safety against attack by heavy war vessels.

Buildings at first were rented in the town of Springfield, in 1777, where initial production was of paper cartridges. During the year all the extra powder belonging to the Continental Army at Boston was sent to Springfield for storage and ammunition production. Arms also were sent there for storage at an early date. Springfield early in the Revolution thus became a military supply depot of major importance, a distributing point for ordnance needs throughout the northeastern theater of war.

The requirements of the burgeoning establishment soon necessitated an expansion of the physical facilities. The site selected was the militia training field on a hilltop just outside the town, and there in 1778 were erected a magazine, barracks, and accommodations for operation of the laboratory. These were the first constructions on the site of the present Armory Square.

George Washington's successful campaign of 1781 having assured a cessation of hostilities, attention was given to adequately safeguarding the large supplies of powder remaining in Government hands. In 1782, the Congress ordered the establishment of "good and sufficient magazines" at Springfield, Mass.; West Point, N.Y.; Yellow Springs, Pa.; and New London, Va.

In addition to its historical role in the development and manufacturing of small arms, Springfield Armory was also the site where Shay's rebellion was quelled. On January 25, 1787, the rebellion of small farmers under Daniel Shay against unfair taxation ended at Springfield Arsenal, with their defeat as they attempted to seize the magazine.

Following the Revolutionary War in 1794, President Washington recommended, and the Third Congress authorized, the establishment of the U.S. Arsenal at Springfield.

Mr. Speaker, I believe that Springfield Armory represents a heritage of Government arms development and manufacture that is worthy of preservation. In April 1963, the Army was dedicated as a national historical landmark. And at its 65th meeting in October 1971, the Secretary's Advisory Board ond National Parks, Historic Sites, Buildings and Monuments, "heartily endorsed the establishment of the Armory Square portion of the Springfield Armory as the Springfield Armory national historic site."

After deactivation in 1968, part of Armory Square was conveyed to the city of Springfield, which in turn leased a portion to Springfield Armory Museum, Inc., a nonprofit foundation, for preservation and management.

Other parts of the Armory were conveyed to the Commonwealth of Massachusetts. It became apparent, however, that preservation of the appearance of historic buildings, particularly those marked for use by the Springfield Technical Community College, was not assured. Congressman CONTE and I filed H.R. 108 on January 22, 1971, in the 92d Congress to authorize the establishment of the Springfield Armory national historic site. On September 7, 1972, the Department of the Interior filed a favorable report to the Congress recommending the enactment of H.R. 108. The 92d Congress, however, adjourned before hearings could be scheduled in the House and Senate.

Springfield Armory National Historic Site would encompass approximately 55 acres. The Department proposes to acquire in fee, through donation, 18.35 acres of land owned by the city of Springfield and a strip of 1.97 acres owned by the State of Massachusetts and utilized in conjunction with the college. The remaining 34.61 acres would remain in State ownership, constituting a "preservation control area," pursuant to the agreement concluded with the State, that would preserve the historic appearance of the parade and the exterior of structures, including the Technical College, surrounding it. In addition, the Department would conclude an agreement with the Secretary of the Army concerning the arms collection and other museum objects now at the site. Since the arms collection is a key feature of the historic site, the Department believes that a satisfactory agreement should include a loan of the articles on a long-term basis, subject to renewal, to the National Park Service. A draft of an agreement containing this type of loan arrangement has been negotiated: its signing awaits the passage of legislation creating the historic site.

Because land would be acquired entirely through donation, no land acquisition costs are involved. This bill authorizes $5,300,000 for development of the site. The estimated cost of operation and maintenance is expected to be about $356,000 per year.

As the Nation approaches its Bicentennial anniversary in 1976, it is my firm belief that the passage of this legislation and the establishment of a Springfield Armory National Historic Site would be fitting and relevant commemoration of the important role that the Springfield Armory has played in our Nation's history.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, I rise to express my strong support for this bill, H.R. 13157, which provides for the establishment of a variety of national historic sites and monuments. In particular, I would like to address myself to the establishment of the Springfield Armory National Historic Site, in Springfield, Mass.

The Springfield Armory has a rich and glorious history deeply intertwined with the creation and growth of our Nation. The defense of our country, and the preservation of its ideals, has been contributed to on this historic site since it was founded at the time of the Revolutionary War.

The Springfield Armory was the first facility of its type to be established in the United States. Begun in 1777, it was the first of this country's arsenals, and the only one to be called an armory. The presence of a large number of skilled gunsmiths, blacksmiths, and craftsmen located in the Springfield area prompted Gen. Henry Knox, George Washington's top artillery officer in the Continental Army, to recommend the site as most suitable to the Army's needs. From 1777 to 1780 the amory prepared musket cartridges for distribution to colonial troops.

In the years following the Revolution, the armory was used as a storage depot for ammunition. In 1794, President Washington, who had visited the arsenal during his military career, recommended to the Third Congress that the armory be established as a permanent Government arsenal. That recommendation was

adopted, and by an act of Congress in 1794, it became the U.S. Armory.

In 1787, one of the most spectacular events in the armory's history occurred. On January 25, Daniel Shay led a group of farmers who were revolting against heavy taxation and the depreciation of paper currency, a situation which I am sure we can all identify with today. Approximately 2,000 men attempted to seize the arsenal in order to capture its military stores for purposes of insurrection. An army of 4,000 men, raised to deal with the rebellion, easily repulsed the attackers who fled after a few of their number fell in battle. This abortive attempt to seize the arsenal virtually ended the rebellion.

Over the years the production of the armory grew proportionately with America's defense needs. In the year 1795 the 40 people employed at the armory produced 245 muskets. By the height of the Civil War, the armory's production had expanded to 276,000 rifles a year. Production again expanded to more than 547,000 rifles a year during World War I and to more than a million a year throughout the Second World War.

In addition to manufacturing weapons for our troops, the Springfield Armory has been in the forefront of weapons design and development. Shoulder arms developed during the first century of the armory's existence, and in the second century the flintlock, percussion—both smooth and rifled bore—and the breach loading rifle were improved and produced at Springfield. Later, the bolt action, the semiautomatic, and full automatic types of weapons were developed and produced at the Springfield Armory. John C. Garand, a Springfield Armory expert, developed the M-1 for use during World War II. When it closed in 1968, the armory was still a technical and scientific center for American military weaponry ranging from pistols, rifles, and machineguns to aircraft armaments.

Mr. Speaker, the rich and proud tradition of the armory in the service of the Nation's defense more than qualifies its preservation in the public ownership. It is more than an inspiration to the people of the United States—it is a monument to the heritage of the traditions it has helped to defend.

For these reasons, Mr. Speaker, I urge my colleagues to join with me in supporting this bill to preserve for posterity these monuments which stand in glowing tribute to the glorious heritage and history of our great Nation.

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

Mr. Speaker, the bill now before us, H.R. 13157, along with its identical companion measure, H.R. 13427, is designed as an omnibus bill incorporating the authorization of six new units of the national park system.

Five of these areas commemorate an historic theme, and one preserves an important natural history resource. The areas involved in this bill are as follows:

First. The Clara Barton House, in the State of Maryland, will preserve the home of the founder of the American Red Cross, and will display and interpret the important contributions which Miss Barton has made to foster the idea of people helping people in times of disaster and need.

Second. The John Day Fossil Beds, in the State of Oregon, contains a fantastic display of plant and animal fossils, many of which are exposed to view.

Third. The Knife River Indian Villages, in the State of North Dakota, contain the remains of ancient Indian villages characteristic of the lifestyle and culture of the Indians of the plains.

Fourth. The Springfield Armory, in the State of Massachusetts, embraces the oldest manufacturing arsenal in the United States, and will display a large collection of arms.

Fifth. The Tuskegee Institute, in the State of Alabama, recognizes the significant educational and scientific contributions of Booker T. Washington and George Washington Carver, closely associated with the educational advancement of black Americans.

Sixth. The home of Martin Van Buren, in the State of New York, known as "Lindenwald," preserves the residence of the eighth President of the United States.

Seventh. Mr. Speaker, the committee has considered all six of these areas to constitute worthy additions to our national park system. I know of no controversy involved over any of these areas, and I urge my colleagues to join in support of the passage of this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HOSMER).

Mr. HOSMER. Mr. Speaker, I support the bill before us, H.R. 13157. This is an omnibus bill which authorizes the addition of six new units to our National Park System. Five of these areas will be national historic sites and one will be a national monument.

All six of these areas were the subject of hearings conducted by the committee, and each was given close scrutiny as to its merits. All of these areas have had strong support for their establishment as units of the National Park System and none were controversial. In the case of many, costs have been significantly minimized due to the willingness of current owners to donate lands and properties to the Federal Government.

I recommend that my colleagues join me in the support of this legislation.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. ANDREWS).

Mr. ANDREWS of North Dakota. Mr. Speaker, I appreciate the gentleman yielding to me. I want to compliment him and our good friend, the chairman of the subcommittee, the gentleman from North Carolina (Mr. TAYLOR) on the work they have done.

In North Dakota, we have one of the historical sites in this bill, the Knife River Indian Villages area. This, of course, marks a living area of the original Americans.

When we become concerned with minorities—as we should be—in our country, we all too often forget the American Indian and the great contributions they made to the development of life in this great Nation of ours.

This bill will allow us to preserve what is left of some of the earliest archeological sites.

Mr. Speaker, I commend the committee for its work, and I urge support of this legislation.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Speaker, as one of the sponsors, I rise in support of H.R. 13157, to establish various national historic sites, including the Clara Barton Historic Site in Glen Echo, Md. The provision for the Clara Barton National Historic Site was embodied in H.R. 2841, which I originally introduced on January 24, 1973. I wish to commend the distinguished chairman of the Interior Committee, and all the members of that committee, for their hard efforts and dedicated interest in this measure.

The Clara Barton House is adjacent to the C. & O. Canal National Historical Park, which is, of course, under the direction of the Park Service. The House was constructed with timbers salvaged from the Red Cross barracks which were set up in Johnstown, Pa., to aid victims of that devastating flood. The people of Johnstown, to show their gratitude to Clara Barton, had the wood shipped to Cumberland, Md., and then brought to Glen Echo on the C. & O. Canal.

The house itself is unique for several reasons. Its architecture is known as "Steamboat Gothic," utilized in the late 19th century and the reason for this becomes obvious to anyone who pays a visit. The house has a open central gallery, three stories high, and ringed by walkways. The three tiers of rooms face the gallery. Colored windows in the clerestory windows add to the steamboat feeling. The Captain's Cabin, which was Clara Barton's room, provides a commanding view of the gallery appropriate to that of river and bay steamers of past generations.

For several years around the turn of the century, the house served as the national headquarters of the American Red Cross, founded by Clara Barton. Ms. Barton herself resided in the house until her death in 1912.

Clara Barton's role in the founding of the Red Cross, and her dedicated efforts tending to the wounded during the Civil War rightfully have earned for her a major place in our American history, and mark her clearly as one of our most famous women. Clara Barton has worldwide fame as a great and dedicated humanitarian.

I believe that the Clara Barton House will be a welcomed and valuable addition to the National Park Service and will complement the historic aspects of the C. & O. Canal National Historical Park.

For many years, the house has been under the control of a group known as

the Friends of Clara Barton, a nonprofit group of dedicated citizens who wished to preserve the structure. I believe that we in the Congress, and the American people, owe a debt of gratitude to these wonderful and selfless people. I urge the support of the House for this measure.

Mr. TAYLOR of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. GUDE. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Speaker, the record ought to show that the late John Saylor was one of the principal sponsors of this Clara Barton site.

Mr. GUDE. Mr. Speaker, the gentleman is exactly right. The wood from which the Clara Barton House was constructed was originally used for the barracks that sheltered the victims of the Johnstown flood. And, of course, Johnstown was in the late John Saylor's district. The wood, a gift from the grateful people of Johnstown, was transported down the C. & O. Canal to Glen Echo, Md.

John Saylor was a strong supporter of this legislation as he was interested in preserving so many other national shrines and conservation areas.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KING).

Mr. KING. Mr. Speaker, I thank the gentleman for yielding to me.

I want to express my appreciation to the chairman, to the chairman of the subcommittee and to the ranking minority member for the attention they have given us when we asked that former President Martin Van Buren's home, in Greene County, in my congressional district, be designated as one of our national parks.

It was long overdue, and is the only place owned by a former President of the United States that has not been recognized as a national landmark.

Mr. Speaker, I join the other Members, and I would hope that the House would pass this legislation.

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

Mr. SKUBITZ. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, it is nice to preserve historic sites, but I wonder if there will be any money left to preserve the site now occupied by the U.S. Treasury. Another that might be added is Fort Knox. That site a few years ago held the greatest store of gold I imagine any nation ever had. It is now reported to be nearly empty.

Mr. SKUBITZ. Mr. Speaker, may I say to my colleague, the gentleman from Iowa, that we will do our best in preserving both.

Mr. GROSS. I hope so.

Mr. NICHOLS. Mr. Speaker, I would like to take this opportunity to speak in favor of H.R. 13157, the national historic sites, which includes the authorization for the establishment of the Tuskegee Institute National Historical Park.

Among institutions of higher learning in the United States that have been established for black students, Tuskegee Institute is probably the most widely known. The student body of 3,200 represents 38 States, including Alabama, and 14 foreign countries which exemplifies the fine reputation of this outstanding university.

Dating back to 1881 when the institution was chartered by the Alabama State Legislature, the principles on which Tuskegee bases its educational philosophy are the same today as they were when Booker T. Washington first opened the doors to some 40 students. As the first educator of Tuskegee Institute, Dr. Washington hoped to instruct the predominantly agrarian pupils in certain trades. During this era of history in the bleak years following the War Between the States, the black community for the most part were field hands. Dr. Washington felt that through education these same people could pull themselves up by the boot straps and find a better way of life.

This great experiment has worked over the years and today the school just as Dr. Washington had hoped, sets the example with good education and leadership training. As an example of past experiences of the students of Tuskegee there are still many buildings standing which were constructed by students in the early part of this contury. This was not only an experience in carpentry for these students, but the brick that these buildings were built with were also made by the students of Tuskegee. Among the buildings erected by students still standing are the Oaks, the home of Booker T. Washington, the Administrative Building, Tomkins Hall, the Dining Hall, and White Hall.

One of the greatest accomplishments of Dr. Washington was to give Dr. George Washington Carver the opportunity to come to the Tuskegee campus where he conducted studies indigenous to the area. On the campus today you may visit the Carver Museum which contains an impressive display of the astute and important scientific work that this great scientist and American conducted.

Mr. Speaker, the historical and cultural significance of this fine Alabama institution is almost limitless. This bill would provide for the preservation of these historically pertinent structures both on and off the Tuskegee campus, and I strongly urge the enactment of this legislation.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. 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 under consideration.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. TAYLOR) that the House suspend the rules and pass the bill (H.R. 13157) as amended.

The question was taken.

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

The yeas and nays were refused.

So (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.

PROVIDING FOR INCREASES IN APPROPRIATION CEILINGS AND BOUNDARY CHANGES AND AUTHORIZING APPROPRIATIONS FOR LAND ACQUISITION FOR THE NATIONAL PARK SYSTEM

Mr. TAYLOR of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14217) to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 14217

A bill to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—ACQUISITION CEILING INCREASES

SEC. 101. The limitations on appropriations for the acquisition of lands and interests therein within units of the National Park System contained in the following Acts are amended as follows:

(1) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat. 1188, 1189) is amended by changing "$24,575,000" to "$28,350,000";

(2) Colonial National Historical Park, Virginia: Section 4 of the Act of July 3, 1960 (46 Stat. 856), as amended (16 U.S.C. 81f) is amended by changing "$2,777,000" to "$10,472,000";

(3) Cumberland Gap National Historical Park, Kentucky and Tennessee: For the acquisition of lands authorized in subsection 301(2) of this Act, there are authorized to be appropriated such sums as may be necessary, but not more than $427,500;

(4) Fort Necessity National Battlefield, Pennsylvania: Section 5 of the Act of August 10, 1961 (75 Stat. 336), is amended by changing "$115,000" to "$722,000";

(5) Independence National Historical Park, Pennsylvania: Section 6 of the Act of June 28, 1948 (62 Stat. 1061, 1062), as amended (16 U.S.C. 407r), is amended by changing "$11,200,000." to "$12,792,000.";

(6) Indiana Dunes National Lakeshore, Indiana: Section 10 of the Act of November 5, 1966 (80 Stat. 1309, 1312; 16 U.S.C. 406u-9) is amended by changing "$27,900,000" to "$35,526,000";

(7) Moores Creek National Military Park, North Carolina: The Act of September 27, 1944 (58 Stat. 746) is amended by adding the following new section:

"SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than $243,000 shall be appropriated for the acqusition of lands and interests in lands and not more than $325,000 shall be appropriated for development.";

(8) Morristown National Historical Park, New Jersey: Section 3 of the Act of September 18, 1964 (78 Stat. 957) is amended by changing "$281,000" to "$2,111,000";

(9) Rocky Mountain National Park, Colorado: For the acquisition of lands authorized in subsection 301(6) of this Act, there are authorized to be appropriated not more than $2,423,740 and for development of such lands there are authorized to be appropriated not more than $318,000; and

(10) Virgin Islands National Park, Virgin Islands: Section 4 of the Act of October 5, 1962 (76 Stat. 748; 16 U.S.C. 398f) is amended by changing "$1,250,000" to "$12,250,000".

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for development of units of the National Park System contained in the following Acts are amended as follows:

(1) Channel Islands National Monument, California: For the purposes of development of the administrative site and visitor facilities authorized by section 401 of this Act, there are authorized to be appropriated $2,936,000;

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: In addition to any funds heretofore appropriated for said national historical park, there are hereby authorized to be appropriated not more than $160,000 for development; and

(3) International Peace Garden, North Dakota: Section 1 of the Act of October 25, 1949 (63 Stat. 888), as amended (68 Stat. 300 and 72 Stat. 985), is amended by changing "$400,000" to $1,702,000".

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

(1) Biscayne National Monument, Florida: To add approximately 8,738 acres of land and water, including all of Swan Key and Gold Key:

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: Notwithstanding the provisions of the Act of June 11, 1940 (54 Stat. 262), as amended (16 U.S.C. 261–265), the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed 60 acres of land or interests in land located in Bell County, Kentucky, and Claiborne County, Tennessee, for addition to and inclusion in the said national historical park which, upon acquisition, shall become a part of the Cumberland National Historical Park subject to the laws, rules, and regulations governing such park;

(3) Fort Necessity National Battlefield, Pennsylvania: To add approximately 411 acres;

(4) Independence National Historical Park, Pennsylvania: To add approximately 4.67 acres, which shall include the area bounded by Chestnut Street, Front Street, Walnut Street, and Second Street, to be known as Project F: *Provided*, That the authority of the Secretary of the Interior to acquire property by condemnation under this Act shall be suspended with respect to all property within the boundaries of the area known as Project F during the time the city of Philadelphia shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary: *And provided further*, That no zoning ordinance or amendment of a zoning ordinance shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development of the Independence National Historical Park, or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment;

(5) Lava Beds National Monument, California: To add approximately 321.58 acres and to delete approximately 60.12 acres, which additions and deletions shall comprise only federally owned lands, and lands deleted from the monument shall be administered by the Secretary of the Interior in accordance with the Federal reclamation laws;

(6) Morristown National Historical Park, New Jersey: The Act of September 18, 1964 (78 Stat. 957) is amended changing "two hundred and eighty-one acres" in both places in which it appears in the first section to "465 acres" and change the period to a colon and insert "*Provided*, That title to the property known as the Cross estate may not be accepted until the property is vacant," and

(7) Rocky Mountain National Park, Colorado: To add approximately 1,556.21 acres.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. The Secretary of the Interior is authorized to accept the donation of the fee simple title of not to exceed five acres of land and submerged land within the Ventura Marina, Ventura County, California; and to develop, operate, and maintain thereon administrative and visitor facilities to be used as a mainland headquarters for the Channel Islands National Monument: *Provided*, That no lands or any interests therein may be accepted by the Secretary until a mutually satisfactory agreement has been executed which shall include, among other things, an agreement on the design for such facilities, a reasonable timetable for their construction, and an agreement concerning public use of and access to such facilities. Any property accepted under the provisions of this Act shall be administered as a part of the national monument.

SEC. 402. The Act of September 27, 1944 (58 Stat. 746), providing for the Moores Creek National Military Park is amended by changing the words "accept in behalf of the United States donations of" to "acquire by donation, purchase, or exchange", and by changing "to be accepted" to "acquired".

SEC. 403. (a) The Secretary of the Interior, in cooperation with the Secretary of the Army, shall cause to be conducted such studies as they deem reasonable and necessary to determine the causes and extent of the damage to the foundations of the historic structures of the San Juan National Historic Site and shall transmit to the Congress, as soon as possible, but no later than one year after the date of the enactment of this Act, the alternative courses of action, together with their recommendations, which might be taken to assure the historical integrity of such structures and the safety of the visiting public. Pending the submission of such recommendations, the Secretary of the Interior shall take every reasonable precaution to assure the public safety and the maximum public enjoyment of the historic site.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $100,000.

SEC. 404. (a) The Secretary of the Interior is authorized and directed to undertake a study of the most feasible and suitable means of preserving and interpreting for the benefit of the public the historic and natural resources of the Ohio and Erie Canal in the State of Ohio, together with associated and related lands. In carrying out the study the Secretary shall consider existing and proposed State and local highway plans, land-use plans, outdoor recreation plans, and related plans for the preservation of historic and natural resources. Not later than one year from the date of enactment of this Act the Secretary shall submit to the Congress a report of such study, including his recommendations as to the means of protecting, interpreting, and developing the resources of the Ohio and Erie Canal and adjacent lands.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $40,000.

SEC. 405. (a) In all instances where authorizations of appropriations for the acquisition of lands for the National Park System enacted prior to January 9, 1971, do not include provisions therefor, there are authorized to be appropriated such additional sums as may be necessary to provide for moving costs, relocation benefits, and other expenses incurred pursuant to the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91–646; 84 Stat. 1894). There are also authorized to be appropriated not to exceed $8,400,000 in addition to those authorized in Public Law 92–272 (86 Stat. 120) to provide for such moving costs, relocation benefits, and other related expenses in connection with the acquisition of lands authorized by Public Law 92–272.

(b) Whenever an owner of property elects to retain a right of use and occupancy to any statute authorizing the acquisition of property for purposes of a unit of the National Park System, such owner shall be deemed to have waived any benefits under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the legislation now before the House is H.R. 14217. This bill is not a complex measure. It simply provides for revised appropriation ceilings at various units of the Natonal Park System for land acquisition and development. It also makes needed boundary changes and authorizes certain studies which the committee believes are needed.

BRIEF BACKGROUND

This bill is the product of public hearings on 19 separate legislative proposals cosponsored by over 75 Members of Congress. It represents a joint effort to bring to the House floor needed legislative proposals which would otherwise suffer severe competition from other more urgent and pressing measures. To the best of my knowledge, none of the proposed changes involve any significant controversy.

BRIEF EXPLANATION

Mr. Speaker, H.R. 14217 authorizes increased appropriation ceiling to 10 existing units of the National Park System, as well as increased ceilings for development at five others. In addition, it makes needed boundary changes at seven national park areas. The committee report explains each of these changes, so

I will not take the time of the Members of the House to detail them unless questions arise. I will say, however, that each change was reviewed in detail by the the members of the Subcommittee on National Parks and Recreation before being recommended for inclusion in H.R. 14217, except for the boundary change at the Lava Beds National Monument. In that case, informal meetings with representatives of the Department of the Interior led to the development of a provision—offered in the full committee—which will result in a more reasonable and definable boundary for the monument. I might add that all of the lands involved are already federally owned so that no expenditure of Federal funds will be required in this particular case.

I do think that I should emphasize that H.R. 14217 includes two items that have not heretofore been considered and approved by the Congress. They are a study provision relating to the serious erosion problem at the San Juan National Historic Site in Puerto Rico, and a study provision relating to the feasibility and desirability of preserving the Ohio and Erie Canal in Ohio.

In both of these cases, the studies are to be made by the Secretary of the Interior and he is to report his findings and recommendations to the Congress for whatever further action he deems appropriate.

COST

Mr. Speaker, this bill authorizes the appropriation will be made from the land acquisition. As everyone knows, this appropriation will be made from the land and water conservation fund which was created by the Congress to help satisfy the outdoor recreation needs of the Nation. A large portion of the costs involved in this legislation is represented by provisions in the bill which are needed to satisfy land acquisition programs at Biscayne National Monument, Fla., $3,775,000; Indiana Dunes National Lakeshore, Ind., $7,626,000; Morristown National Historical Park, N.J., $1,830,000; Rocky Mountain National Park, Colo., $2,423,740; and Virgin Islands National Park, Virgin Islands, $11,000,000.

Development needs under H.R. 14217 are closely associated, in some cases, with the land acquisition needs involved in this legislation. At Cumberland Gap National Historical Park, for example, the $160,000 authorized to be appropriated for development is to be used primarily to remove an offensive and obtrusive meat-packing plant from lands adjacent to the visitor center of the park. At the International Peace Garden in North Dakota, however, the authorization increase in the development ceiling—totaling $1,302,000—is to be used to complete the original objective for which the area was established.

H.R. 14217 also provides appropriation authority which is essential to satisfy the objective of the Relocation Assistance and Real Properties Acquisition Policies Act of 1970. While that act has been taken into account in the years since its enactment, land acquisition authorization ceilings prior to that time did not include these costs. For this reason, the committee was advised that several areas authorized prior to 1971 contain deficient authorization ceilings. To satisfy this need, the bill authorizes the appropriation of not more than $8,400,000.

CONCLUSION AND RECOMMENDATION

Mr. Speaker, H.R. 14217 represents the combined efforts of many Members of Congress. In most every respect, it has the support of the administration and, I should note, the support of the Members who represent the areas involved. This bill was approved by a voice vote of the members of the Interior and Insular Affairs Committee.

It is a pleasure for me to join my colleagues in bringing a bill to the floor which should help to accomplish the objectives of the park areas which have already been authorized by the Congress. I urge the approval of H.R. 14217, as amended, by the Members of this House.

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

Mr. TAYLOR of North Carolina. I am pleased to yield to the chairman of the Committee on Interior and Insular Affairs, the gentleman from Florida (Mr. HALEY).

Mr. HALEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this legislation. I think it is something that will fulfill our expectation that it will be money well spent, whatever it costs.

I also wish to take this opportunity, Mr. Speaker, to pay tribute to the chairman of the subcommittee, the gentleman from North Carolina (Mr. TAYLOR), who during this session of the Congress has carried a tremendous load, as we well know. In the many bills that he has brought here on the floor of the House he has been a very fine chairman of his subcommittee. He very ably presented the bills; he has a fine knowledge of what the content of them is.

I would like to say this, too, Mr. Speaker, for the benefit of my good friend, the gentleman from Iowa (Mr. GROSS). I do not think that we have to worry about any historical site or monument or anything as far as Fort Knox is concerned, because I understand, the way we spend our money, there will be nothing there but an empty building very shortly.

Mr. TAYLOR of North Carolina. Mr. Speaker, I thank the chairman of the committee for his kind remarks. We have had, I believe, a productive year in our committee.

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

Mr. Speaker, during each Congress a great many bills are referred to the Committee on Interior and Insular Affairs which constitute minor adjustments in existing law or noncontroversial new legislation.

A large group of these bills affects the national park system and deals with such matters as needed adjustments in park boundaries, changes in appropriation authorization ceilings, minor studies, and the like.

As a matter of procedural expediency, the committee has found it beneficial for both the committee itself and the House to consider these matters collectively in the format of an omnibus bill.

The bill before us, H.R. 14217, is such a vehicle. Full hearings were held on a great number of individual bills, and then the substance of these bills was combined by the committee into one omnibus bill.

The bill now before us provides principally for boundary adjustments at 7 units of the national park system; additional appropriation authorizations for land acquisition at 10 units of the system; additional appropriation authorizations for development at 5 units of the system; and a couple of studies.

Mr. Speaker, all of these proposals were closely scrutinized by the committee. All of them were strongly supported in testimony by numerous congressional and public witnesses, and to my knowledge, none of them bear any controversy.

All of these measures are designed to provide for improved protection and operation of units of the national park system.

I urge my colleagues to join with me in the support of this legislation.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong support of H.R. 14217, and wish to commend members of the committee for their efforts. The bill authorizes adding some 202 acres to the Morristown National Historical Park in New Jersey. This park lies in a strategic location within the most densely populated State in the Union. Moreover, approximately one-fourth of the population of the contiguous United States lies within 250 miles of the park, thus many thousands are able to visit Morristown relatively easily. I am most pleased, therefore, that the House today is considering H.R. 14217. This bill contains the provisions of H.R. 10251, a bill which Representative MARAZITI and I introduced over a year ago with the endorsement of the entire New Jersey delegation in the House and a member of the committee, the gentleman from Ohio (Mr. SEIBERLING). Our State's two Senators have introduced a companion measure in the other body, and I am certain that the many efforts of State officials and concerned private citizens in the park area were helpful, too.

Mr. Speaker, Morristown National Historical Park encompasses Gen. George Washington's military encampment during the harsh winters of 1779–80—winters which some say were more severe than those which the Continental forces endured at Valley Forge. Visitors to the park, upon viewing the stark surroundings in which our revolutionaries lived during those long winters, inevitably leave Morristown with an enhanced appreciation of the sacrifices those warriors made for their country. Often, they come to realize for the first time that General Washington's contribution to American independence lies as much in his ability to inspire and maintain a devotion to a cause among men living

under duress as it does in his leadership on the battlefield or as Chief Executive of our fledgling Nation.

Mr. Speaker, the bill before us today will permit the acquisition of five separate inholdings in addition to a 165-acre tract of land which sits at the headwaters of the Passaic River and which connects the Jersey Brigade's Revolutionary War campground with the Jockey Hollow area of the park. Congressional action on H.R. 14217 cannot be delayed if we are to preserve this historic site free of incompatible economic development. Aside from the generally increasing pressures for development which prevail throughout the area, A.T. & T.'s new World Headquarters is located just 2 miles from this tract and can be expected to precipitate an even greater demand for nearby housing.

Finally, Mr. Speaker, Morristown National Historic Park has been designated as a Bicentennial site by the Federal Government in anticipation of the large crowds expected to visit the site of George Washington's military campground during the 1976 celebration. If we are to insure that those Americans who visit the park during the Bicentennial festivities will be able to appreciate the full significance of this site and Morristown's contribution to the Revolutionary War, then it is essential that H.R. 14217 be passed so that the Park Service may begin the necessary preliminary operations now. Mr. Speaker, I urge a favorable vote on this bill.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DON H. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Speaker, I rise in strong support of the bill, H.R. 14217 and I wish to commend the chairman of our subcommittee, Mr. TAYLOR, and the distinguished gentleman from Kansas, (Mr. SKUBITZ) for their leadership in presenting this bill to the House.

I am a cosponsor of this legislation providing additional funding and boundary changes for 15 units in our national park system. These improvements will help our parks serve the needs of our people.

Hearings were held both in the field, throughout the Nation, and here in Washington, D.C. to make certain each of the changes was needed and justified. It is particularly important that the subcommittee make these on-site inspections of the various areas to become familiar with the problems and potentials of each unit in the system.

Normally, of course, we proceed legislatively with each park proposal on an individual basis but in this particular instance it was determined by the committee that the better part of wisdom would be to move ahead with an omnibus bill concept in order to complete action in this Congress as expeditiously as possible.

In addition, I wish to express my full support for the historic preservation authorization which will expand our ability to meet the need to protect the six sites included in the bill.

H.R. 13157 will create six new historic sites and give national recognition to these outstanding areas.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. ANDREWS).

Mr. ANDREWS of North Dakota. Mr. Speaker, I appreciate the gentleman yielding me this time, and I want to compliment the committee again for the outstanding job they have done on these two bills today.

I also wish to point out that this particular bill covers the International Peace Garden authorization. Today we know in this world of ours that we are living in great tension between some nations, yet our boundary with Canada is the longest undefended boundary between two countries in the world. This Peace Garden is the area that commemorates the basis of the coexistence between our two great nations on the North American continent.

Part of the authorization is to build a tower in which to place bells in a carillon that have been donated to this unique memorial from the people of Canada. The committee wisely found its way to make this authorization so that we can proceed with this great monument of friendship between the people of our country and Canada.

Again I want to express my thanks to my good friend, the gentleman from North Carolina, (Mr. TAYLOR), and to my equally good friend, the gentleman from Kansas (Mr. SHUBITZ) and to the chairman of the full committee, the gentleman from Florida (Mr. HALEY) for recognizing the need to continue with this building program on our Canadian border.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Speaker, I rise to express my strong support for this bill, and also to express my thanks to the leadership of the committee for permitting us to go ahead with the study of the Ohio and Erie Canal Park as a part of this bill.

The proposal to be studied is a much-needed facility in Ohio. We presently have no national parks. This proposal will tie in with the Cuyahoga Valley Park as presently being considered by the Congress.

Included in this bill is an authorization for a study of the most feasible and suitable means of preserving and interpreting the historic and natural values on the Ohio and Erie Canal in the State of Ohio.

Prior to proposing this study bill, I, Mr. VANIK, Mr. SEIBERLING and 24 of my colleagues introduced a bill (H.R. 8875) calling for the immediate establishment of this national park and recreation area along the Ohio and Erie Canal between the towns of Clinton and Zoar. Since the first step in establishing this park that the Secretary must take will be to conduct studies to define the boundaries of the park and develop detailed plans, I feel that the immediate authorization of this study will shorten the total time needed to make this park operational when it is finally authorized by Congress.

The model of this proposal is the successful Chesapeake and Ohio Canal National Historical Park which runs through our Nation's Capital. In fact, as early as 1765, George Washington, who surveyed the C. & O. Canal, considered the Tuscarawas River as part of an all water route from the Great Lakes to the Ohio River and beyond.

Approximately 36 miles of canal paralleling the Tuscarawas River in the State of Ohio between the towns of Clinton and Zoar would be under consideration for possible inclusion within the national park system under the terms of this bill. This section of the river lies on the southern edge of heavily populated northeast Ohio and traverses Summit, Etark and Tuscarawas counties. The park is within a short distance of seven standard metropolitan statistical areas; the Akron-Canton area with populations of 679,000 and 372,000 respectively; Cleveland with a population of 2,064,000, Youngstown with 536,000. Columbus, Ohio and Pittsburgh, Pa., are within 2 hours driving distance, and Toledo is within 3 hours. Approximately 5,000,000 can conceivably be served from these three areas alone.

The Ohio Department of Natural Resources has completed an exhaustive study of this area and has stated:

> The river valley offers diverse landscapes, historical significances and opportunity to satisfy recreational needs of expanding urban areas.

The old canal towpath and channels, and adjacent woodlands represent an open corridor offering outstanding opportunities for recreation.

The area is replete with history. The Delaware Indians claimed and utilized the Tuscarawas River in 1750. At that time, the valley was already recognized as a major transportation route. The Muskingham Trail originating in Lake Erie followed the ridges along the Cuyahoga, Tuscarawas, and Muskingham Rivers to reach the Ohio River. Those same streams were parts of a major canoe route from the Great Lakes to the Mississippi. The Muskingham Trail was so important to the Indian way of life that it was designated as sacred ground and kept open to Indian commerce even in times of war. Artifacts are still found throughout the area. The Ohio and Erie Canal route eventually paralleled the Indian trail and had a tremendous impact on development of the Ohio territory.

The canal was begun in 1825 and completed in 1832. It was dug by hand and log plows pulled by mules. Contracts for canal construction were let in short sections of a mile or less to farmers owning adjacent land.

Eventually the canal spanned a 309-mile route. The locks and spillways along the canal were made of large hand-hewn stones and white oak timbers. The bottoms of the locks were surfaced with white oak timbers to protect against erosion. Gates were built of heavy oak timbers and culverts were constructed to

carry lateral drainage under the canal. Several aqueducts carried the canal over major streams. Remains of the aqueducts are still visible and some of the old oak timbers are still in use.

The communities of Clinton, Canal, Fulton, Massillon, Navarre, Bolivar, and Dover were cities alive with warehouses and taverns. Those cities literally grew up with the canal. Both freight and passenger packet boats made the trip from Cleveland to Portsmouth in 80 hours.

The canal was the main route of transportation and commerce until about the time of the Civil War when railroads began to take over. By 1845, packet boats had almost disappeared although freight boats were still in constant use until the great flood of 1913 ended the useful life of the canal.

Today, several locks, remnants of aqueducts and abandoned channels and long portions of the canal itself are still visible in Stark and Tuscarawas Counties.

This area has excellent restoration potential for hiking, riding, and nature study. The Ohio Historical Society has restored portions of the canal and the towpath of the canal has been officially designated as the "Ohio Buckeye Trail." The river and canal corridor have outstanding canoeing possibilities and float trips from 3 to 36 miles could easily be developed. Scenic drives and bridle trails could be incorporated within the park and rewatered sections of the canal would provide excellent winter sports opportunities.

The State of Ohio has established memorials at Schoenbrunn, the first settlement in Ohio; Fort Lauren, the only revoluntary fort in Ohio, Gnadenhutten, the place where 96 Christian Indians were massacred by Pennsylvania militiamen; and the village of Zoar, where a group of separatists from Germany settled to find religious freedom. All of these memorials will be near this park. The Ohio Department of Natural Resources recently announced plans for access point mini parks along the canal and river.

The impact of the fuel shortage on recreation for the urban area dweller has yet to be definitely measured. Based on our experience with the gasoline shortage thus far, I think it is safe to assume that far greater numbers of recreation seeking people will be looking to all levels of their Government for conveniently located protected open spaces. This "energy problem" has accelerated the need to implement our national policy of bringing parks closer to the people.

Time is precious as open spaces not already in State or local ownership along this canal will soon be developed if not quickly preserved.

I strongly urge prompt passage of this legislation.

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

Mr. SKUBITZ. I yield to the gentleman from Iowa, because I was quite sure that the gentleman from North Dakota (Mr. ANDREWS) had rung a bell with the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I hope that this is the last bill from the Committee on Interior and Insular Affairs for today, because it seems to be going up in price with each bill. The previous one cost us $18 million, and this one apparently will cost the taxpayers $42.5 million.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Speaker, it is my great pleasure to support H.R. 14217, which provides for increases in appropriation ceilings and boundary changes in certain units of the National Park System and authorizes appropriations for additional costs of land acquisition. The House Committee on Interior and Insular Affairs, chaired by Congressman HALEY, and its Subcommittee on National Parks and Recreation, chaired by Congressman TAYLOR, have spent a great deal of time conducting hearings and developing this important legislation. Like many of you, I had the pleasure of testifying before the Subcommittee on National Parks and Recreation, and I would like to commend the distinguished Members who have worked to produce this omnibus bill, which is a composite of the various individual measures which had been introduced.

Mr. Speaker, one of the historical sites which this bill is concerned with is the Fort Necessity National Battlefield, which is located in my congressional district. At the present time, the battlefield consists of 350 acres. An additional 150 acres have been authorized, but have not yet been acquired.

This legislation authorizes the addition of approximately 411 acres, so that the total battlefield acreage, as a result of this legislation, will amount to 911 acres. H.R. 14217 authorizes the appropriation of $607,000 for a new ceiling of $722,000 for land acquisition. When appropriated, this money should be sufficient to accomplish the acquisition of the former 150 acres remaining to be acquired, along with the additional 411 acres authorized by this legislation. One 235-acre tract is a portion of a larger parcel once owned by George Washington and constitutes his original land patent at Fort Necessity.

If you are not familiar with the historical significance of Fort Necessity, I would like to briefly note the highlights. The Battle of Great Meadows was fought here on July 3, 1754, and the skirmish was a turning point in American history. It marked the beginning of the French and Indian War between England and France for control of the North American Continent, a war so expensive that the excessive taxes levied upon the Colonies by Great Britain precipitated the War of Independence. In addition, the Battle of Great Meadows marked the first major episode in the military career of George Washington.

Mr. Speaker, I have always believed that the preservation and restoration of our historic sites are key functions of the Federal Government. If we are to pass along to our children and grandchildren an appreciation for American history, it is imperative that we support legislation such as H.R. 14217, and I urge its passage today.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. ROUSH).

Mr. ROUSH. Mr. Speaker, I rise in support of H.R. 14217 which provides for increases in appropriations ceilings and boundary changes in certain units of the national park system and for other purposes.

I support the bill in its entirety, but there is one part that is of special interest to me and that is the section dealing with the Indiana Dunes National Lakeshore, which raises the authorization ceiling to $35,526,000.

When that lakeshore was authorized in 1966 the land acquisition ceiling of $27,900,000 was established. To complete land purchase we now need to raise that authorization ceiling to $35,526,000 or an additional $7,626,000.

Since 1966 when 8,330 acres were authorized for acquisition, 3,490 acres have been acquired. The Department of the Interior informs me that some 2,600 acres have to be acquired, if at all, by donation—these are either State park lands or other lands in public ownership. So, 1,872.55 acres in private ownership remain to be acquired by purchase.

The entire amount authorized for land acquisition by the 1966 act has now been appropriated, and all but approximately $1 million, according to the Department of the Interior, which is being held as a departmental contingency reserve to meet deficiency judgments, has been expended as of last fall.

The Department has reported that the increase in acquisition costs over the 1966 estimates is in part attributable to inflation in land values and in part to a decision by the U.S. Court of Appeals concerning the proper method of valuing certain tracts. Deficiency judgments will take up part of the additional funds and administrative costs, of course, are figured in as well.

The Department of the Interior has concurred in this request for the increased authorization ceiling as well.

The Indiana Dunes National Lakeshore is a unique combination of lakefront, dunes, hinterland that is not only ecologically valuable as a study site, but is ideally suited to the fulfillment of the recreational and open-space needs of the people of the region.

Mr. Speaker, I have visited the dunes frequently over the years. I have walked the area and camped out with people who love that beautiful, peaceful setting. I wish I could bring to you a full realization of the beauty and wonder of the area. I want to see it preserved and used for the enjoyment and enrichment of millions of people not only from the Midwest, but from the whole United States. We have something special there. The legislation before us today will allow us to complete purchase of the land authorized and is therefore particularly important.

At the dedication of the Lakeshore in 1972 Interior Secretary Rogers C. B.

Morton described the Indiana Dunes National Lakeshore as "an enclave . . . a peaceful respite for 10 million Americans who live and work nearby." He went on to say that he expected the park to provide "outdoor recreation and environmental education opportunities for some 87,000 visitors daily." His expectations will undoubtedly be fulfilled because there are now more than 9½ million people living within a 100-mile radius of the lakeshore—within a comfortable and energy-saving drive for vacationers.

Until this authorization ceiling bill is passed, the people in the Midwest must continue to wait for fulfillment of the congressional promise issued in the passage of the act establishing the Indiana Dunes National Lakeshore 8 years ago. Passage of this legislation today is awaited eagerly.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from the Virgin Islands (Mr. DE LUGO).

Mr. DE LUGO. Mr. Speaker, I appreciate the opportunity to speak on behalf of that portion of H.R. 14217, which would increase the authorization for the acquisition of additional land within the Virgin Islands National Park from $1,250,000 to $12,250,000.

In view of the fact that the present statutory ceiling for land acquisition in the park has been reached, this amending legislation is necessary in order to purchase slightly over 1,100 acres which include most of the remaining unique and unspoiled shoreline on the island of St. John.

The St. John National Park, as we know it today, is a tremendous success. It has provided the residents of the Virgin Islands with the opportunity to enjoy the natural endowments of their territory, and has been a significant attraction for an increasing number of tourists. There is every reason to anticipate that as the size and facilities of the park increase, even greater numbers of visitors will be attracted to the Virgin Islands.

The park offers, within hiking distance, a spectacular variety of flora ranging from lush tropical vegetation to the shrub dominated south facing slopes. The scenery is ever changing and includes rocky coastlines, crescent bays with white beaches, blue-green seas, and densely wooded hills. The opportunities for the visitor are limitless and include scenic mountain roads, quiet coves, coral gardens, swimming, snorkeling, underwater photography, fishing, and sightseeing among the ruins of 200-year-old plantations.

The unprecedented past success of the Virgin Islands National Park, as well as its future existence, is based upon its untouched natural beauty and freedom from commercial exploitation. The passage of this legislation would be a guarantee on the part of the Congress that the natural heritage of St. John will be preserved for future generations. Any delay will jeopardize this goal and make future land acquisitions ever more expensive.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. DOWNING).

Mr. HOSMER. Mr. Speaker, the legislation before us is an omnibus bill embracing various minor changes affecting a dozen or more units of the national park system. The spectrum of subjects ranges from minor boundary adjustments to appropriation authorization increases for land acquisition and development, to provision for studies. The bill consequently provides for the improvement of protection and management at 13 different units of our national park system.

None of the items incorporated in this bill have borne any controversy, and it is for that reason, along with the opportunity of expediency of action by the committee and the House, that these individual items were consolidated into an omnibus bill.

This bill and its identical companion, H.R. 14218, are cosponsored by many Members of this body. I urge my colleagues to join in support of its adoption by the House.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 14217.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. TAYLOR) that the House suspend the rules and pass the bill H.R. 14217, 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.

JOHNNY HORIZON '76 CLEAN UP AMERICA MONTH

Mr. EDWARDS of California. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 1070) authorizing the President to proclaim the period of September 15, 1974, through October 15, 1974, as "Johnny Horizon '76 Clean Up America Month."

The Clerk read as follows:

H.J. RES. 1070

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the period of September 15, 1974, through October 15, 1974, as "Johnny Horizon '76 Clean Up America Month", and calling upon the people of the United States to observe such period with appropriate activities.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, this is the type of resolution that a number of months ago we used to pass by unanimous consent. However, we are now bringing it forward under the suspension arrangement. This joint resolution has to do with the request of the Department of the Interior for a continuation of their "Johnny Horizon '76 Clean Up America Month."

Mrs. HOLT. Mr. Speaker, in celebration of our 200th anniversary in 1976, citizens from all parts of our country have joined together in striving for a cleaner, more beautiful America.

The Johnny Horizon program was established to coordinate citizens' national efforts to achieve this worthwhile goal. September 15 to October 15 has been set aside to emphasize the amount of success already accomplished through the hard work of our concerned citizens, and to advertise the importance of continuing their valuable efforts.

Only through the enthusiasm and support of all Americans will our countryside and cities alike be free of unsightly litter for the celebration of our Bicentennial.

Mr. Speaker, I urge my colleagues to join me in wholehearted support of this valuable program.

Mr. WIGGINS. Mr. Speaker, I have no requests for time. I do support the resolution, and I reserve the balance of my time.

GENERAL LEAVE

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 1070.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. EDWARDS) that the House suspend the rules and pass the joint resolution House Joint Resolution 1070.

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

A motion to reconsider was laid on the table.

WOMEN'S EQUALITY DAY

Mr. EDWARDS of California. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 1105) designating August 26, 1974, as "Women's Equality Day," as amended.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 26, 1974, is designated as "Women's Equality Day", and the President is authorized and requested to issue a proclamation in commemoration of that day in 1920 on which

the women of America were first guaranteed the right to vote.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I urge enactment of this bill.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. ABZUG).

Ms. ABZUG. Mr. Speaker, I rise in support of this resolution.

I wish to thank Mr. EDWARDS for bringing to the floor and urging the passage of House Joint Resolution 1105. I am deeply honored that today the House is considering this resolution which I introduced, designating August 26 as Women's Equality Day. It is similar to House Joint Resolution 52, passed by this body last year and signed into law.

August 26 marks the day women won the right to vote. In this 54th anniversary year, I believe it is the duty of this Congress to recognize the long hard struggle of the women's movement for this basic right. August 26 symbolizes women's struggles, past and present. Around the country women will be gathering on that day, holding festivals, honoring women who have achieved distinction, holding feminist art shows and book fairs.

Once again on August 26, women will discuss job discrimination, lack of adequate day-care facilities for working mothers, credit discrimination, professional recognition, accessibility of birth control information. But this year as never before, they will discuss their candidacies; for thousands of women are seeking representation in political institutions from the local level to this Congress.

Though our victories have been too few and far between, we do have something to celebrate. By this year, 33 of the needed 38 States have ratified the equal rights amendment. The Women's Educational Equity Act was passed as part of H.R. 69. The minimum wage provision was expanded to include domestic workers. The pension reform act was amended to expand eligibility for women and young people. This year, numerous sex-discrimination amendments have been added to major pieces of legislation. This year, I predict, there will be more women in office at every level.

But still, there remain in committee bills equalizing pay, child care legislation, social security rights, credit availability, and other benefits. I believe 1974 should be the year to create a national day recognizing the progress women have made, but also realizing what inequities still exist. This should be the year that both sexes undertake the necessary steps to obliterate these inequities forever. Let us designate August 26 as the symbol of this national commitment.

GENERAL LEAVE

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 1105.

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

There was no objection.

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

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

Mr. ASHBROOK. I thank the gentleman for yielding.

Mr. Speaker, I should like to ask the gentleman from California whether or not the "Whereases" that are in the one resolution have been stricken, and whether we have just a straight resolution or what? I have two bills in front of me, and I should like to have information on them.

Mr. EDWARDS of California. In answer to the gentleman from Ohio's inquiry, it is customary to remove and delete the "Whereas" clauses. This has been done, and the resolution now is without the "Whereas" clauses.

Mr. ASHBROOK. I thank the gentleman.

Mr. Speaker, I certainly say to the gentleman from California, having great respect for the Committee on the Judiciary, I would hope that some of the "Whereases" would not have been stipulated to, and I am glad to have that assurance.

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

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

Mr. GROSS. Mr. Speaker, do I understand the resolution now before the House strikes out the following language "whereas the women of the United States have been treated as second-class citizens * * *"? Has that been stricken?

Mr. EDWARDS of California. Mr. Speaker, it has been stricken.

Mr. GROSS. I am delighted to hear that. Where did that come from anyway?

Mr. EDWARDS of California. It is the custom of the Judiciary Committee to strike all the whereas clauses even though sometimes the members of the Judiciary Committee unanimously would agree and perhaps the membership of the House would agree with them. The gentleman brings up one the Judiciary Committee would have agreed with and would have wanted to have in the resolution.

Mr. GROSS. Did the gentleman say they would have agreed with it?

Mr. EDWARDS of California. I presume so. I think so.

Mr. GROSS. My wife tells me she would not agree that she has been treated as a second-class citizen, and I just wondered where it originated. So that is stricken as well as most of this other language "Whereas the women of the United States have united to assure that these rights and privileges are available to all citizens equally" and Congress "supports their organization." I do not know what organization that is, but all that is gone now from the resolution which I read over the weekend and something new has been entered into on this today. Is that correct? All that language is gone?

Mr. EDWARDS of California. That language is gone.

Mr. GROSS. And we are not called upon to support some unknown organization in behalf of women. Am I right in that?

Mr. EDWARDS of California. That matter is gone, as a matter of the custom of the House and in these resolutions brought forth by the Judiciary Committee. We never pass judgment on the whereas clauses, we just eliminate them.

Mr. GROSS. Of course, we do not need whereas clauses to put language in a resolution that might be repugnant to some people. We might strike the whereas clauses and still leave the language. I just want to be sure that language is not in the resolution presently before the House, any of that language.

Mr. EDWARDS of California. I believe the gentleman has a copy of the resolution.

Mr. GROSS. And so we are asked only now to say that we are in favor of some kind of kindness toward women.

Mr. EDWARDS of California. What we will be asked to vote on in this resolution is exactly what the resolution says.

Mr. GROSS. I thank the gentleman from California.

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that the Clerk read the entire resolution consisting of seven lines.

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

There was no objection.

The Clerk read as follows:

H.J. RES. 1105

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 26, 1974 is designated as "Women's Equality Day", and the President is authorized and requested to issue a proclamation in commemoration of that day in 1920 on which the women of America were first guaranteed the right to vote.

Mr. WIGGINS. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, I rise in support of the legislation offered by the gentlewoman from New York (Ms. ABZUG). I am pleased to join her in cosponsoring legislation that would designate August 26 of each year as "Women's Equality Day."

May I point out to my colleagues, that as the representative of the community that is the birthplace of the famed Susan B. Anthony, pioneer in this cause, I am acutely aware of the struggle for equal rights for women, its successes, and those successes yet to come.

Fifty-four years ago, on August 26, the

19th amendment to the Constitution was ratified. This climaxed a long campaign to secure the right to vote for the women of this country.

Today, an equally arduous campaign is underway to once again amend our Constitution, this time to insure, under the law, equal rights for women. To date, 33 States of the 38 required have ratified this amendment. I have every hope and expectation that final ratification will come soon and the amendment will bring about the desired changes in many areas.

Mr. Speaker, as of the 1970 census of the United States, there were 104,299,734 women in this country, comprising 51.3 percent of the population. I believe it is time we accorded this majority of our population the rights to which they are entitled as citizens of this Nation.

I regret that the social attitudes of generations force us to seek recourse in legislation to insure the equality of women in this country. I do believe, however, that the focus of public attention on this very real problem can only help. For that reason, I am pleased to support this legislation and hope it will serve as a reminder to my colleagues and to all Americans of the struggle for equal rights that is still being waged.

Mr. WIGGINS. Mr. Speaker, I support the resolution as well in its amended form.

Mr. Speaker, I have no further request for time and I reserve the balance of my time.

Mrs. MINK. Mr. Speaker, I rise in support of House Joint Resolution 1105, designating August 26 of each year as Women's Equality Day. This day was selected, because it was on an August 26 that the 19th amendment to the U.S. Constitution guaranteeing women the right to vote was ratified. It is an important milestone in the continued struggle of the women of the United States for equal rights for all citizens, male and female.

Today the women of America do more than vote. They are also rising, in strength and in numbers, to take their place as officeholders and makers and executors of our laws. A steadily increasing number of women are placing themselves out front to do battle for positions as Senator, Congresswoman, Governor, and other legislative and executive offices in their States and although we will lose four women this year who are voluntarily leaving the Congress, the best estimates are that an equal number may be elected to replace them. There is no better testament to the presence and work of women officeholders here than the fact that we may soon see more of them. I would like to submit brief summaries by Kay Mills of a few of the coming races this fall involving women aspirants from across the country:

[Chicago Daily News, August 19, 1974]

WOMEN CANDIDATES RUNNING STRONG

(By Kay Mills)

Halfway through the political season, voters and their parties have failed to tap women candidates for state and federal offices to the degree expected in the search for fresh new faces.

The notable exception is Rep. Ella Grasso, the Democratic gubernatorial nominee in Connecticut. Mrs. Grasso probably will become the first woman elected governor in her own right—not as a widow or stand-in for her husband.

Best estimates predict enough women may be elected to Congress to replace the four who are leaving: Mrs. Grasso, plus Representatives Edith Green (D-Ore.), Martha Griffiths (D-Mich.) and Julia B. Hansen (D-Wash.), who are retiring. There are 12 other women in the House of Representatives, no women in the Senate.

With 11 primaries involving women still to go, so far 9—not counting incumbents—have been selected as their party's candidate for the House and two for the U.S. Senate. Nine more women new to the federal election scene still face House primaries as do four women running for the Senate.

Despite the break-even outlook for the Congress, women's strategists are optimistic, pointing out that more women are following Mrs. Grasso's example of making politics a career. Before her election to the House in 1970, Mrs. Grasso, 55, served in the state legislature, starting in 1953, and was elected Connecticut secretary of state in 1958, 1962 and 1966.

"It used to be that when women ran for the state legislature, they were in their 40s and 50s and that was the highest office to which they aspired; their male colleagues, on the other hand, were in their 20s and 30s and on their way up," said Fredi Wechsler, political action co-ordinator for the National Women's Political Caucus (NWPC).

Both Mrs. Wechsler and Jane McMichael, NWPC executive director, predicted this trend will yield more women candidates for statewide and federal offices in five or six years. "We had 120 women running for Congress this year," Ms. McMichael said. "My guess is 150 will run in 1976 and probably 200 by 1978."

Mrs. Grasso is the only women gubernatorial candidate. Her opponent is 35-year-old Robert H. Steele, an independent-minded Republican also elected to the Congress in 1970.

In Arkansas, Republican Leona Troxell is running for lieutenant governor.

In Maryland, former Republican national committeewoman Louise Gore is running behind Rep. Lawrence Hogan in the Sept. 10 gubernatorial primary. Hogan's early stand for impeachment of President Nixon was initially considered a liability but probably isn't now. Winner of that race faces incumbent Gov. Marvin Mandel.

In Rhode Island, Louise Kazanjian faces a Sept. 10 primary in her bid for the Republican nomination for lieutenant governor. In the New York Democratic primary that same day, State Sen. Mary Anne Krupsak also is running for lieutenant governor.

Feminists are particularly watching the Krupsak race because, even though she is Catholic, she introduced New York's abortion law, prompting opponents to say masses for her soul on the steps of the state capitol.

In the Senate picture, a liberal Oregon state legislator, Betty Roberts, was selected this month to replace the late Wayne Morse as Democratic nominee against Sen. Bob Packwood. Roberts has a fairly strong organization left from her second-place finish in the gubernatorial primary this spring and Packwood describes her as a "formidable" opponent.

Republican Party worker Gwen Bush from Charleston, S.C., faces Sen. Ernest F. Hollings this fall. The Republican national committee's monthly newsletter says Hollings "has drifted to the left" since 1968 and Mrs. Bush intends to show that "the philosophy of Ernest F. Hollings is the philosophy of Teddy Kennedy."

In Senate primaries yet to come, Paula Hawkins, a conservative Republican who serves on the Florida Public Service Commission, has seen her chances enhanced by the withdrawal of incumbent Edward Gurney. June Riggs, a Republican, is running in the Washington State primary for the chance to oppose powerful Senate Commerce Committee chairman Warren Magnuson.

Barbara Mikulski, a feisty Baltimore city councilwoman from a predominantly blue-collar, ethnic district, is driving around Maryland seeking to head an 11-person Democratic field in the Sept. 10 Senate primary. If she wins, she has an even tougher battle: running against the popular incumbent Republican, Sen. Charles McC. Mathias.

Most observers feel Ms. Mikulski, who chaired the Democrats' committee writing delegate-selection rules for the 1976 presidential convention, is looking ahead to a race that year against Maryland's more vulnerable junior senator, J. Glenn Beall Jr.

And in Nevada, conservationist Maya Miller is running a tough (but probably losing) fight for the Democratic Senate nomination against Lt. Gov. Harry Reid, protege of the incumbent governor.

St. Louis has an all-woman House race lined up as Democratic incumbent Leonor K. Sullivan will face Republican Joann Raish and independent Marie Nowak. Sullivan is favored.

Other House races involving women find Nina Miglionico, a Democratic city council member from Birmingham, running for Alabama's 6th District seat against incumbent John H. Buchanan Jr. She's got an outside chance to be elected if the Democrats can unite, which they haven't been able to do since Buchanan won in the Goldwater sweep of Alabama in 1964.

In the 2d District of Arkansas, Judy Petty, who was political secretary to the late Gov. Winthrop Rockefeller, is running against well-entrenched Rep. Wilbur Mills.

In California, Colleen O'Connor, member of an old San Diego family, is running against Republican Rep. Bob Wilson, who has close ties with former President Nixon. Democrat Betty Spence has strong union backing in her race against incumbent Rep. Philip Crane in his Chicago suburban district, but Crane is favored.

Helen Meyner, whose husband was governor of New Jersey, is running against Joseph Maraziti, a Republican who defended Mr. Nixon in the House Judiciary Committee, then switched after White House tapes revealed the former President had authorized a Watergate cover-up for political reasons.

Millicent Fenwick, a Republican, is running in New Jersey's affluent 5th District against a young liberal Democrat, Fred Bohen. The seat formerly was held by Republican Peter H. B. Frelinghuysen, who is retiring. Ms. Fenwick, a former editor of Vogue, was a two-term state representative and resigned as state director of consumer affairs to run for Congress. She is given a chance to win.

In Kansas, Martha Keys won the Democratic nomination in a district being vacated by W. R. Roy, who is running for governor. The district was traditionally Republican but Democrat Roy had held the seat since 1970.

And in Ohio, Fran Ryan, a Columbus city councilwoman, is given a chance to beat incumbent Sam Devine in the 12th District. An independent candidate, Kathleen Harroff, also is running for the Senate from Ohio.

Women are still involved in House primaries in Arizona, Florida, Hawaii, New Hampshire, Vermont and Maryland—where Gladys Spellman, a Democrat, is given a good chance to succeed Hogan.

Among incumbents, Rep. Patricia Sch-

roeder (D.-Colo.) is considered facing the toughest primary battle. Her opponent is Denver schoolboard member Frank Southworth and busing is the issue. That vote comes Sept. 10.

Mrs. HOLT. Mr. Speaker, August 26 has been proposed as a day of recognition for American women and their efforts to achieve social, civil, economic, and political equality in our land. It will commemorate the 54th anniversary of the passage of the 19th amendment giving American women the right to participate in the selection of their elected officials.

Women have contributed so much to our country and its development; their contribution is increasing as they enter every profession confident that they are able to contribute. Particularly, I am gratified that I have never been subject to any discrimination in this House, where men and women work together as colleagues on matters of the gravest consequence to our country.

Mr. Speaker, equality never arises because some legislation is enacted; true equality lies in the heart of the people. I believe the American people are in accord on the subject of recognizing the intelligence, talent, and ability of women, and I urge my colleagues to join me in wholehearted support of Women's Equality Day.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. EDWARDS) that the House suspend the rules and pass the joint resolution (H.J. Res. 1105), as amended.

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

A motion to reconsider was laid on the table.

GENERAL ACCOUNTING OFFICE LEGISLATION

Mr. HOLIFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12113) to revise and restate certain functions and duties of the Comptroller General of the United States and for other purposes as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, This Act may be cited as the "General Accounting Office Act of 1974."

TITLE I—STATISTICAL SAMPLING PROCEDURES IN THE EXAMINATION OF VOUCHERS

SEC. 101. Subsection (a) of the Act entitled "An Act to permit the use of statistical sampling procedures in the examination of vouchers", approved August 30, 1964 (31 U.S.C. 82b–1(a)), is amended to read as follows:

"(a) Whenever the head of any department or agency of the Government or the Commissioner of the District of Columbia determines that economies will result therefrom, such agency head or the Commissioner may prescribe the use of adequate and effective statistical sampling procedures in the examination of disbursement vouchers not exceeding such amounts as may from time to time be prescribed by the Comptroller General of the United States; and no certifying or disbursing officer acting in good faith and in conformity with such procedures shall be held liable with respect to any certification or payment made by him on a voucher which was not subject to specific examination because of the prescribed statistical sampling procedure, so long as such officer and his department or agency have diligently pursued collection action to recover the illegal, improper, or incorrect payment in accordance with procedures prescribed by the Comptroller General. The Comptroller General shall include in his reviews of accounting systems an evaluation of the adequacy and effectiveness of procedures established under the authority of this Act."

TITLE II—AUDIT OF TRANSPORTATION PAYMENTS

SEC. 201. Section 322 of the Transportation Act of 1940 (49 U.S.C. 66) is amended—

(1) by striking out the first sentence of subsection (a) and inserting in lieu thereof "Payment for transportation of persons or property for or on behalf of the United States by any carrier or forwarder shall be made upon presentation of bills therefor prior to audit by the General Services Administration, or by any other executive agency designated by the Administrator of General Services to conduct such audit (pursuant to regulations prescribed by him) in cases involving transportation outside the continental United States or in other exceptional cases. The right is reserved to the United States Government to deduct the amount of any overcharge by any carrier or forwarder from any amount subsequently found to be due such carrier or forwarder. The provisions of this subsection shall not affect the authority of the General Accounting Office to make audits in accordance with the Budget and Accounting Act, 1921 (31 U.S.C. 41), and the Accounting and Auditing Act of 1950 (31 U.S.C. 65).";

(2) in the second proviso of subsection (a), by striking out "cognizable by the General Accounting Office" and by striking out "received in the General Accounting Office" and inserting in lieu of the latter "received in the General Services Administration or an executive agency designated by the Administrator of General Services."; and

(3) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and by inserting the following new subsection (b):

"(b) Nothing in subsection (a) hereof shall be deemed to prevent any carrier or forwarder from requesting the Comptroller General to review the action on his claim by the General Services Administration or an executive agency designated by the Administrator of General Services. Such request shall be forever barred unless received in the General Accounting Office within six months (not including any time of war) from the date the action was taken or within the periods of limitation specified in the second proviso in subsection (a) of this section, whichever is later.".

SEC. 202. (a) Incident to the transfer of functions pursuant to the amendments made by section 201 of this Act, there shall be transferred to such agency such records, property, personnel, appropriations, and other funds of the General Accounting Office as the Comptroller General and the Director of the Office of Management and Budget shall jointly determine after consultation with the Administrator of General Services and, with respect to personnel, with the Chairman of the United States Civil Service Commission.

(b) Personnel transferred pursuant to subsection (a) of this section shall not be reduced in classification or compensation for one year after such transfer, except for cause. After such one year period, each person transferred pursuant to subsection (a) shall be subject to the provisions of section 5337 of title 5, United States Code, as if such person had continued to be an employee of the General Accounting Office.

SEC. 203. The transfer of functions pursuant to the amendments made by section 201 of this Act shall be fully effected not later than July 1, 1977, or at such earlier time as is agreed upon by the Comptroller General and the Administrator of General Services. Notice of the effective date of the transfer shall be published in the Federal Register not less than thirty days in advance thereof. No transfer of personnel pursuant to this title shall be effected prior to July 1, 1975.

TITLE III—AUDIT OF NONAPPROPRIATED FUND ACTIVITIES

SEC. 301. (a) The (1) operations and funds (including central funds) of nonappropriated fund and related activities authorized or operated by an executive agency to sell merchandise or services to military or other Government personnel and their dependents, such as the Army and Air Force Exchange Service, Navy Exchanges, Marine Corps Exchanges, Coast Guard Exchanges, Exchange Councils of the National Aeronautics and Space Administration, commissaries, clubs, and theaters, (2) systems of accounting and internal controls of such funds and activities, and (3) any internal or independent audits or reviews of such funds and activities shall, unless otherwise provided by law, be subject to review by the Comptroller General of the United States in accordance with such principles and procedures and under such rules and regulations as he may prescribe. The Comptroller General and his duly authorized representatives shall have access to those books, accounts, records, documents, reports, files, and other papers, things, or property relevant to funds and activities within this subsection as are deemed necessary by the Comptroller General.

(b) When required by the Comptroller General for such nonappropriated fund and related activities with gross receipts from sales of more than $100,000 a year as he may designate by class, or upon specific request of the Comptroller General in any other case, each executive agency shall furnish promptly a copy of the annual report of any nonappropriated fund or related activity referred to in subsection (a). If such information is not included in any activity's annual report, such agency shall also furnish a statement showing the yearly financial operations, financial condition, and cash flow, and such other annual information relating to the activity as may be agreed upon by the Comptroller General and the head of the executive agency concerned.

TITLE IV—EMPLOYMENT OF EXPERTS AND CONSULTANTS

SEC. 401. The Comptroller General may employ experts and consultants in accordance with section 3109 of title 5, United States Code, at rates not in excess of the maximum daily rate prescribed for GS–18 under section 5332 of title 5, United States Code, for persons in the Government service employed intermittently. However, ten such experts or consultants may be employed for periods not in excess of three years, at rates (or the daily equivalent thereof) not in excess of the rate prescribed for Executive level V under section 5316 of title 5, United States Code.

TITLE V—GENERAL ACCOUNTING OFFICE BUILDING

SEC. 501. Notwithstanding any other provision of law, the Comptroller General shall have exclusive custody and control over the General Accounting Office Building, including the operation, maintenance, repairs, alterations, and assignment of space therein. The Comptroller General and the head of any Federal agency may enter into agreements for space to be occupied in the General Accounting Office Building by such agency at such rates as may be agreed upon. Amounts received by the General Accounting Office pursuant to such agreements will be deposited to the appropriation initially charged for providing operation, maintenance, repair and alteration services with respect to such space.

TITLE VI—AUDIT OF GOVERNMENT CORPORATIONS

AMENDMENTS TO THE GOVERNMENT CORPORATION CONTROL ACT

SEC. 601. The Government Corporation Control Act is amended as follows:

(1) Section 105 of such Act (31 U.S.C. 850) is amended by adding at the end thereof the following sentence: "Effective July 1, 1974, each wholly owned Government corporation shall be audited at least once every three years.".

(2) Section 106 of such Act (31 U.S.C. 851) is amended by striking out the first sentence and inserting in lieu thereof "A report of each audit conducted under section 105 shall be made by the Comptroller General to the Congress not later than six and one-half months following the close of the last year covered by such audit.".

(3) Section 202 of such Act (31 U.S.C. 857) is amended by adding at the end thereof the following sentence: "Effective July 1, 1974, each mixed-ownership Government corporation shall be audited as provided herein at least once in every three years.".

(4) Section 203 of such Act (31 U.S.C. 858) is amended by striking out the first sentence and inserting in lieu thereof "A report of each audit conducted under section 202 shall be made by the Comptroller General to the Congress not later than six and one-half months following the close of the last year covered by such audit.".

AMENDMENTS TO THE FEDERAL DEPOSIT INSURANCE ACT

SEC. 602. The Federal Deposit Insurance Act is amended as follows:

(1) Section 17(b) of such Act (12 U.S.C. 1827(b)) is amended by adding at the end thereof the following sentence: "The Corporation shall be audited at least once in every three years.".

(2) Section 17(c) of such Act (12 U.S.C. 1827(c)) is amended by striking out the first and second sentences and inserting in lieu thereof "A report of each audit conducted under subsection (b) of this section shall be made by the Comptroller General to the Congress not later than six and one-half months following the close of the last year covered by such audit.".

AMENDMENT TO FEDERAL CROP INSURANCE ACT

SEC. 603. Section 513 of the Federal Crop Insurance Act (52 Stat. 76; 7 U.S.C. 1513) is amended by striking out all after the first sentence.

AMENDMENTS TO THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968

SEC. 604. Section 107(g) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701y(g)) is amended by—

(1) adding the following new sentence at the end of subparagraph (1): "Such audit shall be made at least once every three years."; and

(2) striking out the first sentence in subparagraph (2) and inserting in lieu thereof "A report of each such audit shall be made by the Comptroller General to the Congress not later than six and one-half months following the close of the last year covered by such audit.".

AMENDMENT TO DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

SEC. 605. Section 17 of the District of Columbia Redevelopment Act of 1945 (60 Stat. 801) is amended by striking out "annual audit" in the last sentence and inserting in lieu thereof "audit".

TITLE VII—REVISION OF ANNUAL AUDIT REQUIREMENTS

AMENDMENT TO FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

SEC. 701. Section 109(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 756(e)) is amended to read as follows:

"(c)(1) As of June 30 of each year, there shall be covered into the United States Treasury as miscellaneous receipts any surplus in the General Supply Fund, all assets, liabilities, and prior losses considered, above the amounts transferred or appropriated to establish and maintain said fund.

"(2) The Comptroller General shall make audits of the General Supply Fund in accordance with the provisions of the Accounting and Auditing Act of 1950 and make reports on the results thereof.".

AMENDMENT TO THE FEDERAL AVIATION ACT OF 1958

SEC. 702. That part of the second sentence of section 1307(f) of the Federal Aviation Act of 1958 (49 U.S.C. 1537(f)) which precedes the proviso is amended to read as follows: "The Secretary shall maintain a set of accounts which shall be audited by the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950:".

AMENDMENT WITH RESPECT TO THE BUREAU OF ENGRAVING AND PRINTING FUND

SEC. 703. Section 6 of the Act entitled "An Act to provide for financing the operations of the Bureau of Engraving and Printing, Treasury Department, and for other purposes" (31 U.S.C. 181d) is amended by striking out "the General Accounting Office" and all that follows thereafter to the end of such section and inserting in lieu thereof "the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950.".

AMENDMENT WITH RESPECT TO THE VETERANS' CANTEEN SERVICE

SEC. 704. Section 4207 of title 38, United States Code, is amended to read as follows:

"§ 4207. Audit of accounts

"The Service shall maintain a set of accounts which shall be audited by the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950.".

AMENDMENT WITH RESPECT TO THE HIGHER EDUCATION INSURED LOAN PROGRAM

SEC. 705. Section 432(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1082(b)(2)) is amended to read as follows:

"(2) maintain with respect to insurance under this part a set of accounts, which shall be audited by the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950, except that the transactions of the Commissioner, including the settlement of insurance claims and of claims for payments pursuant to section 428, and transactions related thereto and vouchers approved by the Commissioner in connection with such transactions, shall be final and conclusive upon all accounting and other officers of the Government.".

AMENDMENT TO THE HOUSING ACT OF 1950

SEC. 706. Section 402(a)(2) of the Housing Act of 1950 (64 Stat. 78; 12 U.S.C. 1749a(a)(2)) is amended to read as follows:

"(2) maintain a set of accounts which shall be audited by the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950: *Provided*, That such financial transactions of the Administrator as the making of loans and vouchers approved by the Administrator in connection with such financial transactions shall be final and conclusive upon all officers of the Government.".

AMENDMENT TO THE FEDERAL CREDIT UNION ACT

SEC. 707. Section 209(b)(2) of the Federal Credit Union Act (12 U.S.C. 1789(b)(2) is amended by striking out "annually".

AMENDMENT WITH RESPECT TO AUDIT OF THE GOVERNMENT PRINTING OFFICE

SEC. 708. Section 309(c) of title 44, United States Code, is amended by striking out the third sentence and inserting in lieu thereof "the Comptroller General shall audit the activities of the Government Printing Office at least once every three years and shall furnish reports of such audits to the Congress and the Public Printer.".

TITLE VIII—LIMITATION OF TIME ON CLAIMS AND DEMANDS

SEC. 801. Effective one year after enactment of this Act, section 1 of the Act of October 9, 1940 (54 Stat. 1061; 31 U.S.C. 237), is amended by striking out "ten full years" and inserting in lieu thereof "six years".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, H.R. 12113, the bill to revise and restate certain functions and duties of the Comptroller General of the United States, was reported unanimously from the Committee on Government Operations. This bill was introduced at the Comptroller General's request. The committee made certain revisions which we believe improve the bill. Essentially, its purpose is to adjust the Comptroller General's audit functions to effect a more productive use of resources in the General Accounting Office. I will summarize the provisions of the bill briefly by title.

Title I amends existing law to remove the $100 limitation on the amount of disbursement vouchers subject to agency audit by statistical sampling techniques. The Comptroller General is authorized to prescribe specific dollar limitations for each department or agency and will evaluate procedures so prescribed. The $100 ceiling is out of date, and the amendment makes for more flexibility and more efficient audit operations.

Title II amends existing law to transfer from the GAO to the General Services Administration the functions of initial audit of transportation bills and the recovery of overcharges. The GSA, by statute, is the traffic manager agency for the Federal Government and maintains a master tariff file. The Comptroller General will retain final audit responsibility, as he does with respect to other agencies.

Approximately 400 employees would be involved in the transfer of functions under title II. Some of those employees have expressed concern that their opportunities for job advancement and job security might be affected adversely. The committee has written specific provisions into the bill to allow ample time for advance planning and to protect employee rights and privileges. Up to 3 years are allowed for the transition. No personnel may be transferred before July 1, 1975. Employees who are transferred to the GSA will continue to have employment and other rights equivalent to those afforded had they remained in the GAO. The committee has assurances from the GAO, the GSA, and the OMB that careful consideration will be given to employee rights and privileges.

Title III authorizes the Comptroller General to audit nonappropriated fund activities such as military post exchanges and commissaries. It limits nonappropriated fund activities to those which sell merchandise or services to military or other Government personnel and their dependents; in other words, activities of the type that would be profitmaking in private industry. As the Members know, there have been some serious abuses in this area, and the GAO should have authority to audit such activities from time to time.

Title IV gives the Comptroller General continuity authority to employ exports and consultants. Under existing law, he must get this authority renewed each year. Also, this title would permit the Comptroller General to retain up to 10 experts or consultants, at executive level V, for periods not in excess of 3 years. This authority is similar to that given the Comptroller General in section 702 of the Congressional Budget and Impoundment Control Act of 1974, Public Law 93–344.

Title V gives the Comptroller General custody over his own building. The General Services Administrator, who now has custody over the GAO building, would prefer to retain it. The committee resolved the issue by providing that the Comptroller General will have exclusive custody and control over his headquarters building, but any leasing of additional space for GAO, whether in Washington, D.C., or in the field, will continue to be handled by the GSA. Since the General Accounting Office is a part of the legislative branch, the committee action puts the GAO on the same footing with other legislative agencies, such as the Library of Congress and the Government Printing Office.

At present, the GAO building has some other office tenants occupying approximately one-half of the building space. Upon enactment of the bill, the Comptroller General intends to continue contracting with GSA or private industry for needed custodial services. My own surmise is that with the continually increasing functions and responsibilities placed by the Congress in the Comptroller General's orbit, in the not too distant future he will need the entire building for his own organization. Consequently, although I sponsored the GSA legislation originally in the Congress and I am sympathetic to, and have supported, its efforts to centralize buildings management in the executive branch, I believe it is appropriate, in this case, to make an exception for the GAO as a legislative agency.

Title VI amends the Government Corporation Control Act and certain other statutes to require audits of Government corporations once every 3 years rather than annually.

Title VII makes certain revolving funds subject to audit at the discretion of the Comptroller General rather than on an annual basis.

The Comptroller General assures us that Government corporations and revolving funds will be audited more frequently than once every 3 years if the situation so requires.

Title VIII reduces from 10 years to 6 years the statute of limitations on the filing of claims with the GAO. The 6-year period conforms to the 6-year statute of limitations for the filing of claims against the Government in the courts. Annual savings of $300,000 are estimated by the Comptroller General through reduced storage costs. The new time period will become effective 1 year after enactment of the bill, in order to provide a grace period for claimants who otherwise might be barred without adequate notice of the shorter period allowed for the presentation of claims.

In summary, Mr. Speaker, H.R. 12113 will enable the Comptroller General to do his job more effectively. He will be relieved of certain administrative audit functions, which properly should be lodged in the executive branch. He will acquire more flexibility to carry out his audit functions and to safeguard the integrity of the public business.

I urge the adoption of H.R. 12113.

Mr. STEELMAN. Mr. Speaker, I urge passage of this bill as amended by the Committee on Government Operations. This bill was reported out unanimously by voice vote on August 15 from our committee. The committee held 2 days of hearings in June, and they are now in print.

As far as changes are concerned, we have tried to resolve all disagreements concerning the provisions of the bill. As the chairman has stated, we tried to update the authority of the Comptroller General. In doing so, we hope and feel that this bill is a necessary part of our effort here in this body to continue congressional authority.

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

Mr. HORTON. Mr. Speaker, I urge passage of H.R. 12113 as amended by the Government Operations Committee.

The committee ordered this bill reported by unanimous voice vote on August 15. We held 2 days of hearings in June—they are now in print—and as far as possible, have tried to resolve all disagreements concerning the provisions of the bill.

The bill updates various authorities of the Comptroller General. Basically, it is designed to allow for more effective operations by the Federal Government's auditor and principal investigator for the Congress. This bill is a necessary part of our effort to revamp congressional authority and capabilities.

There are two points I believe deserve special mention:

The first concerns title II, which transfers responsibility for the primary audit of transportation payments from the General Accounting Office to the General Services Administration. As the chairman noted, this transfer involves approximately 400 employees who have expressed their concern to our committee that this might adversely affect their advancement opportunities and security. The committee, in response to these concerns, made several changes in the bill to protect the rights of these employees. We added a requirement that the Director of the Office of Management and Budget and the Comptroller General consult with the Chairman of the U.S. Civil Service Commission with regard to the proposed transfer of employees.

Also, we guarantee that transferred employees would not be reduced in pay or classification for 1 year after their transfer, except for cause, and thereafter would have longevity and other employee benefits under 5 U.S.C. 5337, to the same extent as if they had remained employees of the General Accounting Office. And finally, we prohibit the transfer for a period of 1 year to assure that adequate time is available for planning the transfer. We fully expect these changes to give the employees all of the protection possible under law and that these employees will be treated fairly by all parties involved.

The second point I would like to mention is that this bill transfers custody of the headquarters building of the General Accounting Office from the General Services Administration to the Comptroller General. We have made this transfer in order to stress the independence of the General Accounting Office from the executive branch. It was not our intent in any way to discredit or otherwise damage the Federal buildings fund established by Public Law 92–313. We consider the GAO to be a unique Federal institution and have agreed to this transfer because of its special independent relationship to all other Federal agencies as a result of its being the auditor of the Federal Government.

Mr. Speaker, I urge passage of H.R. 12113.

GENERAL LEAVE

Mr. STEELMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the bill now under consideration.

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

There was no objection.

The SPEAKER pro tempore (Mr. McFALL). The question is on the motion offered by the gentleman from California (Mr. HOLIFIELD) that the House suspend the rules and pass the bill H.R. 12113, 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER pro tempore. The debate has been concluded on all motions to suspend the rules.

Pursuant to clause 3, rule XXVII, the Chair will now put the question on each motion, on which further proceedings were postponed, in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 16425, H.R. 16102, and H.R. 14897, on which the yeas and nays were requested.

Pursuant to the provisions of clause 3 (b) (3), rule XXVII, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on all the additional motions to suspend the rule on which the Chair has postponed further proceedings.

ANTI-INFLATION ACT OF 1974

The SPEAKER pro tempore. The unfinished business is the vote on the motion of the gentleman from Texas (Mr. PATMAN) to suspend the rules and pass the bill, H.R. 16425, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The vote was taken by electronic device, and there were—yeas 379, nays 23, answered "present" 1, not voting 31, as follows:

[Roll No. 499]

YEAS—379

Abdnor
Adams
Addabbo
Alexander
Anderson, Calif.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Archer
Arends
Armstrong
Ashbrook
Ashley
Badillo
Bafalis
Baker
Barrett
Bauman
Bell
Bennett
Bergland
Bevill
Biaggi
Biester
Blackburn
Blatnik
Boggs
Boland
Bolling
Bowen
Brademas
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Phillip
Butler
Byron
Camp
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collier
Collins, Ill.
Conable
Conlan
Conte
Corman
Cotter
Coughlin
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Gibbons
Gilman
Ginn
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Guyer
Haley
Hamilton
Hammer-schmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harsha
Hastings
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Henderson
Hicks
Hillis
Hinshaw
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
King
Kluczynski
Koch
Kuykendall
Kyros
Lagomarsino
Landrum
Latta
Leggett
Lehman
Lent
Litton
Long, La.
Lott
Lujan
Luken
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McKay
McKinney
Macdonald
Madden
Madigan
Mahon
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Michel
Milford
Miller
Mills
Minish
Mink
Minshall, Ohio
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers
Natcher
Nelsen
Nichols
Nix
Obey
O'Hara
O'Neill
Owens
Parris
Passman
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Price, Tex.
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Roy
Runnels
Ruth
St Germain
Sandman
Sarasin
Sarbanes
Scherle
Schneebeli
Sebelius
Seiberling
Shipley
Shoup
Shriver
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Studds
Sullivan
Symington
Talcott
Taylor, Mo.
Taylor, N.C.
Teague
Thompson, N.J.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Traxler
Treen
Udall
Ullman
Vander Jagt
Vander Veen
Vanik
Veysey
Vigorito
Waggonner
Waldie
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Wilson, Charles, Tex.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Ill.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—23

Abzug
Bingham
Burton, John
Collins, Tex.
Conyers
Crane
Goldwater
Gonzalez
Gross
Harrington
Helstoski
Kemp
Ketchum
Landgrebe
Mitchell, Md.
Moss
Roybal
Ryan
Schroeder
Stark
Steelman
Symms
Wilson, Charles H., Calif.

ANSWERED "PRESENT"—1

Rousselot

NOT VOTING—31

Anderson, Ill.
Aspin
Beard
Brasco
Brotzman
Carey, N.Y.
Davis, Ga.
Diggs
Giaimo
Gunter
Hanna
Hawkins
Hébert
Hogan
Long, Md.
McSpadden
Mayne
Nedzi
O'Brien
Pritchard
Rarick
Reid
Rhodes
Rooney, N.Y.
Ruppe
Satterfield
Stuckey
Van Deerlin
Williams
Young, Alaska
Young, S.C.

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

The Clerk announced the following pairs:

On this vote:

Mr. Rhodes and Mr. Mayne for, with Mr. Rousselot against.

Until further notice:

Mr. Hébert with Mr. Hanna.

Mr. Carey of New York with Mr. Davis of Georgia.

Mr. Giaimo with Mr. Long of Maryland.

Mr. Rooney of New York with Mr. Young of Alaska.

Mr. Satterfield with Mr. O'Brien.

Mr. Nedzi with Mr. Brotzman.

Mr. Rarick with Mr. Hogan.

Mr. Diggs with Mr. Reid.

Mr. Hawkins with Mr. Aspin.

Mr. Van Deerlin with Mr. Anderson of Illinois.

Mr. Gunter with Mr. Beard.

Mr. Stuckey with Mr. Ruppe.

Mr. McSpadden with Mr. Williams.

Mr. ROUSSELOT. Mr. Speaker, I have a live pair with the gentleman from Arizona (Mr. RHODES). If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to the provisions of clause 3(b)(3), rule XXVII, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on all the additional motions to suspend the rules on which the Chair has postponed further proceedings.

AMENDING THE EMERGENCY DAYLIGHT SAVING TIME ENERGY CONSERVATION ACT OF 1973

The SPEAKER. The unfinished business is the vote on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) to suspend the rules and pass the bill H.R. 16102, as amended, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The vote was taken by electronic device, and there were—yeas 383, nays 16, not voting 35, as follows:

[Roll No. 500]

YEAS—383

Abdnor
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Archer
Arends
Armstrong
Ashbrook
Ashley
Badillo
Bafalis
Baker
Barrett
Bauman
Bell
Bennett
Bergland
Bevill
Biaggi
Biester
Blackburn
Blatnik
Boggs
Boland
Bolling
Bowen
Brademas
Bray
Breaux

Breckinridge
Brinkley
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Byron
Camp
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cochran
Cohen
Collier
Collins, Ill.
Collins, Tex.
Conable
Conlan
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford
Forsythe
Fountain
Fraser
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Guyer
Haley
Hamilton
Hammer-schmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Hastings
Hays
Hechler, W. Va.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Holt
Holtzman
Horton
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kemp
Ketchum
King
Kluczynski
Koch
Kuykendall
Lagomarsino
Landgrebe
Landrum
Latta
Leggett
Lehman
Lent
Litton
Long, La.
Long, Md.
Lott
Lujan
Luken
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McKay
McKinney
Macdonald
Madden
Madigan
Mahon
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Michel
Milford
Miller
Mills
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers
Natcher
Nelsen
Nix
Obey
O'Hara
O'Neill
Owens
Parris
Passman
Patman
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Quie
Quillen
Railsback
Randall
Rees
Regula
Reuss
Riegle
Rinaldo
Roberts
Robinson, Va.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Runnels
Ruth
St Germain
Sandman
Sarasin
Sarbanes
Satterfield
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Sullivan
Symington
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Teague
Thompson, N.J.
Thomson, Wis.
Thone
Thornton
Towell, Nev.
Traxler
Treen
Udall
Ullman
Vander Jagt
Vander Veen
Vanik
Veysey
Vigorito
Waggonner
Waldie
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Wilson, Charles, Tex.
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Ill.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—16

Bingham
Cleveland
Dellenback
Frelinghuysen
Frenzel
Harrington
Harsha
Heckler, Mass.
Hosmer
Patten
Robison, N.Y.
Ryan
Studds
Tiernan
Wilson, Charles H., Calif.
Wydler

NOT VOTING—35

Anderson, Ill.
Aspin
Beard
Brasco
Brotzman
Burleson, Tex.
Carey, N.Y.
Davis, Ga.
Diggs
Giaimo
Gunter
Hanna
Hawkins
Hébert
Hogan
Holifield
Kyros
McSpadden
Mayne
Nedzi
Nichols
O'Brien
Price, Tex.
Pritchard
Rangel
Rarick
Reid
Rhodes
Rooney, N.Y.
Ruppe
Stuckey
Van Deerlin
Williams
Young, Alaska
Young, S.C.

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. Hébert with Mr. Davis of Georgia.
Mr. Rooney of New York with Mr. Hanna.
Mr. Hawkins with Mr. Reid.
Mr. Carey of New York with Mr. Rarick.
Mr. Giaimo with Mr. Hogan.
Mr. Diggs with Mr. Aspin.
Mr. Kyros with Mr. Ruppe.
Mr. Rangel with Mr. Nedzi.
Mr. Van Deerlin with Mr. Anderson of Illinois.
Mr. Stuckey with Mr. Mayne.
Mr. Burleson of Texas with Mr. O'Brien.
Mr. Gunter with Mr. Beard.
Mr. Holifield with Mr. Price of Texas.
Mr. Nichols with Mr. Brotzman.
Mr. McSpadden with Mr. Williams.
Mr. Rhodes with Mr. Young of Alaska.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. 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.

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

There was no objection.

YOUTH CONSERVATION CORPS

The SPEAKER. The unfinished business is the vote on the motion offered by the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) to suspend the rules and pass the bill H.R. 14897, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The vote was taken by electronic device, and there were—yeas 361, nays 38, not voting 35, as follows:

[Roll No. 501]

YEAS—361

Abdnor
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Armstrong
Ashley
Badillo
Barrett
Bell
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bowen
Brademas
Bray
Breaux
Breckinridge
Brinkley
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burton, John
Burton, Phillip
Byron
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Cleveland
Cochran
Cohen
Collier
Collins, Ill.
Conable
Conte
Conyers
Corman
Cotter
Coughlin
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford
Forsythe
Fraser
Frelinghuysen
Frenzel
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Grasso
Gray
Green, Oreg.
Griffiths
Grover
Gubser
Gude
Guyer
Haley
Hamilton
Hammer-schmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Hastings
Hawkins
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Hudnut
Hungate
Hunt
Ichord
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kemp
Ketchum
King
Kluczynski
Koch
Kuykendall
Kyros
Lagomarsino
Landrum
Latta
Leggett
Lent
Litton
Long, La.
Long, Md.
Lott
Lujan
Luken
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McKay
McKinney
Macdonald
Madden
Madigan
Mahon
Mallary
Mann
Martin, Nebr.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Milford
Miller
Mills
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers
Natcher
Nelsen
Nichols
Nix
Obey
O'Hara
O'Neill
Owens
Parris
Passman
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Price, Tex.
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Riegle
Rinaldo
Roberts
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
Ryan
St Germain
Sandman
Sarasin
Sarbanes
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steele
Steelman
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Studds
Sullivan
Symington
Talcott
Taylor, N.C.
Teague
Thompson, N.J.
Thomson, Wis.
Thone

Thornton	Wampler	Wright
Tiernan	Whalen	Wyatt
Towell, Nev.	White	Wydler
Traxler	Whitehurst	Wylie
Treen	Whitten	Wyman
Udall	Widnall	Yates
Ullman	Wiggins	Yatron
Vander Jagt	Wilson, Bob	Young, Ga.
Vander Veen	Wilson, Charles H., Calif.	Young, Ill.
Vanik	Wilson, Charles, Tex.	Young, Tex.
Veysey	Winn	Zablocki
Vigorito	Wolff	Zion
Waggonner		Zwach
Waldie		
Walsh		

NAYS—38

Archer	Crane	Martin, N.C.
Ashbrook	Davis, Wis.	Michel
Bafalis	Devine	Robinson, Va.
Baker	Dickinson	Rousselot
Bauman	Flynt	Ruth
Blackburn	Fountain	Satterfield
Burke, Fla.	Goodling	Shuster
Burlison, Mo.	Gross	Snyder
Butler	Huber	Steiger, Ariz.
Camp	Hutchinson	Symms
Clawson, Del	Jarman	Taylor, Mo.
Collins, Tex.	Landgrebe	Young, Fla.
Conlan	Maraziti	

NOT VOTING—35

Anderson, Ill.	Hanna	Reid
Aspin	Hays	Rhodes
Beard	Hébert	Rooney, N.Y.
Brasco	Hogan	Ruppe
Brooks	Johnson, Pa.	Sikes
Brotzman	Lehman	Stuckey
Carey, N.Y.	McSpadden	Van Deerlin
Davis, Ga.	Mayne	Ware
Diggs	Nedzi	Williams
Giaimo	O'Brien	Young, Alaska
Green, Pa.	Pritchard	Young, S.C.
Gunter	Rarick	

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

The Clerk announced the following pairs:

Mr. Hébert with Mr. Davis of Georgia.

Mr. Rooney of New York with Mr. McSpadden.

Mr. Brooks with Mr. Rarick.

Mr. Carey of New York with Mr. Young of Alaska.

Mr. Giaimo with Mr. Ware.

Mr. Diggs with Mr. Hanna.

Mr. Green of Pennsylvania with Mr. Aspin.

Mr. Gunter with Mr. Hogan.

Mr. Hays with Mr. Anderson of Illinois.

Mr. Nedzi with Mr. O'Brien.

Mr. Reid with Mr. Johnson of Pennsylvania.

Mr. Sikes with Mr. Beard.

Mr. Stuckey with Mr. Mayne.

Mr. Van Deerlin with Mr. Brotzman.

Mr. Lehman with Mr. Ruppe.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DOMINICK V. DANIELS. 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.

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

There was no objection.

Mr. DOMINICK V. DANIELS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be discharged from further consideration of the Senate bill (S. 1871) to amend the Youth Conservation Corps Act of 1972 (Public Law 92–597, 86 Stat. 1319) to expand and make permanent the Youth Conservation Corps, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 27, 1972 (86 Stat. 1319) is amended to read as follows:

"POLICY AND PURPOSE

"SECTION 1. The Congress finds that the Youth Conservation Corps has demonstrated a high degree of success as a pilot program wherein American youth, representing all segments of society have benefited by gainful employment in the healthful outdoor atmosphere of the national park system, the national forest system, and other public land and water areas of the United States, and by their employment have developed, enhanced, and maintained the natural resources of the United States, and whereas in so doing the youth have gained an understanding and appreciation of the Nation's environment and heritage equal to one full academic year of study, it is accordingly the purpose of this Act to expand and make permanent the Youth Conservation Corps and thereby further the development and maintenance of the natural resources by America's youth, and in so doing to prepare them for the ultimate responsibility of maintaining and managing these resources for the American people.

"YOUTH CONSERVATION CORPS

"SEC. 2. (a) To carry out the purposes of this Act, there is established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter referred to as the 'Corps'). The Corps shall consist of young men and women who are permanent residents of the United States in territories, possessions, or trust territories, who have attained age fifteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the civil service or classification laws, rules or regulations, for the purpose of developing, preserving, or maintaining the lands and waters of the United States.

"(b) The Corps shall be open to youth of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 3. (a) In carrying out this Act, the Secretary of the Interior and the Secretary of Agriculture shall—

"(1) determine the areas under their administrative jurisdictions which are appropriate for carrying out programs using employees of the Corps;

"(2) determine, with other Federal agencies, the areas under the administrative jurisdiction of these agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education programs and projects for participation by members of the Corps;

"(3) determine the rates of pay, hours, and other conditions of employment in the Corps, except that all members of the Corps shall not be deemed to be Federal employees other than for the purposes of chapter 171 of title 28, United States Code, and chapter 81 of title 5, United States Code;

"(4) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties;

"(5) promulgate regulations to insure the safety, health, and welfare of the Corps members; and

"(6) provide to the extent possible, that permanent or semipermanent facilities used as Corps camps be made available to local schools, school districts, State junior colleges and universities, and other education institutions for use as environmental/ecological education camps during periods of nonuse by the Corps program. Costs for operations, maintenance, and staffing of Corps camp facilities during periods of use by non-Corps programs as well as any liability for personal injury or property damage stemming from such use shall be the responsibility of the entity or organization using the facility and shall not be a responsibility of the Secretaries or the Corps.

"(b) Whenever economically feasible, existing but unoccupied Federal facilities and surplus or unused equipment (or both), of all types, including military facilities and equipment, shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved. To minimize transportation costs, Corps members shall be employed on conservation projects as near to their place of residence as is feasible.

"(c) The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for at least five years for the operation of any Youth Conservation Corps project.

"GRANT PROGRAM FOR STATE PROJECTS

"SEC. 4. (a) The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term 'States' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

"(b)(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

"(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall (i) have attained the age of fifteen but not attained the age of nineteen, (ii) be permanent residents of the United States or its territories, possessions, or the Trust Territory of the Pacific Islands, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than ninety days in any calendar year, and (v) be employed without regard to their sex or social, economic, or racial classification; and

"(B) such other information as the Secretaries may jointly by regulation prescribe.

"(2) The Secretaries may approve applications which they determine (A) meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

"(c)(1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

"(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

"(d) Thirty per centum of the sums appropriated under section 6 for any fiscal year shall be made available for making grants under this section for such fiscal year.

"SECRETARIAL REPORTS

"SEC. 5. The Secretary of the Interior and Secretary of Agriculture shall annually prepare a joint report detailing the activities carried out under this Act and providing recommendations. Each report for the preceding program year shall be submitted concurrently to the President and the Congress not later than April 1 of each year.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. There are authorized to be appropriated, and made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this Act, amounts not to exceed $100,000,000 for each fiscal year. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this Act shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated."

MOTION OFFERED BY MR. DOMINICK V. DANIELS

Mr. DOMINICK V. DANIELS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. DOMINICK V. DANIELS moves to strike out all after the enacting clause of S. 1871 and to insert in lieu thereof the provisions of H.R. 14897, as passed by the House:

That the Act of August 13, 1970 (84 Stat. 794) is amended to read as follows:

"POLICY AND PURPOSE

"SECTION 1. The Congress finds that the Youth Conservation Corps has demonstrated a high degree of success as a pilot program wherein American youth, representing all segments of society, have benefited by gainful employment in the healthful outdoor atmosphere of the national park system, the national forest system, other public land and water areas of the United States and by their employment have developed, enhanced, and maintained the natural resources of the United States, and whereas in so doing the youth have gained an understanding and appreciation of the Nation's environment and heritage equal to one full academic year of study, it is accordingly the purpose of this Act to expand and make permanent the Youth Conservation Corps and thereby further the development and maintenance of the natural resources by America's youth, and in so doing to prepare them for the ultimate responsibility of maintaining and managing these resources for the American people.

"YOUTH CONSERVATION CORPS

"SEC. 2. (a) To carry out the purposes of this Act, there is established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter referred to as the 'Corps'). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, possessions, trust territories, or Commonwealth of Peurto Rico who have attained age fifteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the civil service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining the lands and waters of the United States.

"(b) The Corps shall be open to youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 3. (a) In carrying out this Act, the Secretary of the Interior and the Secretary of Agriculture shall—

"(1) determine the areas under their administrative jurisdictions which are appropriate for carrying out the programs using employees of the Corps;

"(2) determine with other Federal agencies the areas under the administrative jurisdiction of these agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education programs and projects for participation by members of the Corps;

"(3) determine the rates of pay, hours, and other conditions of employment in the Corps, except that all members of the Corps shall not be deemed to be Federal employees other than for the purpose of chapter 171 of title 28, United States Code, and chapter 81 of title 5, United States Code;

"(4) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties;

"(5) promulgate regulation to insure the safety, health,and welfare of the Corps members; and

"(6) provide to the extent possible, that permanent or semi-permanent facilities used as Corps camps be made available to local schools, school districts, State junior colleges and universities, and other education institutions for use as environmental/ecological education camps during periods of nonuse by the Corps program.

Costs for operations maintenance, and staffing of Corps camp facilities during periods of use by non-Corps programs as well as any liability for personal injury or property damage stemming from such use shall be the responsibility of the entity or organization using the facility and shall not be a responsibility of the Secretaries or the Corps.

"(b) Existing but unoccupied Federal facilities and surplus or unused equipment (or both), of all types including military facilities and equipment, shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved. To minimize transportation costs, Corps members shall be employed on conservation projects as near to their places of residence as is feasible.

"(c) The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for at least five years for the operation of any Youth Conservation Corps project.

"GRANT PROGRAM FOR STATE PROJECTS

"SEC. 4. (a) The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term 'States' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

"(b)(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

"(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall (i) have attained the age of fifteen but not attained the age of nineteen, (ii) be permanent residents of the United States or its territories, possessions, or the Trust Territory of the Pacific Islands, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than ninety days in any calendar year, and (v) be employed without regard to their sex or social, economic, or racial classification; and

"(B) such other information as the Secretaries may jointly by regulation prescribe.

"(2) The Secretaries may approve applications which they determine (A) to meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

"(c)(1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

"(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

"(d) Thirty per centum of the sums appropriated under section 6 for any fiscal year shall be made available for grants under this section for such fiscal year.

"SECRETARIAL REPORTS

"SEC. 5. The Secretary of the Interior and Secretary of Agriculture shall annually prepare a joint report detailing the activities carried out under this Act and providing recommendations. Each report for a program year shall be submitted concurrently to the President and the Congress not later than April 1 following the close of that program year.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. There are authorized to be appropriated amounts not to exceed $60,000,000 for each fiscal year, which amounts shall be made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this Act. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this Act shall remain available for obligations and expenditure until the end of the fiscal year following the fiscal year for which appropriated.".

The motion 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. 14897) was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. O'NEILL. Mr. Speaker, may I say that the program for the remainder of the day will be the conference report on H.R. 16027, Interior Department appropriations for fiscal year 1975.

Mr. Speaker, the chairman of the Committee on the Judiciary has advised

me that he will file the report of that committee, pursuant to House Resolution 803, when the House convenes tomorrow.

I take this opportunity to advise the House that after the filing of that report and its reference by the Speaker to the calendar, I will offer a resolution, under suspension of the rules, commending the Committee on the Judiciary for its conduct of the impeachment inquiry, accepting the committee's report and providing for printing of the report in the RECORD.

Mr. Speaker, I ask unanimous consent that the text of the resolution which I have offered be printed at this point in the RECORD.

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

There was no objection.

Mr. O'NEILL. I will read the resolution in order that the gentlemen and gentlewomen of the House may be aware of it:

H. RES. —

Resolved, That the House of Representatives

(1) takes notice that

(a) the House of Representatives, by House Resolution 803, approved February 6, 1974, authorized and directed the Committee on the Judiciary to investigate fully and completely whether sufficient grounds existed for the House of Representatives to exercise its constitutional power to impeach Richard M. Nixon, President of the United States of America; and

(b) the Committee on the Judiciary, after conducting a full and complete investigation pursuant to House Resolution 803, voted on July 27, 29, and 30, 1974, to recommend articles of impeachment against Richard M. Nixon, President of the United States of America; and

(c) Richard M. Nixon, on August 9, 1974, resigned the Office of President of the United States of America;

(2) accepts the report submitted by the Committee on the Judiciary pursuant to House Resolution 803 (H. Rept. 93———) and authorizes and directs that said report be printed in full in the Congressional Record and as a House document and;

(3) commends the chairman and other members of the Committee on the Judiciary for their conscientious and capable efforts in carrying out the committee's responsibilities under House Resolution 803.

Mr. Speaker, the program for tomorrow will be:

The private calendar;

H.R. 2, pension reform conference report;

The House resolution concerning the report of the Judiciary Committee;

H.R. 15581, the District of Columbia appropriations conference report;

H.R. 12859, Federal Mass Transportation Act;

H.R. 16032, the Eisenhower College bill; and

S. 1868, the United Nations Participation Act.

APPOINTMENT OF CONFEREES ON H.R. 14883, AMENDING THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 14883) amending the Public Works and Economic Development Act of 1965, with a Senate amendment thereto, disagree to the Senate amendment and, request a conference with the Senate thereon.

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

The Chair hears none, and appoints the following conferees: Messrs. BLATNIK, JOHNSON of California, ROBERTS, HARSHA and HAMMERSCHMIDT.

RE-REFERRAL OF H.R. 1190 AMENDING THE INTERNAL REVENUE CODE

Mr. RODINO. Mr. Speaker, I ask unanimous consent that H.R. 1190 to amend the Internal Revenue Code to regulate and prevent multiple taxation of certain kinds of income, which was referred to the Committee on the Judiciary, be re-referred to the Committee on Ways and Means.

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

There was no objection.

CONFERENCE REPORT ON H.R. 13999, AUTHORIZING APPROPRIATIONS FOR THE NATIONAL SCIENCE FOUNDATION APPROPRIATIONS

Mr. SYMINGTON filed the following conference report and statement on the bill (H.R. 13999) to authorize appropriations for activities of the National Science Foundation, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 93-1302)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13999) to authorize appropriations for activities of the National Science Foundation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That there is hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1975, for the following categories:

(1) Scientific Research Project Support, $358,700,000.

(2) National and Special Research Programs, $91,900,000.

(3) National Research Centers, $52,500,000.

(4) Science Information Activities, $6,300,000.

(5) International Cooperative Scientific Activities, $8,000,000.

(6) Research Applied to National Needs, $148,900,000.

(7) Intergovernmental Science Program, $2,000,000.

(8) Institutional Improvement for Science, $12,000,000.

(9) Graduate Student Support, $15,000,000.

(10) Science Education Improvement, $70,000,000.

(11) Planning and Policy Studies, $2,700,000.

(12) Program Development and Management, $39,500,000.

SEC. 2. Notwithstanding any other provision of this or any other Act—

(a) of the total amount authorized under section 1, not less than $10,000,000 shall be available for the purpose of "Institutional Improvement for Science";

(b) of the total amount authorized under section 1, not less than $15,000,000 shall be available for the purpose of "Graduate Student Support";

(c) of the total amount authorized under section 1, not less than $70,000,000 shall be available for the purpose of "Science Education Improvement";

(d) of the total amount authorized in category (2) of section 1—

(1) not less than $1,600,000 shall be available for "Experimental R. & D. Incentives", and

(2) not less than $4,000,000 shall be available for "Ship Construction/Conversion";

(e) of the total amount authorized in category (6) of section 1—

(1) not less than $1,000,000 shall be available for "Fire Research", and

(2) not less than $8,000,000 shall be available for "Earthquake Research and Engineering"; and

(f) of the total amount authorized in category (10) of section 1—

(1) not less than $1,500,000 shall be available for "Science Faculty Fellowships for College Teachers",

(2) not less than $3,800,000 shall be available for "Student Programs" including "Undergraduate Student Projects" and "Student Originated Studies", and

(3) not less than $2,000,000 shall be available for "High School Student Projects".

SEC. 3. Appropriations made pursuant to this Act may be used, but not to exceed $5,000, for official consultation, representation, or other extraordinary expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by section 1, not to exceed $5,000,000 is authorized to be appropriated for the fiscal year ending June 30, 1975, for expenses of the National Science Foundation incurred outside the United States to be paid for in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 5. Appropriations made pursuant to sections 1 and 4 shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

SEC. 6. No funds may be transferred from any particular category listed in section 1 to any other category or categories listed in such section if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in section 1 from any other category or categories listed in such section if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, unless—

(A) a period of thirty legislative days has passed after the Director or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Labor and Public Welfare of

the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

(B) each such committee before the expiration of such period has transmitted to the Director written notice to the effect that such committee has no objection to the proposed action.

SEC. 7. Notwithstanding any other provision of this or any other Act, the Director of the National Science Foundation shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Labor and Public Welfare of the Senate fully and currently informed with respect to all of the activities of the National Science Foundation.

SEC. 8. This Act may be cited as the "National Science Foundation Authorization Act, 1975".

And the Senate agree to the same.

OLIN E. TEAGUE,
JOHN W. DAVIS,
JAMES W. SYMINGTON,
MIKE MCCORMACK,
CHARLES A. MOSHER,
ALPHONZO BELL,
MARVIN L. ESCH,
Managers on the Part of the House.

EDWARD M. KENNEDY,
CLAIBORNE PELL,
THOMAS F. EAGLETON,
ALAN CRANSTON,
WALTER F. MONDALE,
PETER H. DOMINICK,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13999) to authorize appropriations for activities of the National Science Foundation, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The amendment of the Senate struck out all after the enacting clause in the House bill and substituted new language. The committee of conference agreed to accept the Senate amendment with certain amendments and stipulations proposed by the conferees.

The National Science Foundation requested authorization in the amount of $783,200,000 for fiscal year 1975, plus $5,000,000 in excess foreign currencies. The House authorized the amount requested. The respective Senate figures were $829,800,000 and $5,000,000 in excess foreign currencies.

The committee of conference recommends $807,500,000, plus $5,000,000 in excess foreign currencies. This figure is $24,300,000 more than authorized by the House and $22,300,000 less than authorized by the Senate for fiscal year 1975.

The specific actions taken by the conference are as follows:

SECTION 1—FUNDS

1. For Scientific Research Project Support, the budget request of the National Science Foundation was $363,700,000. The House authorized $354,000,000 and the Senate authorized $363,700,000. The two Houses agreed on $358,700,000.

2. For National and Special Research Programs, the Foundation requested $84,800,000. The House authorized $86,000,000 and the Senate authorized $94,700,000. A compromise of $91,900,000 was approved by the conferees, which includes an additional $5,900,000 for oceanography-related programs, with emphasis on ship construction/conversion.

3. For National Research Centers, the House, the Senate, and the conferees approved the Foundation request for $52,500,000.

4. For Science Information Activities, the Foundation requested $5,000,000. The House authorized $8,300,000 which was the 1974 level of support and the Senate authorized $5,000,000. The conference committee agreed on $6,300,000 as a reasonable sum to maintain this vital function.

5. For International Cooperative Scientific Activities, the House, the Senate, and the conferees approved the Foundation request for $8,000,000.

6. For Research Applied to National Needs, the Foundation requested $148,900,000. The House authorized $139,100,000 and the Senate authorized $160,700,000. A compromise was reached at the original figure requested, $148,900,000.

7. For Intergovernmental Science Programs, the Foundation requested $1,000,000, which the House approved. The Senate authorized $3,000,000. A compromise was reached at $2,000,000.

8. For Institutional Improvement for Science, the Foundation requested $3,000,000. The House increased this figure to $10,000,000, largely to revitalize the Institutional Grants Program. The Senate authorized $12,000,000, to which the House agreed in conference.

9. For Graduate Student Support, the Foundation requested $12,700,000. The House authorized $13,200,000 and the Senate authorized $17,000,000. The committee of conference agreed on $15,000,000 as adequate for this program.

10. For Science Education Improvement, the Foundation requested $61,400,000. The House authorized $68,900,000 in order to compensate for funds diverted from this program to technical training. The Senate authorized $71,000,000. The conferees agreed on a compromise of $70,000,000.

11. For Planning and Policy Studies, the Foundation requested $2,700,000 which both the House and Senate accepted.

12. For Program Development and Management, the Foundation requested $39,500,000 which was accepted by both the House and Senate.

SECTION 2

The bill as passed by the House put budgetary floors under the following:

(1) National and Special Research Program—$2,200,000 to assure continuance of the Experimental R&D Incentive Program.

(2) The Research Applied to National Needs Program—$2,000,000 for Fire Research to assure continuance of this effort.

(3) The Institutional Improvement for Science Program—$10,000,000.

(4) The Graduate Student Support Program—$13,200,000.

(5) The Science Education Improvement Program—$68,900,000, which included three sub-floor limitations. The latter were $1,500,000 for Science Faculty Fellowships, $3,800,000 for College Student Science Education, and $2,000,000 for High School Students Projects.

The Senate put floors under the following:

(1) National and Special Research Programs—$8,000,000 for Ship Construction and Conversion.

(2) Research Applied to National Needs—$8,000,000 to assure continuance of the Earthquake Research Program.

(3) Institutional Improvement for Science—$12,000,000.

(4) Graduate Student Support—$17,000,000.

(5) Science Education Improvement—$71,000,000.

The latter three floors incorporated by the Senate, in effect, fixed the floor at the total amount of the Senate authorization and were designed to assure that these programs should not be cut in any way.

The committee of conference agreed to lower most of these floors in order to permit the Foundation additional funding flexibility in view of the fact that appropriations were expected to be lower than the authorization figures. The conferees agreed to the following floors:

(1) National and Special Research Programs—$1,600,000 for the Experimental R&D Incentives Program; $4,000,000 for Ship Construction and Conversion.

(2) Research Applied to National Needs—$1,000,000 for Fire Research; the $8,000,000 for Earthquake Research was retained.

(3) Institutional Improvement for Science—$10,000,000.

(4) Graduate Student Support—$15,000,000.

(5) Science Education Improvement—$70,000,000.

The sub-floors placed by the House within the Science Education Improvement category remain intact: for Science Faculty Fellowships, $1,500,000; for College Student Science Education, $3,800,000; for High School Student Projects, $2,000,000.

SECTION 3

Section 3 is identical to Section 3 of the House bill and Section 5 of the Senate bill.

SECTION 4

Section 4 is identical to Section 4 in both the House and Senate bills.

SECTION 5

Section 5 is identical to Section 5 of the House bill and Section 6 of the Senate bill.

SECTION 6

Section 6 is identical to Section 6 of the House bill and Section 7 of the Senate bill.

SECTION 7

Section 7 is identical to Section 8 of both House and Senate bills.

SECTION 8

Section 8 is identical to Section 9 of both House and Senate bills.

ADDITIONAL CONFERENCE ACTION

The committee of conference made three non-funding changes in the two versions as follows:

(1) *The Student Unrest Provision.*—the House bill carried a provision which the Foundation authorization bills had carried for several years to the effect that students or other persons receiving grants or payment of any kind from NSF should be completely severed from any NSF program providing such funds, if it were found that they had been guilty of causing disruption or damage by the use of force to the institution attended. The Senate bill eliminated this clause on the grounds that it was no longer necessery. The House concurred in the Senate view, but conferees wish to point out that similar restrictions are contained in the Appropriations Act pertaining to the National Science Foundation. Hence, inclusion of the clause in the Authorization Bill is redundant.

(2) *Fetal Research.*—the House bill contained a provision, adopted by amendment on the Floor of the House, to the effect that no funds appropriated pursuant to this act should be used to conduct research on a human fetus. The Senate bill eliminated this provision on the grounds that it was unnecessary. It was pointed out that H.R. 7724, which was in conference at the time and which is now P.L. 93-348, contained a special title known as the "Protection of Human Subjects Act." This law establishes a broad gauge expert commission whose duties

will include the study of all kinds of research on humans and eventuate in recommendations to the Congress for necessary legislation. The House concurred with the Senate view on this matter, and believes such action to be particularly appropriate since, in any event, the Foundation has never supported research of the kind involved and does not do so at present.

(3) *Solar Energy Research.*—the House bill contained a provision which would have required special coordination between the National Science Foundation and the National Aeronautics and Space Administration with regard to solar energy research. The purpose of the provision was to insure that the two agencies, which were equally responsible for the findings of the President's Solar Energy Research Advisory Panel of several years ago, should coordinate their efforts in this area. While it was acknowledged that NSF should be the lead agency in this area, it was directed that those applied research areas in which NASA had particular capabilities should be managed and carried out by NASA when appropriate. The Senate eliminated this provision and submitted a clause providing simply that the Director of the National Science Foundation should be responsible for the planning, coordinating and directing of solar energy research throughout the federal government. In conference it was agreed that both provisions should be eliminated from the bill, and the essence of both stipulated in the Statement of Managers as follows:

First, the National Science Foundation should be the lead agency responsible for such research, as it has been designated by the Administration.

Second, prior to the inauguration of new phases of its program of Solar Energy Research and Technology, the Foundation is directed to coordinate such programs, particularly with regard to such areas as heating and cooling of buildings, wind energy, and satellite solar energy with the National Aeronautics and Space Administration and other appropriate Federal agencies, and report the resulting plans, schedules, and other findings to the Committee on Science and Astronautics of the House of Representatives and the Committee on Labor and Public Welfare of the Senate within 90 days from the effective date of this Act. The coordinated program should be designed to take maximum advantage of the special capabilities of the Foundation, NASA, or other agencies involved. Such part or parts of the program which can be feasibly carried out by NASA or other appropriate agencies should be so assigned, including managerial responsibility, and should be funded by the Foundation pursuant to section 11(c) of Public Law 81–507.

Third, the Foundation is further directed to coordinate its Solar Energy and Technology program with the academic community, and with private industry—giving particular attention to the capabilities of small businesses and to innovative applied research proposals emanating therefrom.

OLIN E. TEAGUE,
JOHN W. DAVIS,
JAMES W. SYMINGTON,
MIKE MCCORMACK,
CHARLES A. MOSHER,
ALPHONZO BELL,
MARVIN L. ESCH,
Managers on the Part of the House.

EDWARD M. KENNEDY,
CLAIBORNE PELL,
THOMAS F. EAGLETON,
ALAN CRANSTON,
WALTER F. MONDALE,
PETER H. DOMINICK,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

PERSONAL EXPLANATION

Mr. BURLESON of Texas. Mr. Speaker, I am advised that my vote on rollcall No. 500, the Emergency Daylight Saving Time Act amendments, failed to record. I was present and voted for the Emergency Daylight Saving Time Act amendments, and I wish the RECORD to show that I voted aye in that instance.

CONFERENCE REPORT ON H.R. 16027, DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1975

Mrs. HANSEN of Washington. Mr. Speaker, I call up the conference report on the bill (H.R. 16027) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1975, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 15, 1974.)

Mrs. HANSEN of Washington (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The SPEAKER. The Chair recognizes the gentlewoman from Washington (Mrs. HANSEN).

Mrs. HANSEN of Washington. Mr. Speaker, I present today the conference report on the fiscal year 1975 Department of the Interior and Related appropriation bill. The conference agreement between the House and the Senate totals $3,169,162,310. This amount is $15,647,000, above the House amount and $1,232,000 below the Senate amount. It is above fiscal year 1974 by $576,258,110 and above the budget estimate by $15,157,600. The conference agreement on the Interior and related agencies portion of the special Energy Research and Development Appropriation Act was $543,166,000, a reduction of $18,467,000 below the budget estimate. Therefore, if you consider all the agencies normally funded in this bill, there is a reduction of $3,309,400 below the budget estimate.

There are several items considered by the Senate and included in the conference agreement which were not considered by the House. These items include: the Youth Conservation Corps, Saline Water Research, the National Museum Act, and the Pennsylvania Avenue Development Corporation. These items total $14,871,000. The major increases over the budget include $1,185,000 for the Office of Water Resources Research; $5,491,000 for the U.S. Fish and Wildlife Service; $2,324,000 for the Bureau of Mines; $9,832,000 for the Bureau of Indian Affairs, excluding the Indian Finance Association; $700,000 for the Trust Territory of the Pacific Islands; $31,511,000 for the U.S. Forest Service; and $2,649,000 for the Indian Health Service.

The major reductions under the budget include $1,303,000 for the Bureau of Land Management; $2,001,000 for the Geological Survey; $12,000,000 for the Indian Finance Act; $550,000 for administration of Indian Territories; $1,354,000 for the Office of the Secretary, and $5,036,000 for the Smithsonian Institution.

Mr. Speaker, in addition the funds requested by the majority of agencies funded in this bill for official travel have been reduced by approximately 10 percent.

Mr. Speaker, I will be glad to answer any questions.

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

Mr. Speaker, I rise in support of the conference report.

Mr. McDADE. Mr. Speaker, I rise in support of the conference report to the bill H.R. 16027, appropriating funds for the Department of the Interior and related agencies, and to urge its adoption by the House.

Mr. Speaker, your committee worked long and hard in conference with essentially two goals in mind. First, was to provide sufficient funds for the development and management of the multiple resources contained in this bill. Second was to attempt to live within the framework of the budget request which was submitted to us earlier this year.

In general, I believe we have accomplished both goals. Our bill is $3.3 million below the total budget request for all activities and agencies funded in this bill. And while there are certainly a number of areas where we would like to have added funds, we think there are sufficient moneys contained therein to meet the needs of each agency this year.

Mr. Speaker, this bill contains a number of items that are particularly important to the residents of my 10th Congressional District of Pennsylvania. First is the inclusion of $4.1 million for land acquisition for the Delaware Water Gap National Recreation Area. This Congress has been tremendously sympathetic over the past several years to the needs of property owners in the proposed park. It remains one of my highest priorities to complete the land acquisition of this park and then proceed to develop its resources. These funds will go a long way toward the realization of these goals.

Second, is an appropriation of $1.5 million for the continuation and expansion of a highly successful mine flushing demonstration technique in three towns near Scranton, Pa., under the guidance of the U.S. Bureau of Mines. During the past several years the Bureau has undertaken extensive activities in attacking the ravages caused by improper surface and deep mining practices. Through research conducted by the Bu-

reau, we are demonstrating to the entire Nation that new subsidence control techniques can provide complete protection for property while converting badly mine-scarred lands into productive recreational, commercial, and residential usage. While the conference committee's report contains $500,000 less than the House had approved earlier, we will have sufficient funds for an active land restoration program in northeastern Pennsylvania this year.

Mr. Speaker, as in all such conference reports there is some give and some take. However, there is no real disagreement on the part of either House on the need to develop our energy resources, the need to provide better health care for our native Americans, the importance of increased recreational opportunities in our national parks, or the great desire of Americans for cultural and historical enrichment. All of these things will take place because of our actions in passing this bill. I enthusiastically urge its adoption by the House of Representatives.

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

Mr. McDADE. I yield 3 minutes to the gentleman from Oregon (Mr. WYATT).

Mr. WYATT. Mr. Speaker, I rise in support of this conference report. I would like to commend the conferees, led by our distinguished chairman of the subcommittee, the gentlewoman from Washington (Mrs. HANSEN), and the ranking minority member, the gentleman from Pennsylvania (Mr. McDADE). It is an excellent conference report, and I support it wholeheartedly.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield?

Mr. WYATT. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. Mr. Speaker, recognizing the familiarity of the gentleman from Oregon (Mr. WYATT) with the lumber business, the committee in its report, on page 10, addresses the problem of log exports and justifiably wants to prevent an exporter from increasing exports of his own timber while satisfying his domestic needs by increasing purchases of public timber. The committee's report language defines this substitution as "the purchase of a greater volume of public timber to replace a greater volume of private timber which has been exported." It is my understanding that the committee intended that there be an increase in both volumes exported and volumes of public timber purchased before substitution regulations would be invoked.

Mr. WYATT. This is correct. If there is no significant change or increase in the amount of timber exported from the levels prevailing during the pertinent period it might be appropriate and would be in order for an individual or company to purchase some public timber if prevailing market conditions so justify.

Mr. STEIGER of Arizona. Mr. Speaker, I thank the gentleman from Oregon.

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

Mr. McDADE. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Speaker, I rise in support of the conference report on H.R. 16027, the Department of the Interior appropriations for fiscal 1975. Included in the conferee's compromise version is the sum of $1,250,000 in additional funding for repairs to the C. & O. Canal National Historical Park.

As I discussed when this legislation was originally before this body, the C. & O. Canal is greatly in need of some major repair work necessitated by the destruction caused by Hurricane Agnes 2 years ago. Various of the canal's historic structures, such as the great aqueducts, must be stabilized soon if further deterioration is to be prevented.

The most distinguished chairwoman of the Interior Appropriations Subcommittee, Mrs. HANSEN, has long been a close and valued friend to the canal, as witnessed by her subcommittee's approval of the Interior Department's full request for $3 million for repairs. I and others felt that more funding was needed, and took up the matter with the appropriate departmental authorities. Subsequently, the Department did approve a request for additional funds. The Senate added some $2.5 million to the bill. The conferees have made available a total of $4.25 million for canal repair work this fiscal year. I wish to commend all who have worked so hard and who have been so helpful to me in seeking additional funding, and I certainly wish to give my full support to this report.

It is my hope that by the time we are ready to celebrate this Nation's Bicentennial, the canal, too, will be ready as a valuable tool to help teach the millions of visitors expected in Washington during 1976 the history and rich traditions of this region. Hopefully, it will be ready for the benefit and enjoyment of all who will wish to see this great resource. I will continue to work in that direction.

Again, I urge support for this report.

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

Mr. McDADE. I yield such time as he may consume to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Speaker, I take this opportunity to express my appreciation to Mrs. HANSEN and other managers on the part of the House for their diligence in securing approval in conference of $600,000 for the construction of a visitor center at the Lincoln Home National Historic Site in Springfield, Ill. Without this support, the building could not be completed in time for the Bicentennial celebration in 1976. The Lincoln Home development is the centerpiece of Illinois' observance of this Bicentennial. Mrs. HANSEN has been a great friend of historic preservation, especially of the Lincoln saga, and her retirement from the Congress is a great loss to those interested in such preservation and a great personal disappointment to me. Her contributions will, however, live on many generations after the rest of us have left these Halls.

Mr. FRENZEL. Mr. Speaker, I will vote against the conference report on H.R. 16027, the Department of the Interior appropriations bill. I voted against the House bill because it was increased too much over the fiscal year 1974 figures, but the conference report is even higher.

I know that Interior does good work, and my vote does not mean any specific criticism of the Department, or its work. My negative vote is a protest against overspending.

Interior's appropriation is up 22 percent from fiscal year 1974. There are not that many new programs to justify such an increase.

I do not mean to be a pinch-penny, but if we are ever to make progress against inflation, we have to vote to reduce some desirable programs. I regret the need for my vote today, but I believe it is essential to the fight against inflation.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise today in support of adoption of the conference report on H.R. 16027, Department of the Interior appropriation bill for fiscal year 1975, and at the outset, I want to express my personal appreciation to the House conferees for prevailing with the Senate in the matter of additional funding for the construction of a Redwood Research Laboratory at California State University, Humboldt in Arcata, Calif.

In addition to expressing my thanks to the members of the Interior Appropriations Subcommittee, I want to once again take the opportunity to call attention to the capable and totally dedicated leadership and performance of the chairman of the subcommittee, Mrs. HANSEN of Washington, since this will be her last Interior appropriations bill.

During her years of service, she has done more than any individual in the House for the preservation of our natural resources and the advancement of programs designed to enhance our renewable resources such as reforestation and fish and wildlife research. As well, she has been instrumental in advancing programs dealing with Indian health and education which came under her jurisdiction.

There is no way one could adequately express appreciation for all of the personal attention she has given to the many personal requests we have made to her over the years. The country and the Congress will miss her but she has left a legacy of constructive and responsible legislation in the natural resource field that will long be remembered by those of us who have served with her and enjoyed by all Americans for generations to come.

Mrs. HANSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I recommend adoption of the conference agreement by the of the conference agreement by the House, and I include at this point in the RECORD pertinent tables pertaining to funds included in the conference report.

DEPARTMENT OF THE INTERIOR AND RELATED APPROPRIATION BILL, FISCAL YEAR 1975 (16027)

Agency and item	New budget (obligational) authority appropriated, 1974	Budget estimates of new (obligational) authority, 1975[1]	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1975	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE 1—DEPARTMENT OF THE INTERIOR								
Land and Water Resources								
Bureau of Land Management								
Management of lands and resources	$116,682,000	$142,649,000	$140,696,000	$141,126,000	$141,096,000	−$1,373,000	+$400,000	−$30,000
Construction and maintenance	6,800,000	6,655,000	6,655,000	6,725,000	6,725,000	+70,000	+70,000	
Public lands development roads and trails (appropriation to liquidate contract authority)	(4,000,000)	(4,070,000)	(4,070,000)	(4,070,000)	(4,070,000)			
Oregon and California grant lands (indefinite, appropriation of receipts)	28,750,000	28,750,000	28,750,000	28,750,000	28,750,000			
Range improvements (indefinite, appropriation of receipts)	3,242,000	4,503,000	4,503,000	4,503,000	4,503,000			
Recreation development and operation of recreation facilities (indefinite, special fund)	165,000	242,000	242,000	242,000	242,000			
Total, Bureau of Land Management	155,639,000	182,619,000	180,846,000	181,346,000	181,316,000	−1,303,000	+470,000	−30,000
Office of Water Resources Research								
Salaries and expenses	13,769,000	12,700,000	13,795,000	13,990,000	13,885,000	+1,185,000	+90,000	−105,000
Office of Saline Water								
Saline water conversion	3,627,000	3,029,000		3,007,000	3,007,000	−22,000	+3,007,000	
Total, Land and Water Resources	173,035,000	198,348,000	194,641,000	198,343,000	198,208,000	−140,000	+3,567,000	−135,000
Fish and Wildlife and Parks								
Bureau of Outdoor Recreation								
Salaries and expenses	4,696,000	5,040,000	5,010,000	5,210,000	5,210,000	+170,000	+200,000	
Land and Water Conservation Fund								
Appropriation of receipts (indefinite)	76,223,000	300,000,000	300,000,000	3,00000,000	300,000,000			
United States Fish and Wildlife Service								
Resource management	86,537,000	101,785,000	100,666,000	101,168,000	101,126,000	−659,000	+460,000	−42,000
Construction and anadromous fish	8,126,500	8,978,000	13,447,000	14,347,000	14,047,000	+5,150,000	−600,000	−300,000
Migratory bird conservation account (definite, repayable advance)	3,500,000		1,000,000	1,000,000	1,000,000	+1,000,000		
Total, United States Fish and Wildlife Service	98,163,500	110,682,000	115,113,000	116,515,000	116,173,000	+5,491,000	+1,060,000	−342,000
National Park Service								
Operation of the National Park System	193,752,000	210,058,000	209,437,000	209,425,000	209,325,000	−733,000	−112,000	−100,000
Planning and construction	20,012,000	57,303,000	53,466,000	63,290,000	58,112,000	+809,000	+4,646,000	−5,178,000
Road construction (appropriation to liquidate contract authority)	(35,000,000)	(23,000,000)	(24,126,000)	(27,500,000)	(26,026,000)	(+3,026,000)	(+1,900,000)	(−1,474,000)
Preservation of historic properties	15,842,000	24,375,000	24,375,000	24,375,000	24,375,000			
Planning, development and operation of recreation facilities (indefinite, special fund)	30,378,000	11,900,000	11,900,000	11,900,000	11,900,000			
John F. Kennedy Center for the Performing Arts	2,400,000	2,420,000	2,420,000	2,420,000	2,420,000			
Total, National Park Service	262,384,000	306,056,000	301,598,000	311,410,000	306,132,000	+76,000	+4,534,000	−5,278,000
Total, Fish and Wildlife and Parks	441,466,500	721,778,000	721,721,000	733,135,000	727,515,000	+5,737,000	+5,794,000	−5,620 000
Energy and Minerals								
Geological Survey								
Surveys, investigations, and research	160,240,000	205,576,000	203,195,000	205,044,000	203,575,000	−2,001,000	+380,000	−1,469,000
Mining Enforcement and Safety Administration								
Salaries and expenses	59,040,000	68,146,000	67,803,000	68,413,000	67,913,000	−233,000	+110,000	−500,000
Bureau of Mines								
Mines and minerals	71,989,000	75,539,000	77,703,000	76,163,000	77,863,000	+2,324,000	+160,000	+1,700,000
Total, Energy and Minerals	291,263,000	349,261,000	348,701,000	349,620,000	349,351,000	+90,000	+650,000	−269,000
Indian Affairs								
Bureau of Indian Affairs								
Operation of Indian programs	414,478,000	406,177,000	467,096,000	466,100,000	467,000,000	+823,000	−96,000	+900,000
Education and welfare services (appropriation to liquidate contract authority)	(793,000)							
Construction	54,723,000	52,795,000	66,571,000	55,512,000	61,804,000	+9,009,000	−4,767,000	+6,292,000
Road construction (appropriation to liquidate contract authority)	(43,000,000)	(59,000,000)	(59,000,000)	(59,000,000)	(59,000,000)			
Indian loan guaranty and insurance fund		20,000,000	20,000,000	20,000,000	20,000,000			
Revolving fund for loans	900,000	50,000,000	38,000,000	38,000,000	38,000,000	−12,000,000		
Alaska Native fund	70,000,000	70,000,000	70,000,000	70,000,000	70,000,000			
Miscellaneous trust funds (definite)	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000			
Miscellaneous trust funds (indefinite)	15,550,000	15,500,000	15,500,000	15,500,000	15,500,000			
Total, Bureau of Indian Affairs	558,601,000	677,472,000	580,167,000	668,112,000	675,304,000	−2,168,000	−4,869,000	+7,192,000

Footnotes at end of table.

Agency and item	New budget (obligational) authority appropriated, 1974	Budget estimates of new (obligational) authority, 1975[1]	Allowances: House	Allowances: Senate	Allowances: Conference	Conference allowance compared with—: Budget estimates of new (obligational) authority, 1975	Conference allowance compared with—: House allowance	Conference allowance compared with—: Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Territorial Affairs								
Office of Territorial Affairs								
Administration of territories	$14,500,000	$15,000,000	$14,950,000	$14,450,000	$14,450,000	−$550,000	−$500,000	
Permanent appropriation (special fund)	(420,000)	(625,000)	(625,000)	(625,000)	(625,000)			
Transferred from other accounts (special fund)	(645,000)	(875,000)	(875,000)	(875,000)	(875,000)			
Trust Territory of the Pacific Islands	59,386,000	61,000,000	63,500,000	61,700,000	61,700,000	+700,000	−1,800,000	
Micronesian claims fund, Trust Territory of the Pacific Islands		1,400,000	1,400,000	1,400,000	1,400,000			
Total, Office of Territorial Affairs	73,886,000	77,400,000	79,850,000	77,550,000	77,550,000	+150,000	−2,300,000	
Secretarial Offices								
Office of the Solicitor								
Salaries and expenses	9,089,000	12,200,000	11,790,000	12,040,000	12,040,000	−160,000	+250,000	
Office of the Secretary								
Salaries and expenses	17,225,000	20,047,000	19,629,000	19,504,000	19,454,000	−593,000	−175,000	−$50,000
Departmental operations	6,620,000	10,954,000	10,954,000	10,523,000	10,523,000	−431,000	−431,000	
Salaries and expenses (special foreign currency program)	670,000	522,000	192,000	192,000	192,000	−330,000		
Total, Office of the Secretary	24,515,000	31,523,000	30,775,000	30,219,000	30,169,000	−1,354,000	−606,000	−50,000
Total, Secretarial Offices	33,604,000	43,723,000	42,565,000	42,259,000	42,209,000	−1,514,000	−356,000	−50,000
Total, new budget (obligational) authority, Department of the Interior	1,571,861,500	2,067,982,000	2,067,645,000	2,069,019,000	2,070,137,000	+2,155,000	+2,492,000	+1,118,000
Consisting of—								
Appropriations	1,571,861,500	2,067,982,000	2,067,645,000	2,069,019,000	2,070,137,000	+2,155,000	+2,492,000	+1,118,000
Definite appropriations	(1,417,603,500)	(1,707,087,000)	(1,706,750,000)	(1,708,124,000)	(1,709,242,000)	(+2,155,000)	(+2,492,000)	(+1,118,000)
Indefinite appropriations	(154,258,000)	(360,895,000)	(360,895,000)	(360,895,000)	(360,895,000)			
Memoranda—								
Appropriations to liquidate contract authority	(82,793,000)	(86,070,000)	(87,196,000)	(90,570,000)	(89,096,000)	(+3,026,000)	(+1,900,000)	(−1,474,000)
Total new budget (obligational) authority and appropriations to liquidate contract authority	(1,654,654,500)	(2,154,052,000)	(2,154,841,000)	(2,159,589,000)	(2,159,233,000)	(+5,181,000)	(+4,392,000)	(−356,000)
TITLE II—RELATED AGENCIES								
Department of Agriculture								
Forest Service								
Forest protection and utilization:								
Forest land management	377,884,000	291,136,000	306,278,000	305,627,000	306,119,000	+14,983,000	−159,000	+492,000
Forest research	63,800,000	70,525,000	75,487,000	74,860,000	75,402,000	+4,877,000	−85,000	+542,000
State and private forestry cooperation	28,022,000	29,746,000	34,638,000	34,638,000	34,638,000	+4,892,000		
Total, forest protection and utilization	469,706,000	391,407,000	416,403,000	415,125,000	416,159,000	+24,752,000	−244,000	+1,034,000
Construction and land acquisition	27,093,000	24,147,000	31,459,000	28,692,000	30,908,000	+6,761,000	−551,000	+2,216,000
Youth conservation corps	10,000,000	10,240,000		10,240,000	10,240,000		+10,240,000	
Forest roads and trails (appropriation to liquidate contract authority)	(97,700,000)	(121,000,000)	(120,464,000)	(121,275,000)	(120,864,000)	(−136,000)	(+400,000)	(−411,000)
Acquisition of lands for national forests:								
Special acts (special fund, indefinite)	94,000	161,000	161,000	161,000	161,000			
Acquisition of lands to complete land exchanges	55,300	39,310	39,310	39,310	39,310			
Acquisition of lands, Klamath Indians		49,000,000	49,000,000	49,000,000	49,000,000			
Cooperative range improvements (special fund, indefinite)	700,000	700,000	700,000	700,000	700,000			
Assistance to States for tree planting	1,013,000	1,346,000	1,344,000	1,344,000	1,344,000	−2,000		
Construction and operation of recreation facilities (indefinite special fund)	3,273,000	1,260,000	1,260,000	1,260,000	1,260,000			
Total, Forest Service	511,939,300	478,300,310	500,366,310	506,561,310	509,811,310	+31,511,000	+9,445,000	+3,250,000
Commission of Fine Arts								
Salaries and expenses	153,000	176,000	174,000	171,000	171,000	−5,000	−3,000	
Department of Health, Education, and Welfare Health Services Administration								
Indian health services	203,284,000	226,043,000	225,352,000	227,336,000	226,217,000	+174,000	+865,000	−1,119,000
Indian health facilities	49,927,000	54,956,000	55,406,000	61,912,000	57,431,000	+2,475,000	+2,025,000	−4,481,000
Total, Indian Health	250,211,000	280,999,000	289,758,000	289,248,000	283,648,000	+2,649,000	+2,830,000	−5,600,000
Office of Education								
Indian education	40,000,000	42,000,000	42,000,000	42,000,000	42,000,000			
Indian Claims Commission								
Salaries and expenses	1,164,000	1,333,000	1,324,000	1,324,000	1,324,000	−9,000		
National Capital Planning Commission								
Salaries and expenses	1,559,000	1,840,000	1,777,000	1,777,000	1,777,000	−63,000		

Footnotes at end of table.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, FISCAL YEAR 1975 (16027)—Continued

Agency and item	New budget (obligational) authority appropriated, 1974	Budget estimates of new (obligational) authority, 1975[1]	Allowances: House	Allowances: Senate	Allowances: Conference	Conference allowance compared with—: Budget estimates of new (obligational) authority, 1975	Conference allowance compared with—: House allowance	Conference allowance compared with—: Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE II—RELATED AGENCIES—Continued								
National Foundation on the Arts—Continued								
Salaries and Expenses								
Endowment for the arts	$54,275,000	$72,000,000	$67,250,000	$67,250,000	$67,250,000	−$4,750,000		
Endowment for the humanities	44,500,000	72,000,000	67,250,000	67,250,000	67,250,000	−4,750,000		
Administrative expenses	6,500,000	11,000,000	10,500,000	10,500,000	10,500,000	−500,000		
Subtotal, salaries and expenses	105,275,000	155,000,000	145,000,000	145,000,000	145,000,000	−10,000,000		
Matching Grants								
Endowment for the arts (indefinite)	6,500,000	10,000,000	7,500,000	7,500,000	7,500,000	−2,500,000		
Endowment for the humanities (indefinite)	6,500,000	10,000,000	6,500,000	6,500,000	6,500,000	−3,500,000		
Subtotal, matching grants	13,000,000	20,000,000	14,000,000	14,000,000	14,000,000	−6,000,000		
Total, National Foundation on the Arts and the Humanities	118,275,000	175,000,000	159,000,000	159,000,000	159,000,000	−16,000,000		
Smithsonian Institution								
Salaries and expenses	58,543,000	69,789,000	67,789,000	67,789,000	67,789,000	−2,000,000		
Science information exchange	1,695,000	1,770,000	1,755,000	1,755,000	1,755,000	−15,000		
Museum programs and related research (special foreign currency program)	4,500,000	4,500,000	2,000,000	2,000,000	2,000,000	−2,500,000		
Restoration and renovation of buildings	1,070,000	1,325,000	1,490,000	1,490,000	1,490,000	+165,000		
Construction and improvements, National Zoological Park	3,790,000	10,000,000	9,420,000	9,420,00	9,420,000	−580,000		
Construction (appropriation to liquidate contract authority)	(17,000,000)	(10,000,000)	(7,000,000)	(7,000,000)	(7,000,000)	(−3,000,000)		
Salaries and expenses, National Gallery of Art	6,202,000	6,673,000	6,673,000	6,623,000	6,623,000	−50,000	−$50,000	
Salaries and expenses, Woodrow Wilson International Center for Scholars	800,000	1,010,000	954,000	954,000	954,000	−56,000		
Total, Smithsonian Institution	76,600,000	95,067,000	90,081,000	90,031,000	90,031,000	−5,036,000	−50,000	
American Revolution Bicentennial Administration								
Salaries and expenses	19,605,000	9,719,000	9,686,000	9,686,000	9,686,000	−33,000		
National Council on Indian Opportunity								
Salaries and expenses	282,000	(2)						
Federal Metal and Nonmetallic Mine Safety Board of Review								
Salaries and expenses	60,000	63,000	60,000	60,000	60,000	-3,000		
Joint Federal-State Land Use Planning Commission for Alaska								
Salaries and expenses	694,400	694,400	644,000	693,000	693,000	-1,400	+49,000	
Pennsylvania Avenue Development Corporation								
Salaries and expenses	500,000	831,000		824,000	824,000	-7,000	+824,000	
Total, new budget (obligational) authority, Releated Agencies	1,021,042,700	1,086,022,710	1,085,870,310	1,101,375,310	1,099,025,310	+13,002,600	+13,155,000	-$2,350,000
Consisting of—								
Appropriations	1,021,042,700	1,086,022,710	1,085,870,310	1,101,375,310	1,099,025,310	+13,155,000	+13,155,000	-2,350,000
Definite appropriations	(1,003,970,700)	(1,063,901,710)	(1,069,749,310)	(1,085,254,310)	(1,082,904,310)	(+19,002,000)	(13,155,000)	(-2,350,000)
Indefinite appropriations	(17,072,000)	(22,121,000)	(16,121,000)	(16,121,000)	(16,121,000)	(-6,000,000)		
Memoranda—								
Appropriations to liquidate contract authority	(114,700,000)	(131,000,000)	(127,464,000)	(128,275,000)	(127,864,000)	(-3,136,000)	(+400,000)	(-411,000)
Total, new budget (obligational) authority and appropriations to liquidate contract authority	(1,135,742,700)	(1,217,022,710)	(1,213,334,310)	(1,229,650,310)	(1,226,889,310)	(+9,866,600)	(+13,555,000)	(-2,761,00)
RECAPITULATION								
Total new budget (obligational) authority, all titles	2,592,904,200	3,154,004,710	3,153,515,310	3,170,394,310	3,169,162,310	+15,157,600	+15,647,000	-1,232,000
Consisting of—								
Appropriations	2,592,904,200	3,154,004,710	3,153,515,310	3,170,394,310	3,169,162,310	+15,157,600	+15,647,000	-1,232,000
Definite appropriations	(2,421,574,200)	(2,770,988,710)	(2,776,499,310)	(2,763,368,310)	(2,792,146,310)	(+21,157,600)	(+15,647,600)	(-1,232,000)
Indefinite appropriations	(171,330,000)	(383,016,000)	377,016,000)	(377,016,000)	(377,016,000)	(-6,000,000)		
Memoranda—								
Appropriations to liquidate contract authority	(197,493,000)	(217,070,000)	(214,660,000)	(218,845,000)	(216,960,000)	(-110,000)	(+2,300,000)	(−1,885,000)
Total new budget (obligational) authority and appropriations to liquidate contract authority	(2,790,397,200)	(3,071,074,310)	(3,368,175,310)	(3,389,339,310)	(3,386,122,310)	(+15,047,000)	(+17,947,000)	(−3,117,000)
Special Energy Research and Development bill (interior portion)	(230,083,000)	(561,633,000)	(557,933,000)	(535,266,000)	(543,166,000)	(−18,467,000)	(−14,767,000)	(+7,900,000)
Grand total, new budget (obligational) authority and appropriations to liquidate contract authority	(3,020,480,200)	(3,932,707,710)	(3,926,108,310)	(3,924,535,310)	(3,929,288,310)	(−3,419,400)	(+3,180,000)	(+4,783,00)

Footnotes at end of table.

[1] Includes budget amendments as follows:

H. Doc. 93-209

Bureau of Land Management: Management of lands and resources	$9,700,000
United States Fish and Wildlife Service: Resource management	800,000
Geological Survey: Surveys, investigations, and research	25,300,000
Bureau of Mines: Mines and minerals	103,500,000
Office of Coal Research: Salaries and expenses	148,400,000
Office of the Secretary: Energy conservation and analysis	12,900,000
Total, H. Doc. 93-209	300,600,000

H. Doc. 93-286

Bureau of Land Management: Management of lands and resources	12,325,000
Geological Survey: Surveys, investigations, and research	2,625,000
Bureau of Mines: Mines and minerals	300,000
Bureau of Indian Affairs: Operation of Indian programs	300,000
Office of the Solicitor: Salaries and expenses	350,000
Office of the Secretary: Departmental operations	1,400,000
Total, H. Doc. 93-286	17,300,000

H. Doc. 93-291

Forest Service: Acquisition of lands, Klamath Indians	49,000,000

H. Doc. 93-307

Bureau of Land Management: Management of lands and resources	1,110,000
Geological Survey: Surveys, investigations, and research	15,025,000
Total, H. Doc. 93-307	16,315,000

H. Doc. 93-310

Bureau of Indian Affairs:	
Operation of Indian Programs	$10,000,000
Indian Revolving fund for loans	50,000,000
Indian Loan Guaranty and Insurance fund	20,000,000
Total, H. Doc. 93-310	80,000,000

H. Doc. 93-317

Forest Service: Forest Research	6,040,000

S. Doc. 93-99

Fish and Wildlife Service:	
Resource management	690,000
Construction and anadromous fish	300,000
Bureau of Indian Affairs:	
Operation of Indian programs	2,070,000
Construction	920,000
Office of the Solicitor: Salaries and expenses	330,000
Total, S. Doc. 93-99	4,310,000
Total, budget amendments	473,565,000

[2] Budget amendment contained in H. Doc. 93-286 withdrew the request of $300,000 for appropriations for the National Council on Indian Opportunity.

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

Mrs. HANSEN of Washington. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

Mr. SCHERLE. Mr. Speaker, I object 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.

The vote was taken by electronic device, and there were—yeas 374, nays 25, not voting 35, as follows:

[Roll No. 502]

YEAS—374

Abdnor, Abzug, Adams, Addabbo, Alexander, Anderson, Calif., Andrews, N.C., Andrews, N. Dak., Annunzio, Arends, Armstrong, Ashley, Badillo, Bafalis, Baker, Barrett, Bauman, Bell, Bergland, Bevill, Biaggi, Biester, Bingham, Blackburn, Blatnik, Boggs, Bolling, Bowen, Brademas, Bray, Breckinridge, Brinkley, Brooks, Broomfield, Brown, Calif., Brown, Mich., Brown, Ohio, Broyhill, N.C., Broyhill, Va., Buchanan, Burgener, Burke, Calif., Burke, Fla., Burke, Mass., Burleson, Tex., Burlison, Mo., Burton, John, Burton, Phillip, Byron, Camp, Carney, Ohio, Carter, Casey, Tex., Cederberg, Chamberlain, Chappell, Chisholm, Clark, Clausen, Don H., Clawson, Del, Clay, Cleveland, Cochran, Cohen, Collier, Collins, Ill., Conte, Corman, Cotter, Coughlin, Cronin, Culver, Daniel, Dan, Daniel, Robert W., Jr., Daniels, Dominick V., Danielson, Davis, S.C., de la Garza, Delaney, Dellenback, Dellums, Denholm, Dennis, Dent, Derwinski, Dingell, Donohue, Dorn, Downing, Drinan, Dulski, Duncan, du Pont, Eckhardt, Edwards, Ala., Edwards, Calif., Eilberg, Erlenborn, Esch, Eshleman, Evans, Colo., Evins, Tenn., Fascell, Findley, Fish, Fisher, Flood, Flowers, Flynt, Foley, Ford, Forsythe, Fountain, Fraser, Frelinghuysen, Frey, Froehlich, Fulton, Fuqua, Gaydos, Gettys, Gibbons, Gilman, Ginn, Goldwater, Gonzalez, Grasso, Gray, Green, Oreg., Green, Pa., Griffiths, Grover, Gubser, Gude, Guyer, Haley, Hamilton, Hammer-schmidt, Hanley, Hanrahan, Hansen, Idaho, Hansen, Wash., Harrington, Hastings, Hawkins, Hays, Hechler, W. Va., Heckler, Mass., Heinz, Helstoski, Henderson, Hicks, Hillis, Hinshaw, Holifield, Holt, Holtzman, Horton, Hosmer, Howard, Huber, Hudnut, Hungate, Hunt, Hutchinson, Ichord, Jarman, Johnson, Calif., Johnson, Colo., Johnson, Pa., Jones, Ala., Jones, N.C., Jones, Okla., Jones, Tenn., Jordan, Karth, Kastenmeier, Kazen, Kemp, King, Kluczynski, Koch, Kuykendall, Kyros, Lagomarsino, Landrum, Latta, Leggett, Lehman, Lent, Litton, Long, La., Long, Md., Lott, Lujan, Luken, McClory, McCloskey, McCormack, McDade, McEwen, McFall, McKay, McKinney, Macdonald, Madden, Madigan, Mahon, Mallary, Mann, Maraziti, Martin, Nebr., Martin, N.C., Mathias, Calif., Mathis, Ga., Matsunaga, Mazzoli, Meeds, Melcher, Metcalfe, Mezvinsky, Michel, Milford, Mills, Minish, Mink, Minshall, Ohio, Mitchell, Md., Mitchell, N.Y., Mizell, Moakley, Mollohan, Montgomery, Moorhead, Calif., Moorhead, Pa., Morgan, Mosher, Moss, Murphy, Ill., Murphy, N.Y., Murtha, Myers, Natcher, Nelsen, Nichols, Nix, Obey, O'Hara, O'Neill, Owens, Parris, Patman, Patten, Pepper, Perkins, Pettis, Peyser, Pickle, Pike, Poage, Podell, Preyer, Price, Ill., Price, Tex., Quie, Quillen, Railsback, Randall, Rangel, Rees, Regula, Reuss, Riegle, Roberts, Robison, N.Y., Rodino, Roe, Rogers, Roncalio, Wyo., Roncallo, N.Y., Rooney, Pa., Rose, Rosenthal, Rostenkowski, Roush, Rousselot, Roy, Roybal, Runnels, Ruth, Ryan, St Germain, Sandman, Sarasin, Sarbanes, Satterfield, Scherle, Schneebeli, Schroeder, Sebelius, Seiberling, Shipley, Shoup, Shriver, Sikes, Sisk, Skubitz, Slack, Smith, Iowa, Smith, N.Y., Snyder, Spence, Stanton, J. William, Stanton, James V., Stark, Steed, Steele, Steelman, Steiger, Ariz., Stephens, Stratton, Stubblefield, Studds, Sullivan, Symington, Symms, Talcott, Taylor, Mo., Taylor, N.C., Teague, Thompson, N.J., Thomson, Wis., Thone, Thornton, Tiernan, Towell, Nev., Treen, Udall, Ullman, Vander Jagt, Vander Veen, Vanik, Veysey, Vigorito, Waggonner, Waldie, Walsh, Wampler, Ware, Whalen, White, Whitehurst, Whitten, Widnall, Wiggins, Wilson, Bob, Wilson, Charles H., Calif., Wilson, Charles, Tex., Winn, Wolff, Wright, Wyatt, Wydler, Wylie, Wyman, Yates, Yatron, Young, Fla., Young, Ga., Young, Ill., Young, Tex., Zablocki, Zion, Zwach

NAYS—25

Archer, Ashbrook, Bennett, Butler, Clancy, Collins, Tex., Conable, Conlan, Crane, Davis, Wis., Devine, Dickinson, Frenzel, Goodling, Gross, Harsha, Ketchum, Landgrebe, McCollister, Miller, Powell, Ohio, Robinson, Va., Shuster, Steiger, Wis., Traxler

NOT VOTING—35

Anderson, Ill., Aspin, Beard, Boland, Brasco, Breaux, Brotzman, Carey, N.Y., Conyers, Davis, Ga., Diggs, Giaimo, Gunter, Hanna, Hébert, Hogan, McSpadden, Mayne, Nedzi, O'Brien, Passman, Pritchard, Rarick, Reid, Rhodes, Rinaldo, Rooney, N.Y., Ruppe, Staggers, Stokes, Stuckey, Van Deerlin, Williams, Young, Alaska, Young, S.C.

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Breaux.

Mr. Rooney of New York with Mr. Davis of Georgia.

Mr. Giaimo with Mr. Passman.

Mr. Carey of New York with Mr. Stokes.

Mr. Staggers with Mr. Rinaldo.

Mr. Diggs with Mr. Boland.

Mr. Gunter with Mr. Williams.

Mr. Nedzi with Mr. Mayne.

Mr. Stuckey with Mr. O'Brien.

Mr. Van Deerlin with Mr. Anderson of Illinois.

Mr. Rarick with Mr. Beard.

Mr. Hanna with Mr. Hogan.

Mr. McSpadden with Mr. Brotzman.

Mr. Reid with Mr. Ruppe.

Mr. Aspin with Mr. Conyers.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 9, line 23, strike out $209,437,000, and insert: $209,425,000."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$209,325,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 15, line 3, insert: "of which not to exceed $1,500,000 shall remain available until expended: *Provided,*".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 16, line 13, strike "$77,703,000" and insert: "$76,163,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$77,863,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: Page 16, line 14, strike "$26,991,000" and insert "$27,791,000."

MOTION OFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$27,691,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 18: Page 17, line 16, strike or lands and insert: lands, or treaty fishing rights tribal use areas;

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 18 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 18, line 2, insert: *"Provided,* That $570,000 shall be available to assist the Pyramid Lake Paiute Tribe of Indians in the operation and maintenance of facilities for the restoration of the Pyramid Lake fishery pursuant to the Washoe Act (43 U.S.C. 614)."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "$470,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 19, line 2, strike: That not to exceed $1,300,000 shall be available to assist the Brockton Public Schools, Montana, for construction of school facilities, and insert: "That the unobligated balance of $10,300,000 previously appropriated for Mt. Edgecumbe School and four Regional Dormitories in Alaska shall be made available for the construction of Chevak, Northway, Hooper Bay, Galena, and Alakanuk Schools, Alaska".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 22 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 19, line 9, insert: *"Provided further,* That not to exceed $100,000 appropriated under this head in the Department of the Interior and Related Agencies Appropriations Act, 1974, to the Edgar, Montana, Public School District No. 4, shall be made available to the newly established Plenty Coups High School District No. 3, Big Horn County, Pryor, Montana".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 19, line 15, insert: *"Provided further,* That $580,000 shall be available to assist the Pyramid Lake Paiute Tribe of Indians in the construction of facilities for the restoration of the Pyramid Lake fishery pursuant to the Washoe Act (43 U.S.C. 614)".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 25: Page 19, line 19, insert: *"Provided further,* That not to exceed $110,000 shall be for assistance to the Rough Rock School on the Navajo Indian Reservation, Arizona, for equipment".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amnedment of the Senate numbered 25 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$100,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: Page 19, line 22, insert: *Provided further,* That not to exceed $1,195,000 shall be available to assist the Ramah-Navajo School Board, Inc., including not to exceed $800,000 for construction of school facilities and not to exceed $395,000 for purchase of school equipment.

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: Page 20, line 1, insert: *"Provided further,* That not to exceed $128,000 shall be available to assist the Heart Butte School, Blackfeet School District No. 1, Montana, for planning for construction of school facilities.".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$100,000".

The motion was agreed to.

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

Mrs. HANSEN of Washington. I yield to the gentleman from Iowa.

Mr. GROSS. Perhaps this has been passed, but how did the arts and humanities come out? Did they come out all right in conference?

Mrs. HANSEN of Washington. If the gentleman will yield, there was a difference between the House and Senate on the matching grants portion of the arts and humanities funding and the Senate agreed to the House position. There is no difference in the overall figures.

Mr. GROSS. I am glad to hear that we apparently came out all right.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: Page 20, line 10, strike out: "and that not to exceed $1,433,000 shall be available to assist the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah, for development and construction of the Big Springs Domestic Water System."

MOTION OFFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein with an amendment, as follows: Restore the matter stricken in said amendment and in lieu of the sum named in said amendment insert: "$1,350,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 26, line 23, strike "$19,629,000." and insert: "$19,504,000."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein with an amendment, as follows in lieu of the sum proposed by said amendment insert "$19,454,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 28, line 8, insert: "and for the emergency rehabilitation of burned-over lands under its jurisdiction:".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 37: Page 30, line 1, insert:

"SEC. 107. The sum of $261,278,000 appropriated under the head Office of Coal Research, Salaries and Expenses, in Public Law 93-322, signed June 30, 1974, includes $12,500,000 for a program for magnetohydrodynamics (MHD), of which $5,000,000, as described in Senate Report 93-903 and House Report 93-1123, shall be used in part to initiate design of an MHD engineering test facility, and there shall be undertaken immediately the design and planning of such engineering test facility, to be located in Montana, large enough so as to provide a legitimate engineering basis which when achieved will enable the immediate construction of a commercial scale MHD plant (500 MWe or above) for possible operations in the mid-1980's."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 37 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 38: Page 30, line 25 insert: *"and emergency rehabilitation."*

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 38 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: Page 31, line 8, insert: *and for the emergency rehabilitation of burned-over lands under its jurisdiction*

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 43: Page 32, line 16, insert:

"YOUTH CONSERVATION CORPS

"For expenses necessary to carry out the provisions of the Act of August 13, 1970, as amended by Public Law 92-597, $10,240,000, to remain available until the end of the fiscal year following the fiscal year for which appropriated: *Provided,* That $5,120,000 shall be available to the Secretary of the Interior and $5,120,000 shall be available to the Secretary of Agriculture: *Provided further,* That the funds appropriated in this paragraph shall be available only upon the enactment into law of authorizing legislation."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 43 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50: On page 46, line 5, insert:

"PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

"SALARIES AND EXPENSES

"For necessary expenses, as authorized by section 17 of Public Law 92-578 as amended, $824,000, to remain available until expended: *Provided,* That the funds appropriated in this paragraph shall be available only upon enactment into law of authorizing legislation."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 50 and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert:

"PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

"SALARIES AND EXPENSES

"For necessary expenses, as authorized by section 17 of Public Law 92-578 as amended, $824,000: *Provided,* That the funds appropriated in this paragraph shall be available only upon enactment into law of authorizing legislation."

The motion was agreed to.

The SPEAKER. The Clerk will report the last amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 51: On page 46, line 21, insert: "*Provided,* That this limitation shall not apply to specific quantities of grades and species of timber which said Secretaries determine are surplus to domestic lumber and plywood manufacturing needs."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 51 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

CONFERENCE REPORT ON H.R. 12628, VETERANS EDUCATION AND REHABILITATION AMENDMENTS OF 1974

Mr. DORN submitted the following conference report and statement on the bill (H.R. 12628), Veterans Education and Rehabilitation Amendments of 1974:

CONFERENCE REPORT (H. REPT. 93-1303)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12628) to amend title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and other persons; to make improvements in the educational assistance programs; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill, insert the following:

That this Act may be cited as the "Vietnam Era Veterans' Readjustment Assistance Act of 1974".

TITLE I—VOCATIONAL REHABILITATION AND EDUCATIONAL AND TRAINING ASSISTANCE ALLOWANCE RATE ADJUSTMENTS

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

(1) by inserting in section 1501(2) a comma and "all appropriate individualized tutorial assistance," after "counseling";

(2) by striking out in section 1502(a) all after "if such disability" and inserting in lieu thereof "arose out of service during World War II or thereafter."; and

(3) by amending the table contained in section 1504(b) to read as follows:

"Column I Type of training	Column II No dependents	Column III One dependent	Column IV Two dependents	Column V More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$209	$259	$304	$22
Three-quarter-time	157	194	229	17
Half-time	105	130	152	11
Farm cooperative, apprentice, or other on-the-job training:				
Full-time	182	220	254	17".

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

(1) by striking out in the last sentence of section 1677(b) "$220" and inserting in lieu thereof "$270";

(2) by amending the table contained in section 1682(a)(1) to read as follows:

"Column I Type of program	Column II No dependents	Column III One dependent	Column IV Two dependents	Column V More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$270	$321	$366	$22
Three-quarter-time	203	240	275	17
Half-time	135	160	182	11
Cooperative	217	255	289	17";

(3) by striking out in section 1682(b) "$220" and inserting in lieu thereof "$270";

(4) by amending the table contained in section 1682(c)(2) to read as follows:

"Column I Basis	Column II No dependents	Column III One dependent	Column IV Two dependents	Column V More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Full-time	$217	$255	$289	$17
Three-quarter-time	163	191	218	13
Half-time	109	128	145	9";

and

(5) by striking out in section 1696(b) "$220" and inserting in lieu thereof "$270".

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

(1) 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 prescribed in section 1682(a)(1) of this title for full-time, three-quarter-time, or half-time pursuit, as appropriate, of an institutional program by an eligible veteran with no dependents.";

(2) by striking out in section 1732(a)(2) all after and including "of (A)" and inserting in lieu thereof "prescribed in section 1682(b)(2) of this title for less-than-half-time pursuit of an institutional program by an eligible veteran.";

(3) by striking out in section 1732(b) "$177" and inserting in lieu thereof "$217"; and

(4) 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 behalf of such person a special training allowance computed at the basic rate of $210 per month. If the charges for tuition and fees applicable to any such course are more than $85 per calendar month, the basic monthly allowance may be increased by the amount that such charges exceed $85 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 $9.02 that the special training allowance paid exceeds the basic monthly allowance.".

SEC. 104. Chapter 36 of title 38, United States Code, is amended as follows:

(1) by striking out in section 1786(a)(2) "$220" and inserting in lieu thereof "$270";

(2) by amending the table contained in paragraph (1) of section 1787(b) to read as follows:

"Column I Periods of training	Column II No dependents	Column III One dependent	Column IV Two dependents	Column V More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
First 6 months	$196	$220	$240	$10
Second 6 months	147	171	191	10
Third 6 months	98	122	148	10
Fourth and any succeeding 6-month periods	49	73	93	10"

and

(3) by amending section 1787(b)(2) to read as follows:

"(2) The monthly training assistance allowance of an eligible person pursuing a program described under subsection (a) shall be completed at the rate prescribed in paragraph (1) of this subsection for an eligible veteran with no dependents pursuing such a course.".

SEC. 105. (a) The Administrator shall carry out directly a thorough study and investigation of the administrative difficulties and opportunities or abuse that would be occasioned by enactment of some form of variable tuition assistance allowance program, with reference to such difficulties and abuses experienced by the Veterans' Administration after the end of World War II in carrying

out the provisions of Veterans' Regulation Numbered 1(a), relating to the payment of tuition and related expenses for veterans of World War II pursuing a program of education or training under the Servicemen's Readjustment Act of 1944, and to any such difficulties and abuses presently being experienced by the Veterans' Administration in carrying out existing tuition assistance programs under title 38, United States Code, including chapter 31 vocational rehabilitation, correspondence courses, flight training and PREP, and of ways in which any such difficulties and abuses could be avoided or minimized through legislation or administrative action so as to ensure an expeditious, orderly, and effective implementation of any tuition assistance allowance program.

(b) In carrying out the study and investigation required by subsection (a), the Administrator shall consult with and solicit the views and suggestions of interested veterans' organizations, educational groups and associations, persons receiving assistance under chapters 31, 34, 35 and 36 of title 38, United States Code, other Federal departments and agencies, and other interested parties.

(c) The Administrator shall report to the Congress and the President not later than one year after the date of enactment of this Act on the results of the study and investigation carried out under this section, including any recommendations for legislative or administrative action.

TITLE II—EDUCATIONAL ASSISTANCE PROGRAM ADJUSTMENTS

SEC. 201. Section 1652(a)(3) of title 38, United States Code, is amended by striking out the period at the end of such section and inserting in lieu thereof "unless at some time subsequent to the completion of such period of active duty for training such individual served on active duty for a consecutive period of one year or more (not including any service as a cadet or midshipman at one of the service academies).".

SEC. 202. Section 1661 of title 38, United States Code, is amended by—

(1) striking out in subsection (a) "36 months" and inserting in lieu thereof "45 months"; and

(2) striking out in subsection (c) "thirty-six" and inserting in lieu thereof "45".

SEC. 203. Section 1673 of title 38, United States Code, is amended as follows:

"(2) any sales or sales management course which does not provide specialized training within a specific vocational field, or in any other course with a vocational objective, unless the eligible veteran or the institution offering such course submits justification showing that at least one-half of the persons who completed such course over the preceding two-year period, and who are not unavailable for employment, have been employed in the occupational category for which the course was designed to provide training (but in computing the number of persons who completed such course over any such two-year period, there shall not be included the number of persons who completed such course with assistance under this title while serving on active duty); or";

(2) by inserting in subsection (a)(3) "(or the advertising for which he finds contains significant avocational or recreational themes)" after "character"; and

(3) by amending subsection (d) to read as follows:

"(d) The Administrator shall not approve the enrollment of any eligible veteran, not already enrolled, in any course (other than one offered pursuant to subchapter V or subchapter VI of this chapter) which does not lead to a standard college degree and which is offered by a proprietary profit or proprietary nonprofit educational institution for any period during which the Administrator finds that more than 85 per centum of the students enrolled in the course are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or the Veterans' Administration under this title.".

SEC. 204. Section 1682 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(d)(1) Notwithstanding the prohibition in section 1671 of this title prohibiting enrollment of an eligible veteran in a program of education in which such veteran has 'already qualified,' a veteran shall be allowed up to six months of educational assistance (or the equivalent thereof in part-time assistance) for the pursuit of refresher training to permit such veteran to update such veteran's knowledge and skills and to be instructed in the technological advances which have occurred in such veteran's field of employment during and since the period of such veteran's active military service.

"(2) A veteran pursuing refresher training under this subsection shall be paid an educational assistance allowance based upon the rate prescribed in the table in subsection (a)(1) or in subsection (c)(2) of this section, whichever is applicable.

"(3) The educational assistance allowance paid under the authority of this subsection shall be charged against the period of entitlement the veteran has earned pursuant to section 1661(a) of this title.".

SEC. 205. Section 1685 of title 38, United States Code, is amended as follows:

(1) by striking out in subsection (a) all of that portion of the second sentence preceding "during a semester" and inserting in lieu thereof "Such work-study allowance shall be paid in the amount of $625 in return for such veteran-student's agreement to perform services, during or between periods of enrollment, aggregating two hundred and fifty hours";

(2) by striking out the last sentence of subsection (a) and inserting in lieu thereof the following: "An agreement may be entered into for the performance of services for periods of less than two hundred and fifty hours, in which case the amount of the work-study allowance to be paid shall bear the same ratio to the number of hours of work agreed to be performed as $625 bears to two hundred and fifty hours. In the case of any agreement providing for the performance of services for one hundred hours or more, the veteran student shall be paid $250 in advance, and in the case of any agreement for the performance of services for less than one hundred hours, the amount of the advance payment shall bear the same ratio to the number of hours of work agreed to be performed as $625 bears to two hundred and fifty hours."; and

(3) by striking out in subsection (c) "(not to exceed eight hundred man-years or their equivalent in man-hours during any fiscal year)".

SEC. 206. Section 1692(b) of title 38, United States Code, is amended as follows:

(1) by striking out "$50" and inserting in lieu thereof "$60";

(2) by striking out "nine months" and inserting in lieu thereof "twelve months"; and

(3) by striking out "$450" and inserting in lieu thereof "$720".

SEC. 207. Section 1723 of title 38, United States Code, is amended as follows:

(1) by amending subsection (a)(2) to read as follows:

"(2) any sales or sales management course which does not provide specialized training within a specific vocational field, or in any other course with a vocational objective, unless the eligible person or the institution offering such course submits justification showing that at least one-half of the persons who completed such course over the preceding two-year period, and who are not unavailable for employment, have been employed in the occupational category for which the course was designed to provide training (but in computing the number of persons who completed such course over any such two-year period, there shall not be included the number of persons who completed such course with assistance under this title while serving on active duty); or";

(2) by inserting in subsection (a)(3) "(or the advertising for which he finds contains significant avocational or recreational themes)" after "character";

(3) by striking out in subsection (c) "any course of institutional on-farm training,"; and

(4) by striking out in subsection (d) "to be pursued below the college level" and inserting in lieu thereof "not leading to a standard college degree".

SEC. 208. Section 1732 of title 38, United States Code, is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c)(1) An eligible person who is enrolled in an educational institution for a 'farm cooperative' program consisting of institutional agricultural courses prescheduled to fall within forty-four weeks of any period of twelve consecutive months and who pursues such program on—

"(A) a full-time basis (a minimum of ten clock hours per week or four hundred and forty clock hours in such year prescheduled to provide not less than eighty clock hours in any three-month period),

"(B) a three-quarter-time basis (a minimum of seven clock hours per week), or

"(C) a half-time basis (a minimum of five clock hours per week),

shall be eligible to receive an educational assistance allowance at the appropriate rate provided in paragraph (2) of this subsection, if such eligible person is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator. 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 person is enrolled.

"(2) The monthly educational assistance allowance to be paid on behalf of an eligible person pursuing a farm cooperative program under this chapter shall be computed at the rate prescribed in section 1682(c)(2) of this title for full-time, three-quarter-time, or half-time pursuit, as appropriate, of a farm cooperative program by an eligible veteran with no dependents.".

SEC. 209. Section 1780(a)(2) is amended by inserting "(or customary vacation periods connected therewith)" after "holidays".

SEC. 210. Chapter 36 of title 38, United States Code, is amended as follows:

(1) by amending section 1774(b) 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	Allowable for administrative expense
$5,000 or less	$550.
Over $5,000 but not exceeding $10,000	$1,000.
Over $10,000 but not exceeding $35,000	$1,000 for the first $10,000 plus $925 for each additional $5,000 or fraction thereof.
Over $35,000 but not exceeding $40,000	$6,050.
Over $40,000 but not exceeding $75,000	$6,050 for the first $40,000 plus $800 for each additional $5,000 or fraction thereof.
Over $75,000 but not exceeding $80,000	$12,000.
Over $80,000	$12,000 for the first $80,000 plus $700 for each addition $5,000 or fraction thereof.";

and

(2) by amending section 1784(b) to read as follows:

"(b) The Administrator may pay to any educational institution, or to any joint apprenticeship training committee acting as a training establishment, furnishing education or training under either this chapter or chapter 34 or 35 of this title, a reporting fee which will be in lieu of any other compensation or reimbursement for reports or certifications which such educational institution or joint apprenticeship training committee is required to submit to him by law or regulation. Such reporting fee shall be computed for each calendar year by multiplying $3 by the number of eligible veterans or eligible persons enrolled under this chapter or chapter 34 or 35 of this title, or $4 in the case of those eligible veterans and eligible persons whose educational assistance checks are directed in care of each institution for temporary custody and delivery and are delivered at the time of registration as provided under section 1780(d)(5) of this title, on October 31 of that year; except that the Administrator may, where it is established by such educational institution or joint apprenticeship training committee that eligible veteran plus eligible person enrollment on such date varies more than 15 per centum from the peak eligible veteran enrollment plus eligible person enrollment in such educational institution or joint apprenticeship training committee during such calendar year, establish such other date as representative of the peak enrollment as may be justified for such educational institution or joint apprenticeship training committee. The reporting fee shall be paid to such educational institution or joint apprenticeship training committee as soon as feasible after the end of the calendar year for which it is applicable.".

SEC. 211. Section 1788(a) of title 38, United States Code, is amended as follows:

(1) by striking out in clause (1) "below the college level" and inserting in lieu thereof a comma and "not leading to standard college degree,";

(2) by striking out in clause (2) "below the college level" and inserting in lieu thereof a comma and "not leading to a standard college degree.";

(3) by striking out in clause (6) "below the college level" and inserting in lieu thereof "not leading to a standard college degree"; and

(4) by adding at the end of such subsection the following:

"Notwithstanding the provisions of clause (1) or (2) of this subsection, an educational institution offering courses not leading to a standard college degree may measure such courses on a quarter- or semester-hour basis (with full time measured on the same basis as provided by clause (4) of this subsection); but (A) the academic portions of such courses must require outside preparation and be measured on not less than one quarter or one semester hour for each fifty minutes net of instruction per week or quarter or semester; (B) the laboratory portions of such courses must be measured on not less than one quarter or one semester hour for each two hours of attendance per week per quarter or semester; and (C) the shop portions of such courses must be measured on not less than one quarter or one semester hour for each three hours of attendance per week per quarter or semester. In no event shall such course be considered a full-time course when less than twenty-hours per week of attendance is required.".

SEC. 212. (a) Chapter 36 of title 38, United States Code, is amended by inserting at the end thereof the following new section:

"§ 1796. Limitation on certain advertising, sales, and enrollment practices

"(a) The Administrator shall not approve the enrollment of an eligible veteran or eligible person in any course offered by an institution which utilizes advertising, sales, or enrollment practices of any type which are erroneous, deceptive, or misleading either by actual statement, omission, or intimation.

"(b) The Administrator shall, pursuant to section 1974 of this title, enter into an agreement with the Federal Trade Commission to utilize, where appropriate, its services and facilities, consistent with its available resources, in carrying out investigations and making his determinations under subsection (a) of this section. Such agreement shall provide that cases arising under subsection (a) of this section or any similar matters with respect to any of the requirements of this chapter or chapters 34 and 35 of this title shall be referred to the Federal Trade Commission which in its discretion will conduct an investigation and make preliminary findings. The findings and results of any such investigations shall be referred to the Administrator who shall take appropriate action in such cases within ninety days after such referral.

"(c) Not later than sixty days after the end of each fiscal year, the Administrator shall report to Congress on the nature and disposition of all cases arising under this section.".

(b) The table of sections at the beginning of chapter 36 of such title is amended by inserting

"1796. Limitation on certain advertising, sales and enrollment practices."

below

"1795. Limitation on period of assistance under two or more programs.".

SEC. 213. (a) Subchapter II of chapter 3 of title 38, United States Code, is amended by adding at the end thereof the following new sections:

"§ 219. Evaluation and data collection

"(a) The Administrator, pursuant to general standards which he shall prescribe in regulations, shall measure and evaluate on a continuing basis the impact of all programs authorized under this title, in order to determine their effectiveness in achieving stated goals in general, and in achieving such goals in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services. Such information as the Administrator may deem necessary for purposes of such evaluations shall be made available to him, upon request, by all departments, agencies, and instrumentalities of the executive branch.

"(b) In carrying out this section, the Administrator shall collect, collate, and analyze on a continuing basis full statistical data regarding participation (including the duration thereof), provision of services, categories of beneficiaries, planning and construction of facilities, acquisition of real property, proposed excessing of land, accretion and attrition of personnel, and categorized expenditures attributable thereto, under all programs carried out under this title.

"(c) The Administrator shall make available to the public and on a regular basis provide to the appropriate committees of the Congress copies of all completed evaluative research studies and summaries of evaluations of program impact and effectiveness carried out, and tabulations and analyses of all data collected, under this section.

"§ 220. Coordination of other Federal programs affecting veterans and their dependents

"The Administrator shall seek to achieve the maximum feasible effectiveness, coordination, and interrelationship of services among all programs and activities affecting veterans and their dependents carried out by and under all other departments, agencies, and instrumentalities of the executive branch and shall seek to achieve the maximum feasible coordination of such programs with programs carried out under this title."

(b) The table of sections at the beginning of chapter 3 of such title is amended by adding

"219. Evaluation and data collection.

"220. Coordination of other Federal programs affecting veterans and their dependents."

below

"218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations.".

SEC. 214. Subchapter IV of chapter 3 of title 38, United States Code, is amended as follows:

(1) by inserting in section 241 "in carrying out the purposes of this subchapter (including the provision, to the maximum feasible extent, of such services, in areas where a significant number of eligible veterans and eligible dependents speak a language other than English as their principal language, in the principal language of such persons)" after "outreach services";

(2) by inserting in clause (2) "to eligible veterans and eligible dependents" after "information" the first time it appears;

(3) by striking out in section 242(b) "may implement such special telephone service" and inserting in lieu thereof "shall establish and carry out all possible programs and services, including special telephone facilities,";

(4) redesignating sections 243 and 244 as 244 and 245, respectively, and adding the following new section after section 242:

"§ 243. Veterans' representatives

"(a)(1) Except as otherwise provided in paragraph (4) of this subsection, the Administrator shall assign, with appropriate clerical secretarial support, to each educational institution (as defined in section 1652(c) except for correspondence schools) where at least five hundred persons are enrolled under chapters 31, 34, 35, and 36 of this title such number of full-time veterans' representatives as will provide at least one such veterans' representative per each five hundred such persons so enrolled at each such institution; and the Administrator shall also assign to other such veterans' representatives responsibility for carrying out the functions set forth in paragraph (3) of this subsection with respect to groups of institutions with less than five hundred such persons so enrolled, on the basis of such proportion of such veterans' representatives' time to such persons so enrolled as he deems appropriate to

be adequate to perform such functions at such institutions.

"(2) In selecting and appointing veterans' representatives under this subsection, preference shall be given to veterans of the Vietnam era with experience in veterans affairs' counseling, outreach, and other related veterans' services.

"(3) The functions of such veterans' representatives shall be to—

"(A) answer all inquiries related to Veterans' Administration educational assistance and other benefits, and take all necessary action to resolve such inquiries expeditiously, especially those relating to payments of educational assistance benefits;

"(B) assure correctness and proper handling of applications, completion of certifications of attendance, and submission of all necessary information (including changes in status or program affecting payments) in support of benefit claims submitted;

"(C) maintain active liaison, communication, and cooperation with the officials of the educational institution to which assigned, in order to alert veterans to changes in law and Veterans' Administration policies or procedures;

"(D) supervise and expeditiously resolve all difficulties relating to the delivery of advance educational assistance payments authorized under this title;

"(E) coordinate Veterans' Administration matters with, and provide appropriate briefings to, all on-campus veterans' groups, working particularly closely with veterans' coordinators at educational institutions receiving veterans' cost-of-instruction payments under section 420 of the Higher Education Act of 1965, as amended (hereinafter referred to as 'V.C.I. institutions');

"(F) provide necessary guidance and support to veteran-student services personnel assigned to the campus under section 1685 of this title;

"(G) where such functions are not being adequately carried out by existing programs at such institutions (i) provide appropriate motivational and other counseling to veterans (informing them of all available benefits and services, as provided for under section 241 of this title) and (ii) carry out outreach activities under this subchapter; and

"(H) carry out such other activities as may be assigned by the director of the Veterans' Administration regional office, established under section 230 of this title.

"(4) Based on the extent to which the functions set forth in paragraph (3) of this subsection are being adequately carried out at a particular educational institution or in consideration of other factors indicating the inappropriateness of assignment of veterans' representatives to a particular educational institution, the director of the appropriate Veterans' Administration regional office shall, notwithstanding the formula set forth in paragraph (1) of this subsection, either reallocate such veterans' representatives to other educational institutions in such region where he determines that such additional veterans' representatives are necessary, or, with the approval of the chief benefits officer of the Veterans' Administration, assign such veterans' representatives to carry out such functions or related activities at the regional office in question, with special responsibility for one or more than one particular educational institution.

"(5) The functions of a veterans' representative assigned under this subsection shall be carried out in such a way as to complement and not interfere with the statutory responsibilities and duties of persons carrying out veterans affairs' functions at V.C.I. institutions.

"(b) The Administrator shall establish rules and procedures to guide veterans' representatives in carrying out their functions under this section. Such rules and procedures shall contain provisions directed especially to assuring that the activities of veterans' representatives carried out under this section complement, and do not interfere with, the established responsibilities of representatives recognized by the Administrator under section 3402 of this title."; and

(5) amending section 244 (as redesignated by clause (4) of this subsection) of such title by—

(A) striking out "may" and inserting in lieu thereof "shall"; and

(B) inserting "and provide for" after "conduct" in paragraph (5).

(b) The table of sections at the beginning of such chapter is amended by striking out

"243. Utilization of other agencies.
"244. Report to Congress."

and inserting in lieu thereof

"243. Veterans' representatives.
"244. Utilization of other agencies.
"245. Report to Congress.".

TITLE III—VETERANS AND DEPENDENTS EDUCATION LOAN PROGRAM

SEC. 301. (a) Chapter 36 of title 38, United States Code, is amended by adding at the end thereof the following new subchapter:

"Subchapter III—Education Loans to Eligible Veterans and Eligible Persons

"§ 1798. Eligibility for loans; amount and conditions of loans; interest rate on loans

"(a) Each eligible veteran and eligible person shall be entitled to a loan under this subchapter in an amount determined under, and subject to the conditions specified in, subsection (b)(1) of this section if the veteran or person satisfies the requirements set forth in subsection (c) of this section.

"(b)(1) Subject to paragraph (3) of this subsection, the amount of the loan to which an eligible veteran or eligible person shall be entitled under this subchapter for any academic year shall be equal to the amount needed by such veteran or person to pursue a program of education at the institution at which he is enrolled, as determined under paragraph (2) of this subsection.

"(2)(A) The amount needed by a veteran or person to pursue a program of education at an institution for any academic year shall be determined by subtracting (i) the total amount of financial resources (as defined in subparagraph (B) of this paragraph) available to the veteran or person which may be reasonably expected to be expended by such veteran or person for educational purposes in any year from (ii) the actual cost of attendance (as defined in subparagraph (C) of this paragraph) at the institution in which such veteran or person is enrolled.

"(B) The term 'total amount of financial resources' of any veteran or person for any year means the total of the following:

"(i) The annual adjusted effective income of the veteran or person less Federal income tax paid or payable by such veteran or person with respect to such income.

"(ii) The amount of cash assets of the veteran or person.

"(iii) The amount of financial assistance received by the veteran or person under the provisions of title IV of the Higher Education Act of 1965, as amended.

"(iv) Educational assistance received by the veteran or person under this title other than under this subchapter.

"(v) Financial assistance received by the veteran or person under any scholarship or grant program other than those specified in clauses (iii) and (iv).

"(C) The term 'actual cost of attendance' means, subject to such regulations as the Administrator may provide, the actual per-student charges for tuition, fees, room and board (or expenses related to reasonable commuting), books, and an allowance for such other expenses as the Administrator determines by regulation to be reasonably related to attendance at the institution at which the veteran or person is enrolled.

"(3) The aggregate of the amounts any veteran or person may borrow under this subchapter may not exceed $270 multiplied by the number of months such veteran or person is entitled to receive educational assistance under section 1661 or subchapter II of chapter 35, respectively, of this title, but not in excess of $1,000 in any one regular academic year.

"(c) An eligible veteran or person shall be entitled to a loan under this subchapter if such veteran or person—

"(1) is in attendance at an educational institution on at least a half-time basis and (A) is enrolled in a course leading to a standard college degree, or (B) is enrolled in a course, the completion of which requires six months or longer, leading to an identified and predetermined professional or vocational objective;

"(2) has sought and is unable to obtain a loan, in the full amount needed by such veteran or person, as determined under subsection (b) of this section, under a student loan program insured pursuant to the provisions of part B of title IV of the Higher Education Act of 1965, as amended, or any successor authority; and

"(3) enters into an agreement with the Administrator meeting the requirements of subsection (d) of this section.

requirements of subsection (d) of this section.

No loan shall be made under this subchapter to an eligible veteran or person pursuing a program of correspondence, flight, apprentice or other on-job, or PREP training.

"(d) Any agreement between the Administrator and a veteran or person under this subchapter—

"(1) shall include a note or other written obligation which provides for repayment to the Administrator of the principal amount of, and payment of interest on, the loan in installments over a period beginning nine months after the date on which the borrower ceases to be at least a half-time student and ending ten years and nine months after such date;

"(2) shall include provision for acceleration of repayment of all or any part of the loan, without penalty, at the option of the borrower;

"(3) shall provide that the loan shall bear interest, on the unpaid balance of the loan, at a rate prescribed by the Administrator, with the concurrence of the Secretary of the Treasury, but at a rate not less than the rate paid by such Secretary on Treasury notes and obligations being purchased by the Fund at the time the loan agreement is made, except that no interest shall accrue prior to the beginning date of repayment; and

"(4) shall provide that the loan shall be made without security and without endorsement.

"(e)(1) Except as provided in paragraph (2) of this subsection, whenever the Administrator determines that a default has occurred on any loan made under this subchapter, he shall declare an overpayment, and such overpayment shall be recovered from the veteran or person concerned in the same manner as any other debt due the United States.

"(2) If a veteran or person who has received a loan under this section dies or becomes permanently and totally disabled, then the Administrator shall discharge the veteran's or person's liability on such loan by repaying the amount owed on such loan.

"(3) The Administrator shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives, not later than one year after the date of

enactment of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 and annually thereafter, a separate report specifying the default experience and default rate at each educational institution along with a comparison of the collective default experience and default rate at all such institutions.

"§ 1799. Sources of funds; insurance

"(a) Loans made by the Administrator under this subchapter shall be made from funds available under subsection (b) of this section for such purpose, and repayment shall be guaranteed as provided in subsection (c) of this section.

"(b)(1) Any funds in the National Service Life Insurance Fund continued under section 720 (in this subchapter referred to as the 'Fund') shall be available to the Administrator for making loans under section 1798 of this title. The Administrator shall set aside out of the Fund such amounts, not in excess of limitations in appropriations Acts, as may be necessary to enable him to make all the loans to which veterans or persons are entitled under section 1798 of this title.

"(2) Any funds set aside under paragraph (1) of this subsection shall be considered as investments of the Fund and while so set aside shall bear interest at a rate determined by the Secretary of the Treasury, but at a rate not less than the rate paid by such Secretary on other Treasury notes and obligations being purchased by the Fund at the time such funds are set aside.

"(c) The Administrator shall guarantee repayment to the Fund of any amounts set aside under subsection (b) of this section for loans under section 1798 of this title and of any interest accrued thereon. In order to discharge his responsibility under any such guarantee, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, but at a rate not less than the rate paid by such Secretary on other Treasury notes and obligations being purchased by the Fund at the time the loan agreement is made. The Secretary of the Treasury is authorized and directed to purchase such notes and other obligations.

"(d) There are authorized to be appropriated to the Administrator such sums as may be necessary to enable him to repay to the Fund any amounts set aside under subsection (b) of this section together with any interest accrued thereon. Any funds paid to the Administrator pursuant to an agreement made under section 1798(d) of this title shall be deemed to have been appropriated pursuant to this subsection.

"(e) A fee shall be collected from each veteran or person obtaining a loan made under this subchapter for the purpose of insuring against defaults on loans made under this chapter, and no loan shall be made under this subchapter until the fee payable with respect to such loan has been collected and remitted to the Administrator. The amount of the fee shall be established from time to time by the Administrator, but shall in no event exceed 3 per centum of the total loan amount. The amount of the fee may be included in the loan to the veteran or person and paid from the proceeds thereof. The Administrator shall deposit all fees collected hereunder in the Fund, and amounts so deposited shall be available to the Administrator to discharge his obligations under subsection (c) of this section.".

(b) The table of sections at the beginning of such chapter is amended by adding at the end thereof

"SUBCHAPTER III—EDUCATION LOANS TO ELIGIBLE VETERANS AND ELIGIBLE PERSONS

"1798. Eligibility for loans; amount and conditions of loans; interest rate on loans.

"1799. Source of funds; insurance.".

SEC. 302. (a) Subchapter IV of chapter 34 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1686. Education loans

"Any eligible veteran shall be entitled to an education loan (if the program of education is pursued in a State) in such amount and on such terms and conditions as provided in sections 1798 and 1799 of this title.".

(b) The table of sections at the beginning of such chapter is amended by inserting

"1685. Education loans."

below

"1685. Veteran-student services.".

SEC. 303. (a) Subchapter IV of chapter 35 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1737. Education loans

"Any eligible person shall be entitled to an education loan (if the program of education is pursued in a State) in such amount and on such terms and conditions as provided in sections 1798 and 1799 of this title.".

(b) The table of sections at the beginning of such chapter is amended by inserting

"1737. Education loans."

below

"1736. Specialized vocational training courses.".

TITLE IV—VETERANS, WIVES, AND WIDOWS EMPLOYMENT ASSISTANCE AND PREFERENCE AND VETERANS' REEMPLOYMENT RIGHTS

SEC. 401. Chapter 41 of title 38, United States Code, is amended as follows:

(a) Section 2001 is amended by redesignating paragraph (2) as paragraph (3) and adding after paragraph (1) a new paragraph (2) as follows:

"(2) The term 'eligible person' means—

"(A) the spouse of any person who died of a service-connected disability,

"(B) the spouse of any member of the Armed Forces serving on active duty who, at the time of application for assistance under this chapter, is listed, pursuant to section 556 of title 37 and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (i) missing in action, (ii) captured in line of duty by a hostile force, or (iii) forcibly detained or interned in line of duty by a foreign government or power, or

"(C) the spouse of any person who has a total disability permanent in nature resulting from a service-connected disability or the spouse of a veteran who died while a disability so evaluated was in existence.".

(b) Section 2002 is amended by (1) inserting "and eligible persons" after "eligible veterans" and (2) inserting "and persons" after "such veterans".

(c) Section 2003 is amended by—

(1) striking out in the first sentence "$250,000 veterans" and inserting in lieu thereof "250,000 veterans and eligible persons";

(2) striking out in the fourth sentence "veterans'" and inserting in lieu thereof "veterans' and eligible persons'";

(3) inserting in clauses (1), (2), (4), (5), and (6) of the fifth sentence "and eligible persons" after "eligible veterans" each time the latter term appears in such clauses;

(4) inserting in clause (3) of the fifth sentence "or an eligible person's" after "eligible veteran's"; and

(5) inserting in clause (4) of the fifth sentence "and persons" after "such veterans".

(d) Section 2005 is amended by inserting "and eligible persons" after "eligible veterans".

(e) The last sentence of section 2006(a) is amended by striking out "veterans" and inserting in lieu thereof "eligible veterans and eligible persons".

(f) Section 2007 is amended by—

(1) inserting in subsection (a)(1) "and each eligible person" after "active duty,";

(2) redesignating subsection (b) as subsection (c) and inserting the following new subsection (b):

"(b) The Secretary of Labor shall establish definitive performance standards for determining compliance by the State public employment service agencies with the provisions of this chapter and chapter 42 of this title. A full report as to the extent and reasons for any noncompliance by any such State agency during any fiscal year, together with the agency's plan for corrective action during the succeeding year, shall be included in the annual report of the Secretary of Labor required by subsection (c) of this section."; and

(3) striking out in the second sentence of subsection (c) (as redesignated by clause (2) of this subsection) "and other eligible veterans" and inserting in lieu thereof "other eligible veterans, and eligible persons".

SEC. 402. Chapter 42 of title 38, United States Code, is amended as follows:

(1) by inserting in the first sentence of section 2012(a) "in the amount of $10,000 or more" after "contract" where it first appears, by striking out ", in employing persons to carry out such contract," in such sentence, and by striking out "give special emphasis to the employment of" and inserting in lieu thereof "take affirmative action to employ and advance in employment" in such sentence;

(2) by striking out in the third sentence of section 2012(a) "The" and inserting in lieu thereof "In addition to requiring affirmative action to employ such veterans under such contracts and subcontracts and in order to promote the implementation of such requirement, the"; and

(3) by striking out in the first sentence of section 2012(b) "giving special emphasis in employment to" and inserting in lieu thereof "the employment of".

SEC. 403. (a) Chapter 42 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 2014. Employment within the Federal Government

"(a) It is the policy of the United States and the purpose of this section to promote the maximum of employment and job advancement opportunities within the Federal Government for qualified disabled veterans and veterans of the Vietnam era.

"(b) To further this policy, veterans of the Vietnam era shall be eligible, in accordance with regulations which the Civil Service Commission shall prescribe, for veterans readjustment appointments up to and including the level GS-5, as specified in subchapter II of chapter 51 of title 5, and subsequent career-conditional appointments, under the terms and conditions specified in Executive Order Numbered 11521 (March 26, 1970), except that in applying the one-year period of eligibility specified in section 2(a) of such order to a veteran or disabled veteran who enrolls, within one year following separation from the Armed Forces or following release from hospitalization or treatment immediately following separation from the Armed Forces, in a program of education (as defined in section 1652 of this title) on more than a half-time basis (as defined in section 1788 of this title), the time spent in such program of education (including customary periods of vacation and permissible absences) shall not be counted. The eligibility of such a veteran for a readjustment appointment shall con-

tinue for not less than six months after such veteran first ceases to be enrolled therein on more than a half-time basis. No veterans readjustment appointment may be made under authority of this subsection after June 30, 1978.

"(c) Each department, agency, and instrumentality in the executive branch shall include in its affirmative action plan for the hiring, placement, and advancement of handicapped individuals in such department, agency, or instrumentality as required by section 501(b) of Public Law 93-112 (87 Stat. 391), a separate specification of plans (in accordance with regulations which the Civil Service Commission shall prescribe in consultation with the Administrator, the Secretary of Labor, and the Secretary of Health, Education, and Welfare, consistent with the purposes, provisions, and priorities of such Act) to promote and carry out such affirmative action with respect to disabled veterans in order to achieve the purpose of this section.

"(d) The Civil Service Commission shall be responsible for the review and evaluation of the implementation of this section and the activities of each such department, agency, and instrumentality to carry out the purpose and provisions of this section. The Commission shall periodically obtain and publish (on at least a semiannual basis) reports on such implementation and activities from each such department, agency, and instrumentality, including specification of the use and extent of appointments made under subsection (b) of this section and the results of the plans required under subsection (c) thereof.

"(e) The Civil Service Commission shall submit to the Congress annually a report on activities carried out under this section, except that, with respect to subsection (c) of this section, the Commission may include a report of such activities separately in the report required to be submitted by section 501(d) of such Public Law 93-112, regarding the employment of handicapped individuals by each department, agency, and instrumentality.

"(f) Notwithstnding section 2011 of this title, the terms 'veteran' and 'disabled veterans' as used in this section shall have the meaning provided for under generally applicable civil service law and regulations."

(b) The table of sections at the beginning of such chapter is amended by adding at the end thereof

"2014. Employment within the Federal Government.".

SEC. 404. (a) Part III of title 38, United States Code, is amended by adding at the end thereof a new chapter as follows:

"Chapter 43—Veterans' Reemployment Rights

"Sec.

"2021. Right to reemployment of inducted persons; benefits protected.

"2022. Enforcement procedures.

"2023. Reemployment by the United States, territory, possession, or the District of Columbia.

"2024. Rights of persons who enlist or are called to active duty; Reserves.

"2025. Assistance in obtaining reemployment.

"2026. Prior rights for remployment.

"§ 2021. Right to reemployment of inducted persons; benefits protected

"(a) In the case of any person who is inducted into the Armed Forces of the United States under the Military Selective Service Act (or under any prior or subsequent corresponding law) for training and service and who leaves a position (other than a temporary position) in the employ of any employer in order to perform such training and service, and (1) receives a certificate described in section 9(a) of the Military Selective Service Act (relating to the satisfactory completion of military service), and (2) makes application for reemployment within ninety days after such person is relieved from such training and service or from hospitalization continuing after discharge for a period of not more than one year—

"(A) if such position was in the employ of the United States Government, its territories, or possessions, or political subdivisions thereof, or the District of Columbia, such person shall—

"(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

"(ii) if not qualified to perform the duties of such position, by reason of disability sustained during such service, but qualified to perform the duties of any other position in the employ of thet employer, be offered employment and, if suc person so requests, be employed in such other position the duties of which such person is qualified to perform as will provide such person like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such person's case;

"(B) if such position was in the employ of a State, or political subdivision thereof, or a private employer, such person shall—

"(i) still qualified to perform the duties of such position, be restored by such employer or his successor in interest to such position or to a position of like seniority, status, and pay; or

"(ii) if not qualified to perform the duties of such position, by reason of disability sustained during such service, but qualified to perform the duties of any other position in the employ of such employer or his successor in interest, be offered employment and, if such person so requests, be employed by such employer or his successor in interest in such other position the duties of which such person is qualified to perform as will provide such person like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such person's case,

unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so. Nothing in this chapter shall excuse noncompliance with any statute or ordinance of a State or political subdivision thereof establishing greater or additional rights or protection than the rights and protections established pursuant to this chapter.

"(b)(1) Any person who is restored to or employed in a position in accordance with the provisions of clause (A) or (B) of subsection (a) of this section shall be considered as having been on furlough or leave of absence during such person's period of training and service in the Armed Forces, shall be so restored or reemployed without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to the established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted into such forces, and shall not be discharged from such position without cause within one year after such restoration or reemployment.

"(2) It is hereby declared to be the sense of the Congress that any person who is restored to or employed in a position in accordance with the provisions of clause (A) or (B) of subsection (a) of this section should be so restored or reemployed in such manner as to give such person such status in his employment as he would have enjoyed if such person had continued in such employment continuously from the time of such person's entering the Armed Forces until the time of such person's restoration to such employment; or reemployment.

"(3) Any person who holds a position described in clause (A) or (B) of subsection (a) of this section shall not be denied retention in employment or any promotion or other incident or advantage of employment because of any obligation as a member of a Reserve component of the Armed Forces.

"(c) The rights granted by subsections (a) and (b) of this section to persons who left the employ of a State or political subdivision thereof and were inducted into the Armed Forces shall not diminish any rights such persons may have pursuant to any statute or ordinance of such State or political subdivision establishing greater or additional rights or protections.

"§ 2022. Enforcement procedures

"If any employer, who is a private employer or a State or political subdivision thereof, fails or refuses to comply with the provisions of section 2021 (a), (b)(1), or (b)(3), or section 2024, the district court of the United States for any district in which such private employer maintains a place of business, or in which such State or political subdivision thereof exercises authority or carries out its functions, shall have the power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, specifically to require such employer to comply with such provisions and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action. Any such compensation shall be in addition to and shall not be deemed to diminish any of the benefits provided for in such provisions. The court shall order speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States attorney or comparable official for any district in which such private employer maintains a place of business, or in which such State or political subdivision thereof exercises authority or carries out its functions by any person claiming to be entitled to the benefits provided for in such provisions, such United States attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof specifically to require such employer to comply with such provisions. No fees or court costs shall be taxed against any person who may apply for such benefits. In any such action only the employer shall be deemed a necessary party respondent. No State statute of limitations shall apply to any proceedings under this chapter.

"§ 2023. Reemployment by the United States, territory, possession, or the District of Columbia

"(a) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a) and who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by any territory or possession, or political subdivision thereof, or by the District of Columbia, shall be so restored or reemployed by such agency or the succesor to its functions, or by such territory, possession, political subdivision, or the District of Columbia. In any case in which, upon appeal of any person who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by the District of Columbia, the United States Civil Service Commission finds that—

"(1) such agency is no longer in existence and its functions have not been transferred to any other agency; or

"(2) for any reason it is not feasible for such person to be restored to employment by such agency or by the District of Columbia,

the Commission shall determine whether or not there is a position in any other agency in the executive branch of the Government

or in the government of the District of Columbia for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be offered employment and, if such person so requests, be employed in such position by the agency in which such position exists or by the government of the District of Columbia, as the case may be. The Commission is authorized and directed to issue regulations giving full force and effect to the provisions of this section insofar as they relate to persons entitled to be restored to or employed in positions in the executive branch of the Government or in the government of the District of Columbia, including persons entitled to be reemployed under the last sentence of subsection (b) of this section. The agencies in the executive branch of the Government and the government of the District of Columbia shall comply with such rules, regulations, and orders issued by the Commission pursuant to this subsection. The Commission is authorized and directed whenever it finds, upon appeal of the person concerned, that any agency in the executive branch of the Government or the government of the District of Columbia has failed or refuses to comply with the provisions of this section, to issue an order specifically requiring such agency or the government of the District of Columbia to comply with such provisions and to compensate such person for any loss of salary or wages suffered by reason of failure to comply with such provisions, less any amounts received by such person through other employment, unemployment compensation, or readjustment allowances. Any such compensation ordered to be paid by the Commission shall be in addition to and shall not be deemed to diminish any of the benefits provided for in such provisions, and shall be paid by the head of the agency concerned or by the government of the District of Columbia out of appropriations currently available for salary and expenses of such agency or government, and such appropriations shall be available for such purpose. As used in this chapter, the term 'agency in the executive branch of the Government' means any department, independent establishment, agency, or corporation in the executive branch of the United States Government (including the United States Postal Service and the Postal Rate Commission).

"(b) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a), and who was employed, immediately before entering the Armed Forces, in the legislative branch of the Government, shall be so rest red or employed by the officer who appointed such person to the position which such person held immediately before entering the Armed Forces. In any case in which it is not possible for any such person to be restored to or employed in a position in the legislative branch of the Government and such person is otherwise eligible to acquire a status for transfer to a position in the competitive service in accordance with section 3304(c) of title 5, the United States Civil Service Commission shall, upon appeal of such person, determine whether or not there is a position in the executive branch of the Government for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be offered employment and, if such person so requests, be employed in such position by the agency in which such position exists.

"(c) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a) and who was employed, immediately before entering the Armed Forces, in the judicial branch of the Government, shall be so restored or reemployed by the officer who appointed such person to the position which such person held immediately before entering the Armed Forces.

"§ 2024. Rights of persons who enlist or are called to active duty; Reserves

"(a) Any person who, after entering the employment on the basis of which such person claims restoration or reemployment, enlists in the Armed Forces of the United States (other than in a Reserve component) shall be entitled upon release from service under honorable conditions to all of the reemployment rights and other benefits provided for by this section in the case of persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), if the total of such person's service performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any service, additional or otherwise, performed by such person after August 1, 1961, does not exceed five years, and if the service in excess of four years after August 1, 1961, is at the request and for the convenience of the Federal Government (plus in each case any period of additional service imposed pursuant to law).

"(b)(1) Any person who, after entering the employment on the basis of which such person claims restoration or reemployment, enters upon active duty (other than for the purpose of determining physical fitness and other than for training), whether or not voluntarily, in the Armed Forces of the United States or the Public Health Service in response to an order or call to active duty shall, upon such person's relief from active duty under honorable conditions, be entitled to all of the reemployment rights and benefits provided for by this chapter in the case of persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), if the total of such active duty performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any such active duty, additional or otherwise, performed after August 1, 1961, does not exceed four years (plus in each case any additional period in which such person was unable to obtain orders relieving such person from active duty).

"(2) Any member of a Reserve component of the Armed Forces of the United States who voluntarily or involuntarily enters upon active duty (other than for the purpose of determining physical fitness and other than for training) or whose active duty is voluntarily or involuntarily extended during a period when the President is authorized to order units of the Ready Reserve or members of a Reserve component to active duty shall have the service limitation governing eligibility for reemployment rights under subsection (b)(1) of this section extended by such member's period of such active duty, but not to exceed that period of active duty to which the President is authorized to order units of the Ready Reserve or members of a Reserve Component. With respect to a member who voluntarily enters upon active duty or whose active duty is voluntarily extended, the provisions of this subsection shall apply only when such additional active duty is at the request and for the convenience of the Federal Government.

"(c) Any member of a Reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than three consecutive months shall, upon application for reemployment within thirty-one days after (1) such member's release from such active duty for training after satisfactory service, or (2) such member's discharge from hospitalization incident to such active duty for training, or one year after such member's scheduled release from such training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this chapter for persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), except that (A) any person restored to or employed in a position in accordance with the provisions of this subsection shall not be discharged from such position without cause within six months after that restoration, and (B) no reemployment rights granted by this subsection shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under those provisions of title 5 relating to veterans and other preference eligibles.

"(d) Any employee not covered by subsection (c) of this section who holds a position described in clause (A) or (B) of section 2021(a) shall upon request be granted a leave of absence by such person's employer for the period required to perform active duty for training or inactive duty training in the Armed Forces of the United States. Upon such employee's release from a period of such active duty for training or inactive duty training, or upon such employee's discharge from hospitalization incident to that training, such employee shall be permitted to return to such employee's position with such seniority, status, pay, and vacation as such employee would have had if such employee had not been absent for such purposes. Such employee shall report for work at the beginning of the next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following such employee's release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled working period shall make the employee subject to the conduct rules of the employer pertaining to explanations and discipline with respect to absence from scheduled work. If such an employee is hospitalized incident to active duty for training or inactive duty training, such employee shall be required to report for work at the beginning of the next regularly scheduled work period after expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control, or within one year after such employee's release from active duty for training or inactive duty training, whichever is earlier. If an employee covered by this subsection is not qualified to perform the duties of such employee's position by reason of disability sustained during active duty for training or inactive duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, such employee shall be offered employment and, if such person so requests, be employed by that employer or his successor in interest in such other position the duties of which such employee is qualified to perform as will provide such employee like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such employee's case.

"(e) Any employee not covered by subsection (c) of this section who holds a position described in clause (A) or (B) of section 2021(a) shall be considered as having been on leave of absence during the period required to report for the purpose of being

inducted into, entering, or determining, by a preinduction or other examination, physical fitness to enter the Armed Forces. Upon such employee's rejection, upon completion of such employee's preinduction or other examination, or upon such employee's discharge from hospitalization incident to such rejection or examination, such employee shall be permitted to return to such employee's position in accordance with the provisions of subsection (d) of this section.

"(f) For the purposes of subsections (c) and (d) of this section, full-time training or other full-time duty performed by a member of the National Guard under section 316, 503, 504, or 505 of title 32, is considered active duty for training; and for the purpose of subsection (d) of this section, inactive duty training performed by that member under section 502 of title 32 or section 206, 301, 309, 402, or 1002 of title 37, is considered inactive duty training.

"§ 2025. Assistance in obtaining reemployment

"The Secretary of Labor, through the Office of Veterans' Reemployment Rights, shall render aid in the replacement in their former positions or reemployment of persons who have satisfactorily completed any period of active duty in the Armed Forces or the Public Health Service. In rendering such aid, the Secretary shall use existing Federal and State agencies engaged in similar or related activities and shall utilize the assistance of volunteers.

"§ 2026. Prior rights for reemployment

"In any case in which two or more persons who are entitled to be restored to or employed in a position under the provisions of this chapter or of any other law relating to similar reemployment benefits left the same position in order to enter the Armed Forces, the person who left such position first shall have the prior right to be restored thereto or reemployed on the basis thereof, without prejudice to the reemployment rights of the other person or persons to be restored or reemployed.".

(b) The table of chapters at the beginning of title 38, United States Code, and the table of chapters at the beginning of part III of such title are each amended by adding at the end thereof.

"43. Veterans' Reemployment Rights- 2021".

SEC. 405. Section 9 of the Military Selective Service Act is amended by—

(1) repealing subsections (b) through (h); and

(2) redesignating subsections (i) and (j) as subsections (b) and (c), respectively.

TITLE V—EFFECTIVE DATES

SEC. 501. Title I of this Act shall become effective on September 1, 1974.

SEC. 502. Title III of this Act shall become effective on November 1, 1974, except that eligible persons shall, upon application, be entitled (and all such persons shall be notified by the Administrator of Veterans' Affairs of such entitlement) to a loan under the new subchapter III of chapter 36 of title 38, United States Code, as added by section 301 of this Act, the terms of which take into account the full amount of the actual cost of attendance (as defined in section 1798(b)(2)(C) of such title) which such persons incurred for the academic year beginning on or about September 1, 1974.

SEC. 503. Titles II and IV of this Act shall become effective on the date of their enactment.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the title of the bill, insert the following:

"An Act to amend title 38, United States Code, to increase vocational rehabilitation subsistence allowances, educational and training assistance allowances, and special allowances paid to eligible veterans and persons under chapters 31, 34, and 35 of such title; to improve and expand the special programs for educationally disadvantaged veterans and servicemen under chapter 34 of such title; to improve and expand the veteran-student services program; to establish an education loan program for veterans and persons eligible for benefits under chapter 34 or 35 of such title; to make other improvements in the educational assistance program and in the administration of educational benefits; to promote the employment of veterans and the wives and widows of certain veterans by improving and expanding the provisions governing the operation of the Veterans Employment Service, by increasing the employment of veterans by Federal contractors and subcontractors, and by providing for an action plan for the employment of disabled and Vietnam era veterans within the Federal Government; to codify and expand veterans reemployment rights; and for other purposes.".

And the Senate agree to the same.

WM. J. BRYAN DORN,
OLIN E. TEAGUE,
JAMES A. HALEY,
THADDEUS J. DULSKI,
HENRY HELSTOSKI,
JOHN PAUL HAMMERSCHMIDT,
MARGARET M. HECKLER,
JOHN M. ZWACH,
CHALMERS P. WYLIE,
Managers on the Part of the House.

VANCE HARTKE,
H. E. TALMADGE,
JENNINGS RANDOLPH,
HAROLD E. HUGHES,
ALAN CRANSTON,
CLIFFORD P. HANSEN,
STROM THURMOND,
ROBERT T. STAFFORD,
JAMES A. MCCLURE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12628) to amend title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and other persons; to make improvements in the educational assistance programs and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text and made a title amendment.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment and with a title amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

TITLE I—VOCATIONAL REHABILITATION AND EDUCATIONAL, AND TRAINING ASSISTANCE ALLOWANCE RATE ADJUSTMENTS

Both the House bill and the Senate amendment liberalize eligibility requirements for disabled Vietnam era and post-Korean conflict veterans to receive training under the vocational rehabilitation program in chapter 31 so as to provide all post-Korean conflict veterans equal treatment for purposes of these benefits with veterans of service during World War II and the Korean conflict. The conference agreement provides for this liberalization of chapter 31 benefits—made available to any veteran with a 10-percent compensable service-connected disability or higher—for any veteran of World War II service or later service.

The House bill provides for increasing the rates of monthly educational assistance and training allowances by 13.6 percent for eligible veterans and dependents under chapters 34 and 35 and a comparable percentage increase for the vocational rehabilitation subsistence allowance under chapter 31 for service-connected disabled veterans. (This would increase the monthly educational assistance allowance for a single veteran with no dependents from $220 to $250 for full-time institutional study.) The Senate amendment provides for an increase in these rates of 18.2 percent and includes as an integral part of the rate increase package a partial tuition assistance allowance program, under which an additional allowance of up to $720 per school year would be paid to eligible veterans and persons under chapters 34 and 35, the VA paying according to the following formula: 80 percent of a school's yearly tuition charges up to $1,000 after excluding the first $100 of tuition. (The basic monthly educational assistance allowance for a single veteran with no dependents under the Senate amendment is increased from $220 to $260 for full-time institutional study plus the tuition assistance allowance entitlement, as appropriate, which would average out to approximately $31 more per average veteran per month—a total educational assistance average payment of $291 per month.)

The conference agreement provides for an increase in the monthly educational assistance, training, and vocational rehabilitation subsistence allowances of 22.7 percent, an increase for the single veteran with no dependents of from $220 to $270 for full-time institutional study. The conference did not approve the tuition assistance allowance portion of the Senate amendment, after the most extensive and careful consideration. The conferees instead substituted a provision (section 105) directing the Veterans' Administration to carry out a thorough study, and to report to the Congress and the President within 12 months, on the opportunities for abuse and administrative difficulties arising from a tuition assistance program if one were to be enacted. Various interested organizations and agencies would be consulted and their views solicited as part of the study process. The study would draw its context from the findings of abuses in connection with the World War II GI bill program and from an investigation of these problems as presently being experienced under GI bill tuition assistance programs such as chapter 31 vocational rehabilitation, correspondence courses, flight training, and PREP, and would include recommendations by the Veterans' Administration as to legislative or administrative ways in which any such abuses and difficulties could be prevented or mitigated under present or future programs.

TITLE II. EDUCATIONAL ASSISTANCE PROGRAM ADJUSTMENTS

The Senate amendment clarifies and liberalizes the circumstances under which service-connected disabled veterans training under the vocational rehabilitation program in chapter 31 may qualify for individualized tutorial assistance. The House bill contains no comparable provision. The House recedes.

Both the House bill and the Senate amendment, by an amendment to the section 1661 (a) entitlement provision, permit the initial six months of active duty training by Re-

serve and National Guard members to be counted for entitlement for educational assistance under chapter 34 if such members subsequently serve on active duty for 12 or more consecutive months. The conference agreement provides for this new eligibility by amending the definition of "active duty" in section 1652(a)(3) in order to provide greater clarity.

The Senate amendment extends the maximum entitlement to educational assistance for eligible veterans and eligible dependents from 36 to 45 months. The House bill contains no comparable provision. The House recedes.

Both the House bill and the Senate amendment extend to 10 years the current 8-year delimiting date for veterans and chapter 35 eligible dependents to complete their programs of education (and exclude in computing such delimiting date the period of time that such veteran-civilians were held as prisoners of war during the Vietnam conflict). The conference agreement does not contain such a provision since the conferees decided during the course of their deliberations to separate this agreed-upon item and proceeded to pass S. 3705 in early July, which has now been enacted into law as Public Law 93-337 (July 10, 1974).

The Senate Amendment clarifies and strengthens certain administrative provisions governing the chapters 34 and 35 educational assistance program in order to prevent and mitigate against abuses by requiring that courses with vocational objectives must demonstrate a 50-percent placement record over the preceding two-year period in the specific occupational category for which the course was designed to provide training; by prohibiting enrollment in courses which utilize significant avocational or recreational themes in their advertising; and by providing that not more than 85 percent of eligible students enrolled in proprietary below-college level courses may be wholly or partially subsidized by the Veterans' Administration or the institution. The House bill contains no comparable provisions. The conference agreement includes these provisions, clarifying that the 50-percent placement requirement does not apply where it is clear that the individual graduate is not available for employment or trained during active duty. Situations in which a graduate could be regarded as not available for employment would include a graduate who becomes disabled, is continuing schooling, is pregnant, or undergoes a change in marital status which compels the graduate to forego a new career. In addition, a graduate who unreasonably refuses to cooperate by seeking employment should not be counted in determining whether the placement percentage has been attained. Such a lack of cooperation can include unreasonable demands as to job location, remuneration, or working conditions. (The "reasonableness" of graduate cooperation should be tested, in part, against normal expectations created by the nature of the training offered by the institution and the advertsing, sales, or enrollment practices which it utilizes.)

In addition, the conferees have agreed to add a parenthetical provision so as to exclude from the computation of the 50-percent placement requirement those numbers of persons who receive their vocational training while on active duty military service. The purpose of this modification is merely to avoid imposing an unreasonable requirement on such vocational institutions to follow such servicemen throughout their period of military service—which might be a matter of several years—in order to determine whether appropriate job placement had been secured following release from active duty. On the other hand, the conferees do not intend by this modification to manifest any less concern about the quality of training which active duty servicemen obtain under the GI bill, and the conferees continue to expect, as expressed in connection with consideration of Public Law 92-540 in 1972, that the base education officers and education program of the Defense Department will generally continue adequately to counsel active duty servicemen and to monitor closely the utilization tion by such servicemen of their GI bill entitlements.

The conference agreement also deletes the word "specific" in modification of the term "occupational category". This deletion was agreed to in order to permit the Veterans' Administration somewhat more latitude in writing regulations to carry out this requirement. The conference has been made aware that use of the Dictionary of Titles is in some cases obsolete or unduly restrictive. Accordingly, as defined by VA regulations, closely related employment obtained by course graduates could also qualify in determining placement figures. In providing for this flexibility, however, the conferees stress that it is still their intention that this requirement be interpreted in light of the very specific discussion and examples contained in the Senate committee report (No. 93-907) on pages 64 through 72.

The conferees are aware of the inherent difficulties in locating all course graduates and intend that a statistically valid and reliable sample approved and verified by the Veterans' Administration will satisfy the requirement of this section without necessitating that the institution secure information about each course graduate. The conferees would also anticipate that, in implementing the placement requirement under this section, the Veterans' Administration will allow schools a reasonable period of time to collect and submit the required data.

Both the House bill and the Senate amendment authorize up to six months of refresher training for veterans with current GI bill eligibility in order to update knowledge and skills in light of the technological advances occurring in their fields of employment during and since the period of their active military service; however, the House bill permitted such refresher training to be initiated not later than 6 months after the veteran's discharge. The House recedes.

Both the House bill and the Senate amendment liberalize the veteran-student services program by raising the maximum work-study allowance (the House bill from $250 to $500 and the Senate amendment to $625), commensurately increasing the maximum number of hours a veteran-student may work (the House bill from 100 to 200 hours and the Senate amendment to 250 hours), and removing any statutory ceiling on the number of veterans permitted to participate in this program. The Senate amendment also limited to $250 the amount of the work-study educational assistance allowance which may be paid to a participating veteran in advance. The House recedes.

The Senate amendment liberalizes the tutorial assistance program by extending the maximum assistance period from 9 to 12 months and increasing the maximum monthly tutorial assistance allowance from $50 to $60. The House bill contains no comparable provision. The House recedes.

The Senate amendment liberalizes permissible absences from courses not leading to a standard college degree by excluding customary vacation period established by institutions in connection with Federal or State legal holidays. The House bill contains no comparable provision. The House recedes.

In this connection, the conferees note that in numerous places in the bill, the Senate amendment and the conference report have deleted the words "below the college level" and inserted in lieu thereof "leading to a standard college degree". The House conferees have agreed to these stylistic changes only with the very explicit understanding, which is also shared by the Senate conferees, that this change in terminology makes no substantive alteration in the scope and applicability of all of the sections being so modified.

Both the House bill and the Senate amendment extend to eligible dependents under chapter 35 eligibility for farm cooperative training under the same terms and conditions as apply to eligible veterans under chapter 34. The conference agreement contains this provision.

The Senate amendment increases the allowance payable by the Administrator for the administrative expenses incurred by State approving agencies and administering benefits under title 38. The House bill contains no comparable provision. The House recedes.

Both the House bill and the Senate amendment permit any joint apprenticeship training committee which acts as a training establishment to receive the annual reporting fee of $3 for each eligible veteran or person enrolled in educational assistance programs in return for furnishing the VA with required reports and certificates of enrollment, attendance, and termination regarding such eligible veterans. The conference agreement includes this provision.

Both the House bill and the Senate amendment permit an educational institution offering courses not leading to a standard college degree to measure such courses on a quarter- or semester-hour basis provided certain specific measurements of the academic, laboratory, and shop portions of such courses meet minimum requirements. The House bill adds a proviso that in no event shall such course be considered a full-time course when less than 25 hours of attendance per week is required; the Senate amendment reduces this minimum requirement to 18 hours. The conference agreement provides that 22 hours of attendance per week shall be required.

The Senate amendment repeals the current 48-month limitation on any person training under more than one VA educational assistance program. The House bill contains no comparable provision. The Senate recedes.

The Senate amendment provides that the Administrator shall not approve the enrollment of any eligible veteran or dependent in any course offered by an institution which utilizes erroneous, deceptive, or misleading advertising, sales, or enrollment practices of any type and provides that a final cease and desist order entered by the Federal Trade Commission shall be conclusive as to disapproval of such a course for GI bill enrollment purposes. The House bill contains no comparable provision. The conference agreement contains the Senate provision without the above described FTC-order-conclusiveness provision.

The Senate amendment provides for a new subchapter under which the Administrator is directed to measure and evaluate all programs authorized by title 38 with respect to their effectiveness, impact, and structure and mechanisms for service delivery, and to collect, collate, and analyze on a continuing basis, full data regarding the operation of all such programs and to make available to the public the results of his findings. The House bill contains no comparable provision. The conference agreement embodies the essence of the Senate provision, although somewhat revising and condensing the language in order to provide for greater focus and more specificity.

The conferees wish to stress that in condensing the new section 219 (evaluation and data collection), as added in section 213 of the conference report, the requirement in subsection (c) of the original Senate pro-

vision, that, whenever feasible, the Administrator should arrange to obtain the specific views of program beneficiaries and program participants with respect to evaluations of such programs, was deleted as unnecessary. The conferees believe that the Administrator already possesses inherent authority to do this, and that it would be desirable for him to exercise that authority. The conferees also believe that the most effective evaluations are those conducted by fully independent personnel.

The Senate amendment clarifies and strengthens the Administrator's functions and responsibilities under the VA outreach program provisions to include a greater use of telephone and mobile facilities and peer-group contact, as well as providing for certain stress on bilingual services in certain areas and providing explicit contract authority with respect to certain outreach activities. The House bill contains no comparable provision. The conference agreement contains the Senate provisions, except that it eliminates the requirement that contract authority be exercised for outreach activities, and any statutory specification of mobile facilities.

The conferees do not intend by the deletion of specific statutory reference to the use of "mobile" facilities to indicate in any way their disapproval of or lack of support for the appropriate use of such facilities as mobile vans and wish to stress, moreover, their belief that these vans, which hitherto have generally been employed only in rural areas, could serve as useful a purpose in urban areas with high population concentrations.

The Senate amendment establishes a veterans representative (Vet Rep) program to provide for a full-time VA employee at, or in connection with, each educational institution where at least 500 GI bill trainees are enrolled, to serve as a liaison between the VA and the institution and to identify and resolve various problems with respect to VA benefits, especially educational assistance, for veterans attending each such institution. The House bill contains no comparable provision. The House recedes.

In adopting this provision, the conferees were keenly aware of the concerns which have been expressed to members of both bodies about the implementation of this program which has already been undertaken administratively by the VA, and of the assurances received from the Office of Management and Budget, the White House, and the VA with respect to the intended operation of this program. Of specific concern is the understanding, most recently embodied in the Senate Appropriations Committee report (No. 93-1056) on H.R. 15572, the Fiscal Year 1975 HUD-Space-Science-Veterans Appropriations Act, that VA regional offices, with the concurrence of the Chief Benefits Director, will have considerable flexibility in the assignment of these new Vet Reps in terms of particular campus needs. This same flexibility is provided for in the conference report. In those instances where a Vet Rep can perform more effectively in terms of carrying out the special responsibilities of liaison with the campus veterans, assignment of the Vet Reps to regional offices should be carried out in order to improve the capacity of those offices to provide effective services. At the same time, the conferees wish to call attention to the conference report provision which is intended to avoid any situation in which an educational institution might be in any way compelled to accept such an on-campus assignment by the VA (new section 243(a)(4) provides that the "inappropriateness of assignment of veterans' representatives to a particular educational institution" shall be grounds for reallocation of such Vet Reps to other educational institutions or to the regional office). The conferees expect that such assignment matters will be resolved amicably in close consultation and coordination with individual institutions, GI bill trainees at such institutions, and other interested parties.

The Senate amendment establishes an Inter-Agency Advisory Committee on Veterans Service to be composed of the heads of various Federal departments and agencies (with the Administrator as Chairman) to promote maximum feasible effectiveness and coordination of and interrelationship among all Federal programs affecting veterans and dependents, and to make recommendations to the President and the Congress regarding the annual budget and the development, coordination, and improvement of Federal programs and laws affecting veterans and their dependents. The House bill contains no comparable provision. The conference agreement provides that the Administrator shall seek to achieve the maximum feasible effectiveness, coordination, and interrelationship of services among all Federal programs and activities affecting veterans and seek to achieve the maximum coordination of their programs with the programs carried out by the Veterans' Administration. The conferees expect the Administrator to specify in his annual report the results of this new process.

TITLE III. VETERAN AND DEPENDENTS EDUCATION LOAN PROGRAM

The Senate amendment authorizes supplementary assistance to veterans and eligible dependents by direct loans to them from the VA (utilizing the National Service Life Insurance Trust Fund) of up to $2,000 a year to cover educational costs not otherwise provided for in title 38 or other Federal loan or grant programs. The House bill contains no comparable provision. The conference agreement provides for such a supplementary loan program, reducing the maximum yearly loan to $1,000, increasing the maximum amount of the loan fee which the Administrator may charge for such loans, directing the Administrator to collect any delinquent amounts in loan principal and interest payments in the same manner as any other debt due the United States, and directing the Administrater to report to the Congress annually on the default experience at each institution.

The conferees are concerned that excessive default rates at certain institutions might jeopardize the success of the program, and both Committees will closely monitor default experience and expect the Administrator to do so as well. In this connection, the conferees direct the Administrator to utilize his new authority under new section 1796, added to title 38 by section 212 of the conference report, with respect to deceptive and misleading advertising, to take affirmative steps to prevent any questionable sales or enrollment practices utilizing advertising about the availability of the new loan program as a promotional technique. The Administrator should, in this regard and as part of fulfilling his notification requirement under section 502 of the conference report, promulgate in regulations a model loan description which shall be used by institutions in their advertising if they wish to refer to the loan availability.

TITLE IV. VETERANS, WIVES, AND WIDOWS EMPLOYMENT ASSISTANCE AND PREFERENCE AND VETERANS' REEMPLOYMENT RIGHTS

The Senate amendment extends chapter 41 benefits (job counselling, training, and placement services) to wives and widows eligible for educational assistance benefits under chapter 35. The House bill contains no comparable provision. The House recedes.

The Senate amendment expands and strengthens the administrative controls which the Secretary of Labor is directed to establish under chapter 41 in order to insure that eligible veterans, wives, and widows are promptly placed in a satisfactory job or job training opportunity or receive some other specific form of employment assistance, and requires the Secretary to publish standards for determining compliance by State Public Employment Service agencies with the provisions of chapters 41 and 42. The House bill contains no comparable provision. The House recedes.

The Senate amendment clarifies and strengthens existing law requiring that Federal contractors and all of their subcontractors take particular actions in addition to job listing in order to give "special emphasis" to the employment of qualified service-connected disabled and Vietnam era veterans. The House bill contains no comparable provision. The conference agreement provides further clarification in this provision by making clear the intention of the Congress that affirmative action is to be taken by all Federal contractors and all of their subcontractors with respect to their employment practices in order to promote the greatest possible employment and advancement in employment of qualified service-connected disabled veterans and veterans of the Vietnam era. It is the conferees' objective in making this clarification to ensure that the goals of the program, as spelled out above, will be achieved according to an orderly and effective timetable, backed up by an effective compliance mechanism. The provision in the conference report is thus substantially identical in language and intended scope with the provisions of section 503 of the Rehabilitation Act of 1973 (Public Law 93-112).

The Senate amendment includes a provision stating that it is the policy of the United States to promote maximum employment and job advancement opportunities within the Federal Government for qualified service-connected disabled and Vietnam era veterans, and providing for special Federal appointment authority and other mechanisms to carry out such policy. The House bill contains no comparable provision. The House recedes.

The Senate amendment provides for the codification into title 38 of existing law on veterans' reemployment rights, and further extends such rights to veterans who were employed by States, or their political subdivisions. The House bill contains no comparable provision. The House recedes.

TITLE V. EFFECTIVE DATES

The House bill makes all amendments effective on the date of enactment except for rate increases which are to be effective on the first day of the second calendar month which begins after the date of enactment. The Senate amendment makes the provisions in titles II and IV of the Senate amendment effective on the date of enactment (improvements in GI bill provisions and in employment assistance), the new loan program in title III effective on September 1, 1974, and the rate increases and other provisions of title I effective on July 1, 1974. The conference agreement makes all amendments effective on the date of enactment except that the rate increase will be effective September 1, 1974, and the new loan program will be effective November 1, 1974 (except that veterans or dependents eligible for such loan entitlement on or after November 1, 1974, shall be entitled to a loan amount reflective of the full amount of their tuition and all other costs of attendance which they incurred for the academic year beginning on or about September 1, 1974).

TITLE AMENDMENT

The Senate amendment amends the title of the bill to reflect the provisions in the Senate amendment. The conference agreement amends the title to reflect the provisions in the conference report.

CHANGES IN EXISTING LAW MADE BY H.R. 12628 AS AGREED TO IN CONFERENCE

For the information of the Members of Congress, changes in existing law made by the bill (H.R. 12628) as agreed to in conference, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

TITLE 38—UNITED STATES CODE

* * * * *

PART III. READJUSTMENT AND RELATED BENEFITS

Chapter	Sec.
31. Vocational Rehabilitation	1501
34. Veterans Educational Assistance	1650
25. War Orphans' and Widows' Educational Assistance	1700
36. Administration of Educational Benefits	1770
37. Home, Farm, and Business Loans	1801
39. Automoiles and Adaptive Equipment for Certain Disabled Veterans and Members of the Armed Forces	1901
41. Job Counseling, Training, and Placement Service for Veterans	2001
42. Employment and Training of Disabled and Vietnam Era Veterans	2011
43. Veterans Reemployment Rights	*2021*

CHAPTER 3—VETERANS' ADMINISTRATION; OFFICERS AND EMPLOYEES

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SUBCHAPTER II—ADMINISTRATOR OF VETERANS' AFFAIRS

Sec.
210. Appointment and general authority of Administrator; Deputy Administrator.
211. Decisions by Administrator; opinions of Attorney General.
212. Delegation of authority and assignment of duties.
213. Contracts and personal services.
214. Report to the Congress.
215. Publication of laws relating to veterans.
216. Research by Administrator; indemnification of contractors.
217. Studies of rehabilitation of disabled persons.
218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations.
219. Evaluation and data collection.
220. Coordination of other Federal programs affecting veterans and their dependents.

SUBCHAPTER IV—VETERANS OUTREACH SERVICES PROGRAM

Sec.
240. Purpose; definitions.
241. Outreach services.
242. Veterans assistance offices.
243. Veterans' representatives.
[243.] *244.* Utilization of other agencies.
[244.] *245.* Report to Congress.

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Subchapter II—Administrator of Veterans' Affairs

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§ 219. Evaluation and data collection

(a) The Administrator, pursuant to general standards which he shall prescribe in regulations, shall measure and evaluate on a continuing basis the impact of all programs authorized under this title, in order to determine their effectiveness in achieving stated goals in general, and in achieving such goals in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services. Such information as the Administrator may deem necessary for purposes of such evaluations shall be made available to him, upon request, by all departments, agencies, and instrumentalities of the executive branch.

(b) In carrying out this section, the Administrator shall collect, collate, and analyze on a continuing basis full statistical data regarding participation (including the duration thereof), provision of services, categories of beneficiaries, planning and construction of facilities, acquisition of real property, proposed excessing of land, accretion and attrition of personnel, was categorized expenditures attributable thereto, under all programs carried out under this title.

(c) The Administrator shall make available to the public and on a regular basis provide to the appropriate committees of the Congress copies of all completed evaluative research studies and summaries of evaluations of program impact and effectiveness caried out, and tabulations and analyses of all data collected, under this section.

§ 220. Coordination of other Federal programs affecting veterans and their dependents.

The Administrator shall seek to achieve the maximum feasible effectiveness, coordination, and interrelationship of services among all programs and activities affecting veterans and their dependents carried out by and under all other departments, agencies, and instrumentalities of the executive branch and shall seek to achieve the maximum feasible coordination of such programs with programs caried out under this title.

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Subchapter IV—Veterans Outreach Services Program

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§ 241. Outreach services

The Administrator shall provide the following outreach services *in carrying out the purposes of this subchapter (including the provision, to the maximum feasible extent of such services, in areas where a significant number of eligible veterans and eligible dependents speaks a language other than English as their principal language, in the principal language of such persons)*:

(1) by letter advise each veteran at the time of his discharge or release from active military, naval, or air service, or as soon as possible thereafter, of all benefits and services under laws administered by the Veterans' Administration for which the veteran may be eligible and, in carying out this paragraph, the Administrator shall insure, through the utilization of veteran-student services under section 1685 of this title, that contact, in person or by telephone, is made with those veterans who, on the basis of their military service records, do not have a high school education or equivalent at the time of discharge or release;

(2) distribute full information *to eligible veterans and eligible dependents* regarding all benefits and services to which they may be entitled under laws administered by the Veterans' Administration and may, to the extent feasible, distribute information on other governmental programs (including manpower and training programs) which he determines would be beneficial to veterans; and

(3) provide, to the maximum extent possible, aid and assistance (including personal interviews) to members of the Armed Forces, veterans, and eligible dependents in respect to clauses (1) and (2) above and in the preparation and presentation of claims under laws administered by the Veterans' Administration.

§ 242. Veterans assistance offices

(a) The Administrator shall establish and maintain veterans assistance offices at such places throughout the United States and its territories and possessions, and the Commonwealth of Puerto Rico, as he determines to be necessary to carry out the purposes of this subchapter, with due regard for the geographical distribution of veterans recently discharged or released from active military, naval, or air service, the special needs of educationally disadvantaged veterans (including their need for accessibility of outreach services), and the necessity of providing appropriate out-reach services in less populated areas.

(b) The Administrator [may implement such special telephone service] *shall establish and carry out all possible programs and services, including special telephone facilities,* as may be necessary to make the outreach services provided for under this subchapter as widely available as possible.

§ 243. Veterans' representatives

(a)(1) Except as otherwise provided in paragraph (4) of this subsection, the Administrator shall assign, with appropriate clerical/secretarial support, to each educational institution (as defined in section 1652(c) except for correspondence schools) where at least five hundred persons are enrolled under chapter 31, 34, 35, and 36 of this title such number of full-time veterans' representatives as will provide at least one such veterans' representative per eahc five hundred such persons so enrolled at each such institution; and the Administrator shall also assign to other such veterans' representatives responsibility for carrying out the functions set forth in paragraph (3) of this subsection with respect to groups of institutions with less than five hundred such persons so enrolled, on the basis of such proportion of such veterans' representatives' time to such persons so enrolled as he deems appropriate to be adequate to perform such functions at such institutions.

(2) In selecting and appointing veterans' representatives under this subsection, preference shall be given to veterans of the Vietnam era with experience in veterans affairs' counselling, out-reach, and other related veterans' services.

(3) The functions of such veterans' representatives shall be to—

(A) answer all inquiries related to Veterans' Administration educational assistance and other benefits, and take all necessary action to resolve such inquiries expeditiously, especially those relating to payments of educational assistance benefits;

(B) assure correctness and proper handling of applications, completion of certifications of attendance, and submission of all necessary information (including changes in status or program affecting payments) in support of benefit claims submitted;

(C) maintain active liaison, communication, and cooperation with the officials of the educational institution to which assigned, in order to alert veterans to changes in law and Veterans' Administration policies or procedures;

(D) supervise and expeditiously resolve all difficulties relating to the delivery of advance educational assistance payments authorized under this title;

(E) coordinate Veterans' Administration matters with, and provide appropriate briefings to, all on-campus veterans' groups working particularly closely with veterans' coordinators at educational institutions receiving veterans' cost-of-instruction payments under section 420 of the Higher Education Act of 1965, as amended (hereinafter referred to as "V.C.I. institutions");

(F) provide necessary guidance and support to veteran-student services personnel assigned to the campus under section 1685 of this title;

(G) where such functions are not being

adequately carried out by existing programs at such institutions (i) provide appropriate motivational and other counseling to veterans (informing them of all available benefits and services, as provided for under section 241 of this title) and (ii) carry out outreach activities under this subchapter; and

(H) carry out such other activities as may be assigned by the director of the Veterans' Administration regional office, established under section 230 of this title.

(4) Based on the extent to which the functions set forth in paragraph (3) of this subsection are being adequately carried out at a particular educational institution or in consideration of other factors indicating the inappropriateness of assignment of veterans' representatives to a particular educational institution, the director of the appropriate Veterans' Administration regional office shall, notwithstanding the formula set forth in paragraph (1) of this subsection, either reallocate such veterans' representatives to other educational institutions in such region where he determines that such additional veterans' representatives are necessary, or, with the approval of the chief benefits officer of the Veterans' Administration, assign such veterans' representatives to carry out such functions or related activities at the regional office in question, with special responsibility for one or more than one particular educational institution.

(5) The functions of a veterans' representative assigned under this subsection shall be carried out in such a way as to complement and not interfere with the statutory responsibilities and duties of persons carrying out veterans affairs' functions at V.C.I. institutions.

(b) The Administrator shall establish rules and procedures to guide veterans' representatives in carrying out their functions under this section. Such rules and procedures shall contain provisions directed especially to assuring that activities of veterans' representatives carried out under this section complement, and do not interfer with, the established responsibilities of representatives recognized by the Administrator under section 3402 of this title.

[§ 243.] *§ 244.* Utilization of other agencies

In carrying out the purposes of this subchapter, the Administrator [may] *shall*—

(1) arrange with the Secretary of Labor for the State employments service to match the particular qualifications of an eligible veteran or eligible dependent with an appropriate job or job training opportunity, to include where possible, arrangements for outstationing the State employment personnel who provide such assistance at appropriate facilities of the Veterans' Administration;

(2) cooperate with and use the services of any Federal department or agency or any State or local governmental agency or recognized national or other organization;

(3) where appropriate, make referrals to any Federal department or agency or State or local governmental unit or recognized national or other organization;

(4) at his discretion, furnish available space and office facilities for the use of authorized representatives of such governmental unit or other organization providing services; and

(5) conduct *and provide for* studies in consultation with appropriate Federal departments and agencies to determine the most effective program design to carry out the purposes of this subchapter.

[§ 244.] *§ 245.* Report to Congress

The Administrator shall include in the annual report to the Congress required by section 214 of this title a report on the activities carried out under this subchapter, each report to include an appraisal of the effectiveness of the programs authorized herein and recommendations for the improvement or more effective administration of such programs.

CHAPTER 31—VOCATIONAL REHABILITATION

* * * * *

§ 1501. Definitions

For the purposes of this chapter—

(1) The term "World War II" means the period beginning on September 16, 1940, and ending on July 25, 1947.

(2) The term "vocational rehabilitation" means training (including educational and vocational counseling, *all appropriate individualized tutorial assistance,* and other necessary incidental services) for the purpose of restoring employability to the extent consistent with the degree of disablement, lost by virtue of a handicap due to service-connected disability.

§ 1502. Basic entitlement

(a) Every veteran who is in need of vocational rehabilitation on account of a service-connected disability which is, or but for the receipt of retirement pay would be, compensable under chapter 11 of this title shall be furnished such vocational rehabilitation as may be prescribed by the Administrator, [if such disability—] *arose out of service during World War II or thereafter.*

[(1) arose out of service during World War II or the Korean conflict; or

[(2) arose out of service (*A*) after World War II, and before the Korean conflict, or (*B*) after the Korean conflict, and is raised for compensation purposes as 30 per centum or more, or if less than 30 per centum, is clearly shown to have caused a pronounced employment handicap.]

(b) Unless a longer period is prescribed by the Administrator, no course of vocational rehabilitation may exceed four years. If the veteran has pursued an educational or training program under chapter 33 (prior to its repeal), 34, 35, or 36 of this title, such program shall be utilized to the fullest extent practical in determining the character and duration of the vocational rehabilitation to be furnished him under this chapter.

(c) Vocational rehabilitation may not be afforded outside of a State to a veteran on account of post-World War II service if the veteran, at the time of such service, was not a citizen of the United States.

(d) Veterans pursuing a program of vocational rehabilitation training under the provisions of this chapter shall also be eligible, where feasible, to perform veteran-student services pursuant to section 1685 of this title and for advance subsistence allowance payments as provided by section 1780 of this title.

* * * * *

§ 1504. Subsistence allowances

(a) While pursuing a course of vocational rehabilitation training and for two months after his employability is determined, each veteran shall be paid a subsistence allowance as prescribed in this section.

(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, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

Column I	Column II	Column III	Column IV	Column V
Type of training	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$170	$212	$248	$18
Three-quarter-time	128	159	187	14
Half-time	85	106	124	9
Farm cooperative, apprentice, or other on-job training: Full-time	148	179	207	14

Column I	*Column II*	*Column III*	*Column IV*	*Column V*
Type of training	*No dependents*	*One dependent*	*Two dependents*	*More than two dependents*
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	*$201*	*$249*	*$293*	*$21*
Three-quarter-time	*151*	*188*	*221*	*17*
Half-time	*100*	*125*	*147*	*11*
Farm cooperative, apprentice, or other on-the-job training:				
Full-time	*175*	*212*	*245*	*17*

CHAPTER 34—VETERANS' EDUCATIONAL ASSISTANCE

* * * * *

SUBCHAPTER IV—PAYMENTS TO ELIGIBLE VETERANS; VETERAN-STUDENT SERVICES

Sec.
1681. Educational assistance allowance.
1682. Computation of educational assistance allowances.
1683. Approval of courses.
1684. Apprenticeship or other on-job training; correspondence courses.
1685. Veteran-student services.
1686. Education loans.

* * * * *

Subchapter I—Purpose—Definitions

* * * * *

§ 1652. Definitions

For the purposes of this chapter—

(a)(1) The term "eligible veteran" means any veteran who (A) served on active duty

for a period of more than 180 days any part of which occurred after January 31, 1955, and who was discharged or released therefrom under conditions other than dishonorable or (B) was discharged or released from active duty after such date for a service-connected disability.

(2) The requirement of discharge or release, prescribed in paragraph (1)(A), shall be waived in the case of any individual who served more than one hundred and eighty days in an active-duty status for so long as he continues on active duty without a break therein.

(3) For purposes of paragraph (1)(A) and section 1661(a), the term "active duty" does not include any period during which an individual (A) was assigned full time by the Armed Forces to a civilian institution for a course of education which was substantially the same as established courses offered to civilians, (B) served as a cadet or midshipman at one of the service academies, or (C) served under the provisions of section 511(d) of title 10 pursuant to an enlistment in the Army National Guard or the Air National Guard or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve[.] *unless at some time subsequent to the completion of such period of active duty for training such individual served on active duty for a consecutive period of one year or more (not including any service as a cadet or midshipman at one of the service academies).*

(b) The term "program of education" means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is generally accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational professional, or vocational objective. Such term also means any curriculum of unit courses or subjects pursued at an educational institution which fulfill requirements for the attainment of more than one predetermined and identified educational, professional, or vocational objective if all the objectives pursued are generally recognized as being reasonably related to a single career field. Such term also means any unit course or subject, or combination of courses or subjects, pursued by an eligible veteran at an educational institution, required by the Administrator of the Small Business Administration as condition to obtaining financial assistance under the provisions of 402(a) of the Economic Opportunity Act of 1964 (42 U.S.C. 2902(a)).

(c) The term "educational institution" means any public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or other institution furnishing education for adults.

(d) The term "dependent" means—

(1) a child of an eligible veteran;

(2) a dependent parent of an eligible veteran; and

(3) the wife of an eligible veteran.

(e) 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, United States Code, or any agency of the Federal Government authorized to supervise such training.

SUBCHAPTER II—ELIGIBILITY AND ENTITLEMENT

§ 1661. Eligibility; entitlement; duration

Entitlement

(a) Except as provided in subsection (c) and in the second sentence of this subsection, each eligible veteran shall be entitled to educational assistance under this chapter or chapter 36 for a period of one and one-half months (or the equivalent thereof in part-time educational assistance) for each month or fraction thereof of his service on active duty after January 31, 1955. If an eligible veteran has served a period of 18 months or more on active duty January 31, 1955, and has been released from such service under conditions that would satisfy his active duty obligation, he shall be entitled to educational assistance under this chapter for a period of 36 months (or the equivalent thereof in part-time educational assistance) plus an additional number of months, not exceeding nine, as may be utilized in pursuit of a program of education leading to a standard undergraduate college degree.

Entitlement Limitations

(b) Whenever the period of entitlement under this section of an eligible veteran who is enrolled in an educational institution regularly operated on the quarter or semester system ends during a quarter or semester, such period shall be extended to the termination of such unexpired quarter or semester. In educational institutions not operated on the quarter or semester system, whenever the period of eligibility ends after a major portion of the course is completed such period shall be extended to the end of the course or for twelve weeks, whichever is the lesser period.

(c) Except as provided in [subsection] *subsections (a) and (b)* and in subchapters V and VI of this chapter, no eligible veteran shall receive educational assistance under this chapter in excess of thirty-six months.

* * * * *

SUBCHAPTER III—ENROLLMENT

* * * * *

§ 1673. Disapproval of enrollment in certain courses

(a) The Administrator shall not approve the enrollment of an eligible veteran in—

(1) any bartending course or personality development course;

(2) any sales or sales management course which does not provide specialized training within a specific vocational field, *or in any other course with a vocational objective,* unless the eligible veteran or the institution offering such course submits justification showing that at least one-half of the persons [completing] *who completed* such course over the preceding two-year period, *and who are not unavailable for employment,* have been employed in the [sales or sales management field] *occupational category for which the course was designed to provide training (but in computing the number of persons who completed such course over any such two-year period, there shall not be included the number of persons who completed such course with assistance under this title while serving on active duty);* or

(3) any type of course which the Administrator finds to be avocational or recreational in character *(or the advertising for which he finds contains significant avocational or recreational themes)* unless the veteran submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

(b) Except as provided in section 1677 of this title, the Administrator shall not approve the enrollment of an eligible veteran in any course of flight training other than one given by an educational institution of higher learning for credit toward a standard college degree the eligible veteran is seeking.

(c) The Administrator shall not approve the enrollment of an eligible veteran in any course to be pursued by open circuit television (except as herein provided) or radio. The Administrator may approve the enrollment of an eligible veteran in a course, to be pursued in residence, leading to a standard college degree which includes, as an integral part thereof, subjects offered through the medium of open circuit television, if the major portion of the course requires conventional classroom or laboratory attendance.

(d) The Administration shall not approve the enrollment of any eligible veteran, not already enrolled, in any [nonaccredited] course [below the college level] *(other than one offered pursuant to subchapter V or subchapter VI of this chapter) which does not lead to a standard college degree and which is* offered by a proprietary profit or proprietary nonprofit educational institution for any period during which the Administrator finds that more than 85 per centum of the students enrolled in the course are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or the Veterans' Administration under this title.

* * * * *

§ 1677. Flight training

(a) The Administrator may approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where generally recognized as ancillary to the pursuit of a vocational endsaver other than aviation, subject to the following conditions:

(1) the eligible veterans must possess a valid private pilot's license and meet the medical requirements necessary for a commercial pilot's license; and

(2) the flight school courses must meet the Federal Aviation Administration standards and be approved both by the Agency and the appropriate State approving agency.

(b) Each eligible veteran who is pursuing a program of education consisting exclusively of flight training approved as meeting the requirements of subsection (a) hereof, shall be paid an educational assistance allowance to be computed at the rate of 90 per centum of the established charges for tuition and fees which similarly circumstanced nonveterans enrolled in the same flight course are required to pay. Such allowance shall be paid monthly upon receipt of a certification as required by section 1681(c) of this title. In each such case the eligible veteran's period of entitlement shall be charged with one month for each [$220] *$260* which is paid to the veteran as an educational assistance allowance for such course.

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SUBCHAPTER IV—PAYMENTS TO ELIGIBLE VETERANS; VETERAN-STUDENT SERVICES

* * * * *

Flight Training

§ 1682. Computation of educational assistance allowances

(a)(1) Except as provided in subsection (b), or (c) of this section, or section 1677 or 1787 of this title, while pursuing a program of education under this chapter of half-time or more, each eligible veteran shall be paid the monthly educational assistance allowance set forth in column II, III, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the applicable type of program as shown in column I:

Column I	Column II	Column III	Column IV	Column V
Type of program	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$220	$261	$298	$18
Three-quarter-time	165	196	224	14
Half-time	110	131	149	9
Cooperative	177	208	236	14

Column I	*Column II*	*Column III*	*Column IV*	*Column V*
Type of program	*No dependents*	*One dependent*	*Two dependents*	*More than two dependents*
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	*$270*	*$329*	*$366*	*$22*
Three-quarter-time	*203*	*240*	*276*	*17*
Half-time	*135*	*160*	*182*	*11*
Cooperative	*247*	*255*	*289*	*71*

(2) A "cooperative" program, other than a "farm cooperative" program, means a full-time program of education which consists of institutional courses and alternate phases of training in the business or industrial establishment with the training in the business or industrial establishment being strictly supplemental to the institutional portion.

(b) The educational assistance allowance of an individual pursuing a program education—

(1) while on active duty, or

(2) on less than a half-time basis.

shall be computed at the rate of (A) the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same program to pay, or (B) [$220] *$260* per month for a full-time course, whichever is the lesser.

(c)(1) An eligible veterans who is enrolled in an educational institution for a "farm cooperative" program consisting of institutional agricultural courses prescheduled to fall within 44 weeks of any period of 12 consecutive months and who pursues such program on—

(A) a full-time basis (a minimum of ten clock hours per week or four hundred and forty clock hours in such year prescheduled to provide not less than eighty clock hours in any 3-month period),

(B) a three-quarter-time basis (a minimum of 7 clock hours per week), or

(C) a half-time basis (a minimum of 5 clock hours per week) shall be eligible to receive an educational assistance allowance at the appropriate rate provided in the table in paragraph (2) of this subsection, if such eligible veteran is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator. 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.

(2) The monthly educational assistance allowance of an eligible veteran pursuing a farm cooperative program under this chapter shall be paid as set forth in column II, III, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the basis shown in column I:

Column I	Column II	Column III	Column IV	Column V
Type of training	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following fo each dependent in excess of two:
Full-time	$177	$208	$236	$14
Three-quarter-time	133	156	177	11
Half-time†††	89	104	118	4

Column I	*Column II*	*Column III*	*Column IV*	*Column V*
Basis	*No dependents*	*One dependent*	*Two dependents*	*More than two dependents*
				The amount in column IV, plus the following for each dependent in excess of two:
Full-time	*$217*	*$255*	*$284*	*$17*
Three-quarter-time	*163*	*191*	*218*	*13*
Half-time†	*109*	*128*	*145*	*9*

(d)(1) Notwithstanding the prohibition in section 1671 of this title prohibiting enrollment of an eligible veteran in a program of education in which such veteran has "already qualified," a veteran shall be allowed up to six months of educational assistance (or the equivalent thereof in part-time assistance) for the pursuit of refresher training to permit such veteran to update such veterans' knowledge and skills and to be instructed in the technological advances which have occurred in such veterans' field of employment during and since the period of such veteran's active military service.

(2) A veteran pursuing refresher training under this subsection shall be paid an educational assistance allowance based upon the rate *prescribed in the* table in subsection (a)(1) or in subsection (c)(2) of this section, whichever is applicable.

(3) The educational assistance allowance paid under the authority of this subsection shall be charged against the period of entitlement the veteran has earned pursuant to section 1661(a) of this title.

* * * * *

§ 1685. Veteran-student services

(a) Veteran-students utilized under the authority of subsection (b) of this section shall be paid an additional educational assistance allowance (hereafter referred to as "work-study allowance"). Such work-study allowance shall be paid [in advance] in the amount of [$250] *$625* in return for such veteran-student's agreement to perform services, during or between periods of enrollment, aggregating [one] *two* hundred *and fifty* hours during a semester or other applicable enrollment period, required in connection with (1) the outreach services program under subchapter IV of chapter 3 of this title as carried out under the supervision of a Veterans' Administration employee, (2) the preparation and processing of necessary papers and other documents at educational institutions or regional offices or facilities of the Veterans' Administration, (3) the provision of hospital and domiciliary care and medical treatment under chapter 17 of this title, or (4) any other activity of the Veterans' Administration as the Administrator shall determine appropriate. [Advances of lesser amounts may be made in return for agreements to perform services for periods of less than one hundred hours, the amount of such advance to bear the same ratio to the number of hours of work agreed to be performed as $250 bears to one hundred hours] *An agreement may be entered into for the performance of services for periods of less than two hundred and fifty hours, in which case the amount of the work-study allowance to be paid shall bear the same ratio to the number of hours of work agreed to be performed as $625 bears to two hundred and fifty hours. In the case of any agreement providing for the performance of services for one hundred hours or more, the veteran student shall be paid $250 in advance, and in the case of any agreement for the performance of services for less than one hundred hours, the amount of the advance payment shall bear the same ratio to the number of hours of work agreed to be performed as $625 bears to two hundred and fifty hours.*

(b) Notwithstanding any other provision of law, the Administrator shall utilize, in connection with the activities specified in subsection (a) of this section, the services of veteran-students who are pursuing full-time programs of education or training under chapters 31 and 34 of this title. In carrying out this section, the Administrator, whereever feasible, shall give priority to veterans with disabilities rated at 30 per centum or more for purposes of chapter 11 of this title.

(c) The Administrator shall determine the number of veterans whose services the Veterans' Administration can effectively utilize [(not to exceed eight hundred man-year or their equivalent in man-hours during any fiscal year)] and the types of services that such veterans may be required to perform, on the basis of a survey, which he shall conduct annually, of each Veterans'

Administration regional office in order to determine the numbers of veteran-students whose services can effectively be utilized during an enrollment period in each geographical area where Veterans' Administration activities are conducted, and shall determine which veteran-students shall be offered agreements under this section in accordance with regulations which he shall prescribe, including as criteria (1) the need of the veterans to augment his educational assistance or subsistence allowance; (2) the availability to the veteran of transportation to the place where his services are to be performed; (3) the motivation of the veteran; and (4) in the case of a disabled veteran pursuing a course of vocational rehabilitation under chapter 31 of this title, the compatibility of the work assignment to the veteran's physical condition.

(d) While performing the services authorized by this section, veteran-students shall be deemed employees of the United States for the purposes of the benefits of chapter 81 of title 5 but not for the purposes of laws administered by the Civil Service Commission.

§ 1686. Education loans

Any eligible veteran shall be entitled to an education loan (if the program of education is pursued in a State) in such amount and on such terms and conditions as provided in sections 1798 and 1799 of this title.

Subchapter V—Special Assistance for the Educationally Disadvantaged

* * * * *

§ 1692. Special supplementary assistance

(a) In the case of any eligible veteran who—

(1) is enrolled in and pursuing a post-secondary course of education on a half-time or more basis at an educational institution; and

(2) has a deficiency in a subject required as a part of, or which is a prerequisite to, or which is indispensable to the satisfactory pursuant of, an approved program of education,

the Administrator may approve individualized tutorial assistance for such veteran if such assistance is necessary for the veteran to complete such program successfully.

(b) The Administrator shall pay to an eli-

(b) The Administrator shall pay to an eli-

pursuant to subsection (a) of this section, in addition to the educational assistance allowance provided in section 1682 of this title, the cost of such tutorial assistance in an amount not to exceed [$50] *$60* per month, for a maximum of [nine] *twelve* months, or until a maximum of [$450] *$720* is utilized upon certification by the educational institution that—

(1) the individualized tutorial assistance is essential to correct a deficiency of the eligible veteran in a subject required as a part of, or which is prerequisite to, or which is indispensable to the satisfactory pursuit of, an approved program of education;

(2) the tutor chosen to perform such assistantce is qualified; and

(3) the charges for such assistance do not exceed the customary charges for such tutorial assistance.

* * * * *

§ 1969. Payment of educational assistance allowance

(a) The Administrator shall, under such regulations as he shall prescribe after consultation with the Secretary of Defense, pay the educational assistance allowance as computed in subsection (b) of this section to an eligible person enrolled in and pursuing (1) a course or courses offered by an educational institution (other than by correspondence) and required to receive a secondary school diploma, or (2) any deficiency, remedial, or refresher course or courses offered by an educational institution and required for or preparatory to the pursuit of an appropriate course or training program in an approved eductional institution or training establishment.

(b) The educational assistance allowance of an eligible person pursuing education or training under this subchapter shall be computed at the rate of (1) the established charges for tuition and fees which the educational institution requires similarly circumstanced nonveterans enrolled in the same or a similar program to pay, and the cost of books and supplies peculiar to the course which such educational institution requires similarly circumstanced nonveterans enrolled in the same or similar program to have, or (2) [$220] *$260* per month for a full-time course, whichever is the lesser. Where it is determined that there is no same program, the Administrator shall establish appropriate rates for tuition and fees designed to allow reimbursement for reasonable costs for the education or training institution.

(c) The educational assistance allowance authorized by this section shall be paid without charge to any period of entitlement earned pursuant to section 1661(a) of this title.

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CHAPTER 35—WAR ORPHANS' AND WIDOWS' EDUCATIONAL ASSISTANCE

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SUBCHAPTER IV—PAYMENTS TO ELIGIBLE PERSONS

Sec.
1731. Educational asistance allowance.
1732. Computation of educational assistance allowance.
1733. Special assistance for the educationally disadvantaged.
1734. Apprenticeship or other on-job training; correspondence courses.
1735. Approval of courses.
1736. Specialized vocational training courses.
1737. Education loans.

* * * * *

SUBCHAPTER III—PROGRAM OF EDUCATION

* * * * *

§ 1723. Disapproval of enrollment in certain courses

(a) The Administrator shall not approve the enrollment of an eligible person in—

(1) any bartending course or personality development course;

(2) any sales or sales management course which does not provide specialized training within a specific vocational field, *or in any other course with a vocational objective,* unless the eligible person or the institution offering such course submits justification showing that at least one-half of the persons [completing] *who completed* such course over the preceding two-year period, *and who are not unavailable for employment,* have been employed in the [sales or sales management field] *occupational category for which the course was designed to provide training (but in computing the number of persons who completed such course over any such two-year period, there shall not be included the number of persons who completed such course with assistance under this title while serving on active duty)*; or

(3) any type of course which the Administrator finds to be avocational or recreational in character (*or the advertising for which he finds contains significant avocational or recreational themes*) unless the eligible person submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

(b) The Administrator shall not approve the enrollment of an eligible person in any course of flight training other than one given by an educational institution of higher learning for credit toward a standard college degree the eligible person is seeking.

(c) 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 1786 of this title), 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 (except as herein provided). The Administrator may approve the enrollment of an eligible person in a course, to be pursued in residence, leading to a standard college degree which includes, as an integral part thereof, subjects offered through the medium of open circuit televised instruction, if the major portion of the course requires conventional classroom or laboratory attendance. The Administrator may approve the enrollment at an educational institution which is not located in a State or in the Republic of the Philippines if such program is pursued at an approved educational institution of higher learning. The Administrator in his discretion may deny or discontinue the educational asistance under this chapter of any eligible person in a foreign educational institution if he finds that such enrollment is not in the best interest of the eligible person or the Government.

(d) The Administrator shall not approve the enrollment of an eligible person in any course which is to be pursued as a part of his regular secondary school education (except as provided in section 1733 of this title), but this subsection shall not prevent the enrollment of an eligible person in a course [to be pursued below the college level] *not leading to a standard college degree* if the Administrator finds that such person has ended his secondary school education (by completion or otherwise) and that such course is a specialized vocational course pursued for the purpose of qualifying in a bona fide vocational objective.

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SUBCHAPTER IV—PAYMENTS TO ELIGIBLE PERSONS

§ 1731. Educational assistance allowance

(a) The Administrator shall, in accordance with the provisions of section 1780 of this title, pay to the parent or guardian of each eligible person who is pursuing a program of education under this chapter, and who applies therefor on behalf of such eligible person, an educational assistance allowance to meet, in part, the expenses of the eligible person's subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

(b) No educational assistanc allowance shall be paid on behalf of an eligible person enrolled in a course in an educational institution which does not lead to a standard college degree for any period until the Administrator shall have received—

(1) from the eligible person a certification as to his actual attendance during such period; and

(2) from the educational institution, a certification, or an endorsement on the eligible person's certificate, that he was enrolled in and pursuing a course of education during such period.

§ 1732. Computation of educational assistance allowance

(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) $220 per month if pursued on a full-time basis, (B) $165 per month if pursued on a three-quarter-time basis, and (C) $110 per month if pursued on a half-time basis.] *prescribed in section 1682 (a)(1) of this title for full-time, three-quarter-time, or half-time pursuit, as appropriate, of an institutional program by an eligible veteran with no dependents.*

(2) The educational assistance allowance on behalf of an eligible person pursuing a program of education on less than a half-time basis shall be computed at the rate [of (A) the established charges for tuition and fees which the institution requires other individuals enrolled in the same program to pay, or (B) $220 per month for a full-time course, whichever is the lesser.] *prescribed in section 1682(b)(2) of this title for less-than-half-time pursuit of an institutional program by an eligible veteran.*

(b) The educational assistance allowance to be paid on behalf of an eligible person who is pursuing a full-time program of education which consists of institutional courses and alternate phases of training in a business or industrial establishment with the training in the business or industrial establishment being strictly supplemental to the institutional portion, shall be computed at the rate of [$177] *$209* per month.

(c) (1) An eligible person who is enrolled in an educational institution for a "farm cooperative" program consisting of institutional agricultural courses prescheduled to fall within forty-four weeks of any period of twelve consecutive months and who pursues such program on—

(A) a full-time basis (a minimum of ten clock hours per week or four hundred and forty clock hours in such year prescheduled to provide not less than eighty clock hours in any three-month period).

(B) a three-quarter-time basis (a minimum of seven clock hours per week), or

(C) a half-time basis (a minimum of five clock hours per week),

shall be eligible to receive an educational assistance allowance at the appropriate rate provided in paragraph (2) of this subsection, if such eligible person is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator. 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 industrial institution through a duly authorized instructor of such institution in which the person is enrolled.

(2) The monthly educational assistance allowance to be paid on behalf of an eligible person pursuing a farm cooperative program under this chapter shall be computed at the rate prescribed in section 1682 (c)(2) of this title for full-time, three-quarter-time, or half-time pursuit, as appropriate, of a farm cooperative program by an eligible veteran with no dependents.

[c](*d*) If a program of education is pursued by an eligible person at an institution located in the Republic of the Philippines, the educational assistance allowance computed for such person under this section shall be paid at a rate in Philippines pesos equivalent to $0.50 for each dollar.

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§ 1737. Education loans

Any eligible person shall be entitled to an education loan (if the program of education is pursued in a State) in such amount and on such terms and conditions as provided in sections 1798 and 1799 of this title.

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SUBCHAPTER V—SPECIAL RESTORATIVE TRAINING

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§ 1792. Special training allowance

(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 *of such person* a special training allowance computed at the basic rate of [$220] *$260* per month. If the charges for tuition and fees applicable to any such course are more than [$69] *$82* per calendar month, the basic monthly allowance may be increased by the amount that such charges exceed [$69] *$83* a month, upon election by the [parents] *parent* or guardian of the eligible person to have such person's period of entitlement reduced by one day for each [$7.35] *$8.69* that the special training allowance paid exceeds the basic monthly allowance.

(d) No payments of a special training allowance shall be made for the same period for which the payment of an educational assistance allowance is made or for any period during which the training is pursued on less than a full-time basis.

(c) Full-time training for the purpose of this section shall be determined by the Administrator with respect to the capacities of the individual trainee.

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CHAPTER 36—ADMINISTRATION OF EDUCATIONAL BENEFITS

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SUBCHAPTER II—MISCELLANEOUS PROVISIONS

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1780. Payment of educational or subsistence assistance allowances.
1781. Limitation of educational assistance.
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1799. Revolving fund; insurance.

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SUBCHAPTER I—STATE APPROVING AGENCIES

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§ 1774. Reimbursement of expenses

(a) The Administrator is authorized to enter into contracts or agreements with State and local agencies to pay such State and local agencies for reasonable and necessary expenses of salary and travel incurred by employees of such agencies and an allowance for administrative expenses in accordance with the formula contained in subsection (b) of this section in (1) rendering necessary services in ascertaining the qualifications of educational institutions for furnishing courses of education to eligible persons or veterans under this chapter and chapters 34 and 35, and in the supervision of such educational institutions, and (2) furnishing, at the request of the Administrator, any other services in connection with chapters 34 and 35. Each such contract or agreement shall be conditioned upon compliance with the standards and provisions of chapters 34 and 35.

(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] *Allowable* for administrative expense
$5,000 or less	[$500.] *$550.*
Over $5,000 but not exceeding $10,000	[$900.] *$1,000.*
Over $10,000 but not exceeding $35,000	[$900] *$1,000* for the first $10,000 plus [$800] *$925* for each additional $5,000 or fraction thereof.
Over $35,000 but not exceeding $40,000	[$5,250.] *$6,050.*
Over $40,000 but not exceeding $75,000	[$5,250] *$6,050* for the first $40,000 plus [$700] *$800* for each additional $5,000 or fraction thereof.
Over $75,000 but not exceeding $80,000	[$10,450.] *$12,000.*
Over $80,000	[$10,450] *$12,000* for the first $80,000 plus [$600] *$700* for each additional $5,000 or fraction thereof.

SUBCHAPTER II—MISCELLANEOUS PROVISIONS

§ 1780. Payment of education assistance or subsistence allowances

Period for Which Payment May be Made

(a) Payment of educational assistance or subsistence allowances to eligible veterans or eligible persons pursuing a program of education or training, other than a program by correspondence or a program of flight training, in an educational institution under chapter 31, 34, or 35 of this title shall be paid as provided in this section and, as applicable, in section 1504, 1682, 1691, or 1732 of this title. Such payments shall be paid only for the period of such veterans' or persons' enrollment, but no amount shall be paid—

(1) to any eligible veteran or eligible person enrolled in a course which leads to a standard college degree for any period when such veteran or person is not pursuing his course in accordance with the regularly established policies and regulations of the educational institution and the requirements of this chapter or of chapter 34 or 35 of this title; or

(2) to any eligible veteran or eligible person enrolled in a course which does not lead to a standard college degree (excluding programs of apprenticeship and programs of other on-job training authorized by section 1787 of this title) for any day of absence in excess of thirty days in a twelve-month period, not counting as absences weekends or legal holidays (*or customary vacation periods connected therewith*) established by Federal or State law (or in the case of the Republic of the Philippines, Philippine law) during which the institution is not regularly in session.

Notwithstanding the foregoing, the Administrator may, subject to such regulations as he shall prescribe, continue to pay allowances to eligible veterans and eligible persons enrolled in courses set forth in clause (1) or (2) of this subsection during periods when the schools are temporarily closed under an established policy based upon an Executive order of the President or due to an emergency situation, and such periods shall not be counted as absences for the purposes of clause (2).

Correspondence Training Certifications

(b) No educational assistance allowance shall be paid to an eligible veteran or wife or widow enrolled in and pursuing a program of education exclusively by correspondence until the Administrator shall have received—

(1) from the eligible veterans or wife or widow a certificate as to the number of lessons actually completed by the veteran or wife or widow and serviced by the educational institution; and

(2) from the training establishment a certification or an endorsement on the veteran's or wife's or widow's certificate, as to the number of lessons completed by the veteran or wife or widow and serviced by the institution.

Apprenticeship and Other On-Job Training

(c) No training assistance allowance shall be paid to an eligible veteran or eligible person enrolled in and pursuing a program of apprenticeship or other on-job training until the Administrator shall have received—

(1) from such veteran or person a certification as to his actual attendance during such period; and

(2) from the training establishment a certification, or an endorsement on the veteran's or person's certificate, that such veteran or person was enrolled in and pursuing a program of apprenticeship or other on-job training during such period.

Advance Payment of Initial Educational Assistance or Subsistence Allowance

(d) (1) The educational assistance or subsistence allowance advance payment provided for in this subsection is based upon a finding by the Congress that eligible veterans and eligible persons need additional funds at the beginning of a school term to meet the expenses of books, travel, deposits, and payment for living quarters, the initial installment of tuition, and the other special expenses which are concentrated at the beginning of a school term.

(2) Subject to the provisions of this subsection, and under regulations which the Administrator shall prescribe, an eligible veteran or eligible person shall be paid an educational assistance allowance or subsistence allowance, as appropriate, advance payment. Such advance payment shall be made in an amount equivalent to the allowance for the month or fraction thereof in which pursuit of the program will commence, plus the allowance for the succeeding month. In the case of a serviceman on active duty, who is pursuing a program of education (other than under subchapter VI of chapter 34), the advance payment shall be in a lump sum based upon the amount payable for the entire quarter, semester, or term, as applicable. In no event shall an advance payment be made under this subsection to a veteran or person intending to pursue a program of education on less than a half-time basis. The application for advance payment, to be made on a form prescribed by the Administrator, shall—

(A) in the case of an initial enrollment of a veteran or person in an educational institution, contain information showing that the veteran or person (1) is eligible for educational benefits, (ii) has been accepted by the institution, and (iii) has notified the institution of his intention to attend that institution; and

(B) in the case of a re-enrollment of a veteran or person, contain information showing that the veteran or person (i) is eligible to continue his program of education or training and (ii) intends to re-enroll in the same institution.

and, in either case, shall also state the number of semester or clock-hours to be pursued by such veterans or person.

(3) Subject to the provisions of this subsection, and under regulations which the Administrator shall prescribe, a person eligible for education or training under the provisions of subchapter VI of chapter 34 of this title shall be entitled to lump-sum educational assistance allowance advance payment, such advance payment shall in no event be made earlier than thirty days prior to the date on which pursuit of the person's program of education or training is to commence. The application for the advance payment, to be made on a form prescribed by the Administrator, shall in addition to the information prescribed in paragraph (2) (A), specify—

(A) that the program to be pursued has been approved;

(B) the anticipated cost and the number of Carnegie, clock, or semester hours to be pursued; and

(C) where the program to be pursued is other than a high school, credit course, the need of the person to pursue the course or courses to be taken.

(4) For purposes of the Administrator's determination whether any veteran or person is eligible for an advance payment under this section, the information submitted by the institution, the veteran or person, shall establish his eligibility unless there is evidence in his file in the processing office establishing that he is not eligible for such advance payment.

(5) The advance payment authorized by paragraphs (2) and (3) of this subsection shall, in the case of an eligible veteran or eligible person, be (A) drawn in favor of the veteran or person; (B) mailed to the educational institution listed on the application form for temporary care and delivery to the veterans or person by such institution; and (C) delivered to the veteran or person upon his registration at such institution, but in no event shall such delivery be made earlier than thirty days before the program of education is to commence.

(6) Upon delivery of the advance payment purusant to paragraph (5) of this subsection, the institution shall submit to the Administrator a certification of such delivery. If such delivery is not affected within thirty days after commencement of the program of education in question, such institution shall return such payment to the Administrator forthwtih.

Prepayment of Subsequent Educational Assistance or Subsistence Allowance

(e) Except as provided in subsection (g) of this section, subsequent payments of educational assistance or subsistence allowance to an eligible veteran or eligible person shall be prepaid each month, subject to such reports and proof of enrollment in and satisfactory pursuit of such programs as the Administrator may require. The Administrator may withhold the final payment for a period of enrollment until such proof is received and the amount of the final payment appropriately adjusted.

Recovery of Erroneous Payments

(f) If an eligible veteran or eligible person fails to enroll in or pursue a course for which an educational assistance or subsistence allowance, advance payment is made, the amount of such payment and any amount of subsequent payments which, in whole or in part, are due to erroneous information required to be furnished under subsection (d) (2) and (3) of this section, shall become an overpayment and shall constitute a liability of such veteran or person to the United States and may be recovered, unless waived pursuant to section 3102 of this title, from any benefit otherwise due him under any law administered by the Veterans' Administration or may be recovered in the same manner as any other debt due the United States.

Payments for Less Than Half-Time Training

(g) Payment of educational assistance allowance in the case of any eligible veteran or eligible person pursuing a program of education on less than a half-time basis (except as provided by subsection (d) (3) of this section) shall be made 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 such veteran or person has enrolled in and is pursuing a program at such institution. Such lump sum payment shall be computed at the rate provided in section 1682(b) or 1732(a) (2) of this title, as applicable.

Determination of Enrollment, Pursuit, and Attendance

(h) The Administrator, may, pursuant to regulations which he shall prescribe, determine enrollment in, pursuit of, and attendance at, any program of education or training or course by an eligible veteran or eligible person for any period for which he receives an educational assistance or subsistence allowance under this chapter for pursuing such program or course.

* * * * *

§ 1784. Reports by institutions; reporting fee

(a) Educational institutions shall, without delay, report to the Administrator in the form prescribed by him, the enrollment, interruption, and termination of the education of each eligible person or veteran enrolled therein under chapter 34, 35, or 36.

(b) The Administrator may pay to any educational institution, *or to any joint apprenticeship training committee acting as a training establishment,* furnishing education *or training* under either *this chapter or* chapter 34[,] *or* 35[,] [or 36] of this title, a reporting fee which will be in lieu of any other compensation or reimbursement for reports or certifications which such educational institution *or joint apprenticeship training committee* is required to [report] *submit* to him by law or regulation. Such reporting fee shall be computed for each calendar year by multiplying $3 by the number of eligible veterans or eligible persons enrolled under [chapters] *this chapter or chapter* 34[,] *or* 35[, and] of this title, or $4 in the case of those eligible veterans and eligible persons whose educational assistance checks are directed in care of each institution for temporary custody and delivery and are delivered at the time of registration as provided under section 1780(d) (5) of this title, on October 31 of that year; except that the Administrator may, where it is established by [the] *such* educational institution *or joint apprenticeship training committee* that eligible veteran plus eligible person enrollment on such date varies more than 15 per centum from the peak eligible veteran *enrollment* plus eligible person enrollment in such *educational* institution *or joint apprenticeship training committee* during such calendar year, establish such other date as representative of the peak enrollment as may be justified for [that] *such educational* institution *or joint apprenticeship training committee.* The reporting fee shall be paid to [the] *such* educational institution *or joint apprenticeship training committee* as soon as feasible after the end of the calendar year for which it is applicable.

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§ 1786. Correspondence courses

(a) (1) Each eligible veteran (as defined in section 1652(a) (1) and (2) of this title) and each eligible wife or widow (as defined in section 1701(a) (1) (B), (C), or (D) of this title) who enters into an enrollment agreement to pursue a program of education exclusively by correspondence shall be paid an educational assistance allowance com-

puted 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 or wife or widow. 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 or wife or widow, whichever is the lesser. Such allowance shall be paid quarterly on a prorata basis for the lessons completed by the veteran or wife or widow and serviced by the institution.

(2) The period of entitlement of any veteran or wife or widow who is pursuing any program of education exclusively by correspondence shall be charged with one month for each [$220] *$260* which is paid to the veteran or wife or widow as an educational assistance allowance for such course.

(b) The enrollment agreement shall fully disclose the obligation of both the institution and the veteran or wife or widow and shall prominently display the provisions for affirmance, termination, refunds, and the conditions under which payment of the allowance is made by the Administrator to the veteran or wife or widow. A copy of the enrollment agreement shall be furnished to each such veteran or wife or widow at the time such veteran or wife or widow signs such agreement.

No such agreement shall be effective unless such veteran or wife or widow shall, after the expiration of ten days after the enrollment agreement is signed, have signed and submitted to the Administrator a written statement, with a signed copy to the institution specifically affirming the enrollment agreement. In the event the veteran or wife or widow at any time notifies the institution of his intention not to affirm the agreement in accordance with the preceding sentence, the institution, without imposing any penalty or charging any fee shall promptly make a full refund of all amounts paid.

(c) In the event veteran or wife or widow elects to terminate his enrollment under an affirmed enrollment agreement, the institution (other than one subject to the provisions of section 1776 of this title) may charge the veteran or wife or widow a registration or similar fee not in excess of 10 per centum of the tuition for the course, or $50, whichever is less. Where the veteran or wife or widow elects to terminate the agreement after completion of one or more but less than 25 percentum of the total number of lessons comprising the course, the institution may retain such registration or similar fee plus 25 per centum of the tuition for the course. Where the veteran or wife or widow elects to terminate the agreement after completion of 25 per centum but less than 50 per centum of the lessons comprising the course, the institution may retain the full registration or similar fee plus 50 per centum of the course tuition. If 50 per centum or more of the lessons are completed, no refund of tuition is required.

§ 1787. Apprenticeship or other on-job training

(a) An eligible veteran (as defined in section 1652(a)(1) of this title) or an eligible person (as defined in section 1701(a) of this title) shall be paid a training assistance allowance as prescribed by subsection (b) of this section while pursuing 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 on-job training approved under provisions of section 1777 of this title.

subject to the conditions and limitations of chapters 34 and 35 with respect to educational assistance.

(b)(1) The monthly training assistance alowance of an eligible veteran pursuing a program described under subsection (a) shall be as follows:

Column I	Column II	Column III	Column IV	Column V
Periods of training	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
First 6 months	$160	$179	$196	$8
Second 6 months	120	139	156	8
Third 6 months	80	99	116	8
Fourth and any succeeding 6-month periods	40	59	76	8

Column I	*Column II*	*Column III*	*Column IV*	*Column V*
Type of training	*No dependents*	*One dependent*	*Two dependents*	*More than two dependents*
				The amount in column IV, plus the following for each dependent in excess of two:
First 6 months	*$189*	*$212*	*$232*	*$9*
Second 6 months	*142*	*164*	*184*	*9*
Third 6 months	*95*	*117*	*137*	*9*
Fourth and any succeeding 6-month periods	*47*	*70*	*90*	*9*

(2) The monthly training assistance allowance of an 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, and (D) $40 during the fourth and any succeeding six-month period.] *computed at the rate prescribed in paragraph (1) of this subsection for an eligible veteran with no dependents pursuing such a course.*

(3) In any month in which an eligible veteran or 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) or (2) of this section, as applicable, 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 the purpose of this chapter, 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" as set forth in chapters 34 and 35 of this title.

§ 1788. Measurement of courses

(a) For the purposes of this chapter and chapters 34 and 35 of this title—

(1) an institutional trade or technical course offered on a clock-hour basis [below the college level], *not leading to a standard college degree,* 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], *not leading to a standard college degree,* in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of twenty-five hours per week net of 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) a minimum of four units per year is required or (B) an individual is pursuing a program of education leading to an accredited high school diploma at a rate which, if continued, would result in receipt of such a diploma in four ordinary school years. For the purpose of subclause (A) 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 (including such hours for which no credit is granted but which are required to be taken to correct an eduactional deficiency and which the educational institution considers to be quarter or semester hours for other administrative purposes), for which credit is granted toward a standard college degree, 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, then twelve semester hours or the equivalent thereof shall be considered a full-time course;

(5) a program of apprenticeship or a program of other on-job training shall be considered a full-time program when the eligible veteran or 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; and

(6) an institutional course offered as part of a program of education [below the college level] *not leading to a standard college degree* under section 1691(a)(2) or 1696(a)(2) of this title shall be considered a full-time course on the basis of measurement criteria provided in clause (2), (3), or (4) as determined by the educational institution.

Notwithstanding the provisions of clause (1) or (2) of this subsection, an educational institution offering courses not leading to a standard college degree may measure such courses on a quarter- or semester-hour basis (with full time measured on the same basis as provided by clause (4) of this subsection); but (A) the academic portions of such courses must require outside preparation and be measured on not less than one quarter or one semester hour for each fifty minutes net of instruction per week or quarter or semester; (B) the laboratory portions of such courses must be measured on not less than one quarter or one semester hour for each two hours of attendance per week per quarter or semester; and (C) the shop portions of such courses must be measured on not less than one quarter or one semester hour for each three hours of attendance per week per quarter or semester. In no event shall such course be considered a full-time course when less than twenty-two hours per week of attendance is required.

* * * * *

§ 1796. Limitation on certain advertising, sales, and enrollment practices

(a) The Administrator shall not approve the enrollment of an eligible veteran or eligible person in any course offered by an institution which utilizes advertising, sales, or enrollment practices of any type which are erroneous, deceptive, or misleading either by actual statement, omission, or intimation.

(b) The Administrator shall pursuant to section 1794 of this title, enter into an agreement with the Federal Trade Commission to utilize, where appropriate, its services and facilities, consistent with its available resources, in carrying out invesitgations and making his determinations under subsection (a) of this section. Such agreement shall provide that cases arising under subsection (a) of this section or any similar matters with respect to any of the requirements of this chapter or chapters 34 and 35 of this title shall be referred to the Federal Trade Commission which in its discretion will conduct an investigation and make preliminary findings. The findings and results of any such investigations shall be referred to the Administrator who shall take appropriate action in such cases within ninety days after such referral.

(c) Not later than sixty days after the end of each fiscal year, the Administrator shall report to Congress on the nature and disposition of all cases arising under this section.

SUBCHAPTER III—EDUCATION LOANS TO ELIGIBLE VETERANS AND ELIGIBLE PERSONS

§ 1798. Eligibility for loans; amount and conditions of loans; interest rate on loans

(a) Each eligible veteran and eligible person shall be entitled to a loan under this subchapter in an amount determined under, and subject to the conditions specified in, subsection (b)(1) of this section if the veteran or person satisfies the requirements set forth in subsection (c) of this section.

(b)(1) Subject to paragraph (3) of this subsection, the amount of the loan to which an eligible veteran or eligible person shall be entitled under this subchapter for any academic year shall be equal to the amount needed by such veteran or person to pursue a program of education at the institution at which he is enrolled, as determined under paragraph (2) of this subsection.

(2)(A) The amount needed by a veteran or person to pursue a program of education at an institution for any academic year shall be determined by subtracting (i) the total amount of financial resources (as defined in subparagraph (B) of this paragraph) available to the veteran or person which may be reasonably expected to be expended by such veteran or person for educational purposes in any year from (ii) the actual cost of attendance (as defined in subparagraph (C) of this paragraph) at the institution in which such veteran or person is enrolled.

(B) The term "total amount of financial resources" of any veteran or person for any year means the total of the following:

(i) The annual adjusted effective income of the veteran or person less Federal income tax paid or payable by such veteran or person wtih respect to such income.

(ii) The amount of cash assets of the veteran or person.

(iii) The amount of financial assistance received by the veteran or person under the provisions of title IV of the Higher Education Act of 1965, as amended.

(iv) Educational assistance received by the veteran or person under this title other than under this subchapter.

(v) Financial assistance received by the veteran or person under any scholarship or grant program other than those specified in clauses (iii) and (iv).

(C) The term "actual cost of attendance" means, subject to such regulations as the Administrator may provide, the actual per-student charges for tuition, fees, room and board (or expenses related to reasonable commuting), books and an allowance for such other expenses as the Administrator determines by regulation to be reasonably related to attendance at the institution at which the veteran or person is enrolled.

(3) The aggregate of the amounts any veteran or person may borrow under this subchapter may not exceed $270 multiplied by the number of months such veteran or person is entitled to receive educational assistance under section 1661 or subchapter II of chapter 35, respectively, of this title, but not in excess of $600 in any one regular academic year.

(c) An eligible veteran or person shall be entitled to a loan under this subchapter if such veteran or person—

(1) is in attendance at an educational institution on at least a half-time basis and (A) is enrolled in a course leading to a standard college degree, or (B) is enrolled in a course, the completion of which requires six months or longer, leading to an identified and predetermined professional or vocational objective;

(2) has sought and is unable to obtain a loan, in the full amount needed by such veteran or person, as determined under subsection (b) of this section, under a student loan program insured pursuant to the provisions of part B of title IV of the Higher Education Act of 1965, as amended, or any successor authority; and

(3) enters into an agreement with the Administrator meeting the requirements of subsection (d) of this section.

No loan shall be made under this subchapter to an eligible veteran or person pursuing a program of correspondence, flight, apprentice or other on-job, or PREP training.

(d) Any agreement between the Administrator and a veteran or person under this subchapter—

(1) shall include a note or other written obligation which provides for repayment to the Administrator of the principal amount of, and payment of interest on, the loan in installments over a period beginning nine months after the date on which the borrower ceases to be at least a half-time student and ending ten years and nine months after such date;

(2) shall include provision for acceleration of repayment of all or any part of the loan, without penalty, at the option of the borrower;

(3) shall provide that the loan shall bear interest, on the unpaid balance of the loan, at a rate prescribed by the Administrator, with the concurrence of the Secretary of the Treasury, but at a rate not less than a rate determined by the Secretary, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the maturity of loans made under this subchapter, except that no interest shall accrue prior to the beginning date of repayment; and

(4) shall provide that the loan shall be made without security and without endorsement.

(e)(1) Except as provided in paragraph (2) of this subsection, whenever the Administrator determines that a default has occurred on any loan made under this subchapter, he shall decline an overpayment, and such overpayment shall be recovered from the veteran or person concerned in the same manner as any other debt due the United States.

(2) If a veteran or person who has received a loan under this section dies or becomes permanently and totally disabled, then the Administrator shall discharge the veteran's or person's liability on such loan by repaying the amount owed on such loan.

(3) The Administrator shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives, not later than one year after the date of enactment of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 and annually thereafter, a separate report specifying the default experience and rate at each educational institution along with a comparison of the collective default experience and rate at all such institutions.

§ 1799. Revolving fund; insurance

(a) There is hereby established in the Treasury of the United States a revolving fund to be known as the "Veterans' Administration Education Loan Fund" (hereinafter in this section referred to as the "Fund").

(b) The Fund shall be available to the Administrator, without fiscal year limitation, for the making of loans under this subchapter.

(c) There shall be deposited in the Fund (1) by transfer from current and future appropriations for readjustment benefits such amounts as may be necessary to establish and supplement the Fund in order to meet the requirements of the Fund, and (2) all collections of fees and principal and interest (including overpayments declared under section 1798(e) of this title) on loans made under this subchapter.

(d) The Administrator shall determine annually whether there has developed in the Fund a surplus which, in his judgment, is more than necessary to meet the needs of the Fund, and such surplus, if any, shall be deemed to have been appropriated for readjustment benefits.

(e) A fee shall be collected from each veteran or person obtaining a loan made under this subchapter for the purpose of insuring against defaults on loans made under this subchapter; and no loan shall be made under this subchapter until the fee payable with respect to such loan has been collected and remitted to the Administrator. The amount of the fee shall be established from time to time by the Administrator, but shall in no

event exceed 3 per centum of the total loan amount. The amount of the fee may be included in the loan to the veteran or person and paid from the proceeds thereof.

CHAPTER 41—JOB COUNSELING, TRAINING, AND PLACEMENT SERVICE FOR VETERANS

* * * * *

§ 2001. Definitions

For the purposes of this chapter—

(1) The term "eligible veteran" means a person who served in the active military, naval, or air service and who was discharged or released therefrom with other than a dishonorable discharge.

(2) *The term "eligible person" means—*

(A) the spouse of any person who died of a service-connected disability.

(B) the spouse of any member of the Armed Forces serving on active duty who, at the time of application for assistance under this chapter, is listed, pursuant to section 556 of title 37 and, regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (i) missing in action, (ii) captured in line of duty by a hostile force, or (iii) forcibly detained or interned in line of duty by a foreign government or power, or

(C) the spouse of any person who has a total disability permanent in nature resulting from a service-connected disability or the spouse of a veteran who died while a disability so evaluated was in existence.

[(2)] *(3)* The term "State" means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, and may include, to the extent determined necessary and feasible, American Samoa, the Virgin Island, and the Trust Territory of the Pacific Islands.

§ 2002. Purpose

The Congress declares as its intent and purpose that there shall be an effective (1) job and job training counseling service program, (2) employment placement service program, and (3) job training placement service program for eligible veterans *and eligible persons* and that, to this end policies shall be promulgated and administered through a Veterans Employment Service within the Department of Labor, so as to provide such veterans *and persons* the maximum of employment and training opportunities through existing programs, coordination and merger of programs and implementation of new programs.

§ 2003. Assignment of veterans' employment representative

The Secretary of Labor shall assign to each State a representative of the Veterans' Employment Service to serve as the veterans' employment representative, and shall further assign to each State one assistant veterans' employment representative for each 250,000 *eligible* veterans *and eligible persons* of the State veterans population, and such additional assistant veterans' employment representatives as he shall determine, based on the data collected pursuant to section 2007 of this title, to be necessary to assist the veterans' employment representative to carry out effectively in that State the purposes of this chapter. Each veterans' employment representative and assistant veterans' employment representative shall be an eligible veteran who at the time of appointment shall have been a bona fide resident of the State for at least two years and who shall be appointed in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 of subchapter III of chapter 53 of such title, relating to classification and general schedule pay rates. Each such veterans' employment representative and assistant veterans' employment representative shall be attached to the staff of the public employment service in the State to which they have been assigned. They shall be administratively responsible to the Secretary of Labor for the execution of the Secretary's veterans' *and eligible persons'* counseling and placement policies through the public employment service and in cooperation with manpower and training programs administered by the Secretary in the State. In cooperation with the public employment service staff and the staffs of each such other program in the State, the veterans' employment representative and his assistants shall—

(1) be functionally responsible for the supervision of the registration of eligible veterans *and eligible persons* in local employment offices for suitable types of employment and training and for counseling and placement of eligible veterans *and eligible persons* in employment and job training programs;

(2) engage in job development and job advancement activities for eligible veterans *and eligible persons,* including maximum coordination with appropriate officials of the Veterans' Administration in that agency's carrying out of its responsibilities under subchapter IV of chapter 3 of this title and in the conduct of job fairs, job marts, and other special programs to match eligible veterans *and eligible persons* with appropriate job and job training opportunities;

(3) assist in securing and maintaining current information as to the various types of available employment and training opportunities, including maximum use of electronic data processing and telecommunications systems and the matching of an eligible veteran's *or an eligible person's* particular qualifications with an available job or on-job training or appenticeship opportunity which is commensurate with those qualifications;

(4) promote the interest of employers and labor unions in employing eligible veterans *and eligible persons* and in conducting on-job training and apprenticeship programs for such veterans *and persons;*

(5) maintain regular contact with employers, labor unions, training programs and veterans' organizations with a view to keeping them advised of eligible veterans *and eligible persons* available for employment and training and to keeping eligible veterans *and eligible persons* advised of opportunities for employment and training; and

(6) assist in every possible way in improving working conditions and the advancement of employment of eligible veterans *and eligible persons.*

* * * * *

§ 2005. Cooperation of Federal agencies

All Federal agencies shall furnish the Secretary of Labor such records, statistics, or information as he may deem necessary or appropriate in administering the provisions of this chapter, and shall otherwise cooperate with the Secretary in providing continuous employment and training opportunities for eligible veterans *and eligible persons.*

§ 2006. Estimate of funds for administration; authorization of appropriations

(a) The Secretary of Labor shall estimate the funds necessary for the proper and efficient administration of this chapter. Such estimated sums shall include the annual amounts necessary for salaries, rents, printing and binding, travel, and communications. Sums thus estimated shall be included as a special item in the annual budget for the Department of Labor. Estimated funds necessary for proper counseling, placement, and training services to *eligible* veterans *and eligible persons* provided by the various State public employment service agencies shall be separately identified in the budgets of those agencies as approved by the Department of Labor.

(b) There are authorized to be appropriated such sums as may be necessary for the proper and efficient administration of this chapter.

(c) In the event that the regular appropriations Act making appropriations for administrative expenses for the Department of Labor with respect to any fiscal year does not specify an amount for the purposes specified in subsection (b) of this section for that fiscal year, then of the amounts appropriated in such Act there shall be available only for the purposes specified in subsection (b) of this section such amount as was set forth in the budget estimate submitted pursuant to subsection (a) of this section.

(d) Any funds made available pursuant to subsections (b) and (c) of this section shall not be available for any purpose other than those specified in such subsections, except with the approval of the Secretary of Labor based on a demonstrated lack of need for such funds for such purposes.

§ 2007. Administrative controls; annual report

(a) The Secretary of Labor shall establish administrative controls for the following purposes:

(1) To insure that each eligible veteran, especially those veterans who have been recently discharged or released from active duty, *and each eligible person* who requests assistance under this chapter shall promptly be placed in a satisfactory job or job training opportunity or receive some other specific form of assistance designed to enhance his employment prospects substantially, such as individual job development or employment counseling services.

(2) To determine whether or not the employment service agencies in each State have committed the necessary staff to insure that the provisions of this chapter are carried out; and to arrange for necessary corrective action where staff resources have been determined by the Secretary of Labor to be inadequate.

(b) *The Secretary of Labor shall establish definite performance standards for determining compliance by the State public employment service agencies with the provisions of this chapter and chapter 42 of this title. A full report as to the extent and reasons for any noncompliance by any such State agency during any fiscal year, together with the agency's plan for corrective action during the succeeding year, shall be included in the annual report of the Secretary of Labor required by subsection (c) of this section.*

[(b)] *(c)* The Secretary of Labor shall report annually to the Congress on the success of the Department of Labor and its affiliated State employment service agencies in carrying out the provisions of this chapter. The report shall include, by State, the number of recently discharged or released eligible veterans, veterans with service-connected disabilities, [and] other eligible [veterans] *veterans, and eligible persons* who requested assistance through the public employment service and, of these, the number placed in suitable employment or job training opportunities, or who were otherwise assisted, with separate reference to occupational training under appropriate Federal law. The report shall include any determination by the Secretary under section 2001 or 2006 of this title and a statement of the reasons for such determination.

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CHAPTER 42—EMPLOYMENT AND TRAINING OF DISABLED AND VIETNAM ERA VETERANS

Sec.
2011. Definitions.
2012. Veterans' employment emphasis under Federal contracts.
2013. Eligibility requirements for veterans under certain Federal Manpower training programs.
2014. Employment within the Federal Government.

§ 2012. Veterans' employment emphasis under Federal contracts

(a) Any contract *in the amount of $10,000 or more* entered into by any department or agency for the procurement of personal property and non-personal services (including construction) for the United States, shall contain a provision requiring that [, in employing persons to carry out such contract,] the party contracting with the United States shall [give special emphasis to the employment of] *take affirmative action to employ and advance in employment* qualified disabled veterans and veterans of the Vietnam era. The provisions of this section shall apply to any subcontract entered into by a prime contractor in carrying out any contract for the procurement of personal property and non-personal services (including construction) for the United States. [The] *In addition to requiring affirmative action to employ such veterans under such contracts and subcontracts and in order to promote the implementation of such requirement, the* President shall implement the provisions of this section by promulgating regulations within 60 days after the date of enactment of this section, which regulations shall require that (1) each such contractor undertake in such contract to list immediately with the appropriate local employment service office all of its suitable employment openings, and (2) each such local office shall give such veterans priority in referral to such employment openings.

(b) If any disabled veteran or veteran of the Vietnam era believes any contractor has failed or refuses to comply with the provisions of his contract with the United States, relating to [giving special emphasis in] *the* employment [to] *of* veterans, such veteran may file a complaint with the Veterans' Employment Service of the Department of Labor. Such complaint shall be promptly referred to the Secretary who shall promptly investigate such complaint and shall take such action thereon as the facts and circumstances warrant consistent with the terms of such contract and the laws and regulations applicable thereto.

* * * * *

§ 2014. Employment within the Federal Government.

(a) It is the policy of the United States and the purpose of this section to promote the maximum of employment and job advancement opportunities within the Federal Government for qualified disabled veterans and veterans of the Vietnam era.

(b) To further this policy, veterans of the Vietnam era shall be eligible, in accordance with regulations which the Civil Service Commission shall prescribe, for veterans readjustment appointments up to and including the level GS-5, as specified in subchapter II of chapter 51 of title 5, and subsequent career conditional appointments, under the terms and conditions specified in Executive Order Numbered 11521 (March 26, 1970), except that is applying the one-year period of eligibility specified in section 2(a) of such order to a veteran or disabled veteran who enrolls, within one year following separation from the Armed Forces or following release from hospitalization or treatment immediately following separation from the Armed Forces, in a program of education (as defined in section 1652 of this title) on more than a half-time basis (as defined in section 1788 of this title), the time spent in such program of education (including customary periods of vacation and permissible absences) shall not be counted. The eligibility of such a veteran for a readjustment appointment shall continue for not less than six months after such veteran first ceases to be enrolled therein on more than a half-time basis. No veterans readjustment appointment may be made under authority of this subsection after June 30, 1978.

(c) Each department, agency, and instrumentality in the executive branch shall include in its affirmative action plan for the hiring, placement, and advancement of handicapped individuals in such department, agency, or instrumentality as required by section 501(b) of Public Law 93-112 (87 Stat. 319), a separate specification of plans (in accordance with regulations which the Civil Service Commission shall prescribe in consultation with the Administrator, the Secretary of Labor, and the Secretary of Health, Education, and Welfare, consistent with the purposes, provisions and priorities of such Act) to promote and carry out such affirmative action with respect to disabled veterans in order to achieve the purpose of this section.

(d) The Civil Service Commission shall be responsible for the review and evaluation of the implementation of this section and the activities of each such department, agency, and instrumentality to carry out the purpose and provisions of this section. The Commission shall periodically obtain and publish (on at least a semiannual basis) reports on such implementation and activities from each such department, agency, and instrumentality, including specification of the use and extent of appointments made under subsection (b) of this section and the results of the plans required under subsection (c) thereof.

(e) The Civil Service Commission shall submit to the Congress annually a report on activities carried out under this section, except that, with respect to subsection (c) of this section, the Commission may include a report of such activities separately in the report required to be submitted by section 501 (d) of such Public Law 93-112, regarding the employment of handicapped individuals by each department, agency, and instrumentality.

(f) Notwithstanding section 2011 of this title, the terms "veteran" and "disabled veteran" as used in this section shall have the meaning provided for under generally applicable civil service law and regulations.

Chapter 43—Veterans' Reemployment Rights

Sec.
2021. Right to reemployment of inducted persons; benefits protected.
2022. Enforcement procedures.
2023. Reemployment by the United States, territory, possession, or the District of Columbia.
2024. Rights of persons who enlist or are called to active duty; Reserves.
2025. Assistance in obtaining reemployment.
2026. Prior rights for reemployment.

§ 2021. Right to reemployment of inducted persons; benefits protected

(a) In any case in which any person is inducted into the Armed Forces of the United States under the Military Selective Service Act (or under any prior or subsequent corresponding law) for training and service and who leaves a position (other than a temporary position) in the employ of any employer in order to perform such training and service, and (1) receives a certificate described in section 9(a) of the Military Selective Service Act (relating to the satisfactory completion of military service) and (2) makes application for reemployment within ninety days after such person is relieved from such training and service from hospitalization continuing after discharge for a period of not more than one year—

(A) if such position was in the employ of the United States Government, its territories, or possessions, or political subdivisions thereof, or the District of Columbia, such person shall—

(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position, by reason of disability sustained during such service, but qualified to perform the duties of any other position in the employ of the employer, be offered employment and, if such person so requests, be employed in such other position the duties of which such person is qualified to perform as will provide such person like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such person's case;

(B) if such position was in the employ of a State or political subdivision thereof or a private employer, such person shall—

(i) if still qualified to perform the duties of such position, be restored by such employer or his successor in interest to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service, but qualified to perform the duties of any other position in the employ of such employer or his successor in interest, be offered employment and, if such person so requests, be employed by such employer or his successor in interest in such other position the duties of which such person is qualified to perform as will provide such person like seniority, status, and pay, or the nearest appropriation thereof consistent with the circumstances in such person's case,

urless the employer's circumstances have so changed as to make it impossible or unreasonable to do so. Nothing in this chapter shall excuse noncompliance with any statute or ordinance of a State or political subdivision thereof establishing greater or additional rights or protections than the rights and protections established pursuant to this chapter.

(b)(1) Any person who is restored to or employed in a position in accordance with the provisions of clause (A) or (B) of subsection (a) of this section shall be considered as having been on furlough or leave of absence during such person's period of training and service in the Armed Forces, shall be so restored or reemployed without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted into such forces, and shall not be discharged from such position without cause within one year after such restoration or reemployment.

(2) It is hereby declared to be the sense of the Congress that any person who is restored to or employed in a position in accordance with the provisions of clause (A) or (B) of subsection (a) of this section should be so restored or reemployed in such manner as to give such person such status in his employment as he would have enjoyed if such person had continued in such employment continuously from the time of such person's entering the Armed Forces until the time of such person's restoration to such employment or reemployment.

(3) Any person who holds a position described in clause (A) or (B) of subsection (a) of this section shall not be denied retention in employment or any promotion or other incident or advantage of employment because of any obligation as a member of a Reserve component of the Armed Forces.

(c) The rights granted by subsections (a) and (b) of this section to persons who left the employ of a State or political subdivision thereof and were inducted into the Armed Forces shall not diminish any rights such persons may have pursuant to any statute or ordinance of such State or political subdivision establishing greater or additional rights or protections.

§ 2022. Enforcement procedures

If any employer, who is a private employer or a State or political subdivision thereof, fails or refuses to comply with the provisions of section 2021(a) or (b)(1), (b)(3), or section 2024, the district court of the United States for any district in which such private employer maintains a place of business, or in which such State or political subdivision thereof exercises authority or carries out its functions, shall have the power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, specifically to require such employer to comply with such provisions and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action. Any such compensation shall be in addition to and shall not be deemed to diminish any of the benefits provided for in such provisions.

The court shall order speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States attorney or comparable official for any district in which such private employer maintains a place of business, or in which such State or political subdivision thereof exercises authority or carries out its functions, by any person claiming to be entitled to the benefits provided for in such provisions, such United States attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof specifically to require such employer to comply with such provisions. No fees or court costs shall be taxed against any person who may apply for such benefits. In any such action only the employer shall be deemed a necessary party respondent. No State statute of limitations shall apply to any proceedings under this chapter.

§ 2023. Reemployment by the United States, territory, possession, or the District of Columbia.

(a) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a) and who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by any territory or possession, or political subdivision thereof, or by the District of Columbia, shall be so restored or reemployed by any such agency or the successor to its functions, or by such territory, possession, political subdivision, or the District of Columbia. In any case in which, upon appeal of any person who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by the District of Columbia, the United States Civil Service Commission finds that—

(1) such agency is no longer in existence and its functions have not been transferred to any other agency; or

(2) for any reason it is not feasible for such person to be restored to employment by such agency or by the District of Columbia,

the Commission shall determine whether or not there is a position in any other agency in the executive branch of the Government or in the government of the District of Columbia for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be offered employment and, if such person so requests, be employed in such position by the agency in which such position exists or by the government of the District of Columbia, as the case may be. The Commission is authorized and directed to issue regulations giving full force and effect to the provisions of this section insofar as they relate to persons entitled to be restored to or employed in positions in the executive branch of the Government or in the government of the District of Columbia, including persons entitled to be reemployed under the last sentence of subsection (b) of this section. The agencies in the executive branch of the Government and the government of the District of Columbia shall comply with such rules, regulations, and orders issued by the Commission pursuant to this subsection. The Commission is authorized and directed whenever it finds, upon appeal of the person concerned, that any agency in the executive branch of the Government or the government of the District of Columbia has failed or refuses to comply with the provisions of this section, to issue an order specifically requiring such agency or the government of the District of Columbia to comply with such provisions and to compensate such person for any loss of salary or wages suffered by reason of failure to comply with such provisions, less any amounts received by such person through other employment, unemployment compensation, or readjustment allowances. Any such compensation ordered to be paid by the Commission shall be in addition to and shall not be deemed to diminish any of the benefits provided for in such provisions, and shall be paid by the head of the agency concerned or by the government of the District of Columbia out of appropriations currently available for salary and expenses of such agency or government, and such appropriations shall be available for such purpose. As used in this chapter, the term "agency in the executive branch of the Government" means any department, independent establishment, agency, or corporation in the executive branch of the United States Government (including the States Postal Service and the Postal Rate Commission).

(b) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a), and who was employed, immediately before entering the Armed Forces, in the legislative branch of the Government, shall be so restored or employed by the officer who appointed such person to the position which such person held immediately before entering the Armed Forces. In any case in which it is not possible for any such person to be restored to or employed in a position in the legislative branch of the Government and such person is otherwise eligible to acquire a status for transfer to a position in the competitive service in accordance with section 304(c) of title 5, the United States Civil Service Commission shall, upon appeal of such person, determine whether or not there is a position in the executive branch of the Government for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be offered employment and, if such person so requests, be employed in such position by the agency in which such position exists.

(c) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a) and who was employed, immediately before entering the Armed Forces, in the judicial branch of the Government, shall be so restored or reemployed by the officer who appointed such person to the position which such person held immediately before entering the Armed Forces.

§ 2024. Rights of persons who enlist or are called to active duty; Reserves

(a) Any person who, after entering the employment on the basis of which such person claims restoration or reemployment, enlists in the Armed Forces of the United States (other than in a Reserve component) shall be entitled upon release from service under honorable conditions to all the reemployment rights and other benefits provided for by this section in the case of persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), if the total of such person's service performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any service, additional or otherwise performed by such person after August 1, 1961, does not exceed five years, and if the service in excess of four years after August 1, 1961, is at the request and for the convenience of the Federal Government (plus in each case any period of additional service imposed pursuant to law).

(b)(1) Any person who, after entering the employment on the basis of which such person claims restoration or reemployment enters upon active duty (other than for the purpose of determining physical fitness and other than for training), whether or not voluntarily, in the Armed Forces of the United States or the Public Health Service in response to an order or call to active duty shall, upon such person's relief from active duty under honorable conditions be entitled to all of the reemployment rights and benefits provided by this chapter in the case of persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), if the total of such active duty performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any such active duty, additional or otherwise, performed after August 1, 1961, does not exceed four year (plus in each case any additional period in which such person was unable to obtain orders relieving such person from active duty).

(2) Any member of a Reserve component of the Armed Forces of the United States who voluntarily or involuntarily enters upon active duty (other than for the purpose of determining physical fitness and other than for training) or whose active duty is voluntary or involuntarily extended during a period when the President is authorized to order units of the Ready Reserve or members of a Reserve or members of a Reserve component to active duty shall have the service limitation governing eligibility for reemployment rights under subsection (b)(1) of this section extended by such member's period of such active duty, but not to exceed that period of active duty to which the President is authorized to order units of the Ready Reserve or members of a Reserve component. With respect to a member who voluntarily enters upon active duty or whose active duty is voluntarily extended, the provisions of this sub-section shall apply only when such additional active duty is at the request and for the convenience of the Federal Government.

(c) Any member of a Reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than three consecutive months shall, upon application for reemployment within thirty-one days after (1) such member's release from such active duty for training after satisfactory service, or (2) such member's discharge from hospitalization incident to such active duty for training, or one year after such member's scheduled release from such training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this chapter for persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), except that (A) any person

restored to or employed in a position in accordance with the provisions of this subsection shall not be discharged from such position without cause within six months after that restoration, and (B) no reemployment rights by this subsection shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under those provisions of title 5 relating to veterans and other preference eligibles.

(d) Any employee not covered by subsection (c) of this section who holds a position described in clause (A) or (B) of section 2021(a) shall upon request be granted a leave of absence by such person's employer for the period required to perform active duty for training or inactive duty training in the Armed Forces of the United States. Upon such employee's release from a period of such active duty for training or inactive duty training, or upon such employee's discharge from hospitalization incident to that training, such employee shall be permitted to return to such employee's position with such seniority, status, pay, and vacation as such employee would have had if such employee had not been absent for such purposes. Such employee shall report for work at the beginning of the next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following such employee's release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled working period shall make the employee subject to the conduct rules of the employer pertaining to explanations and discipline with respect to absence from scheduled work. If such an employee is hospitalized incident to active duty for training or inactive duty training, such employee shall be required to report for work at the beginning of the next regularly scheduled work period after expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control, or within one year after such employee's release from active duty for training or inactive duty training, whichever is earlier. If an employee covered by this subsection is not qualified to perform the duties of such employee's position by reason of disability sustained during active duty for training or inactive duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, such employee shall be offered employment and, if such person so requests, be employed by that employer or his successor in interest in such other position the duties of which such employee is qualified to perform as will provide such employee like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such employee's case.

(e) Any employee not covered by subsection (c) of this section who holds a position described in clause (A) or (B) of section 2021(a) shall be considered as having been on leave of absence during the period required to report for the purpose of being inducted into, entering, or determining, by a preinduction or other examination, physical fitness to enter the Armed Forces. Upon such employee's rejection, upon completion of such employee's preinduction or other examination, or upon such employee's discharge from hospitalization incident to such rejection or examination, such employee shall be permitted return to such employee's position in accordance with the provisions of subsection (d) of this section.

(f) For the purposes of subsections (c) and (d) of this section, full-time training or other full-time duty performed by a member of the National Guard under section 316, 503, 504, or 505 of title 32, is considered active duty for training; and for the purpose of subsection (d) of this section, inactive duty training performed by that member under section 502 of title 32 or section 206, 301, 309, 402, or 1002 of title 37, is considered inactive duty training.

§ 2025. Assistance in obtaining reemployment

The Secretary of Labor, through the Office of Veterans' Reemployment Rights, shall render aid in the replacement in their former positions or reemployment of persons who have satisfactorily completed any period of active duty in the Armed Forces or the Public Health Service. In rendering such aid, the Secretary shall use existing Federal and State agencies engaged in similar or related activities and shall utilize the assistance of volunteers.

§ 2026. Prior rights for reemployment

In any case in which two or more persons who are entitled to be restored to or employed in a position under the provisions of this chapter or of any other law relating to similar reemployment benefits left the same position in order to enter the Armed Forces, the person who left such position first shall have the prior right to be restored thereto or reemployed on the basis thereof, without prejudice to the reemployment rights of the other person or persons to be restored or reemployed.

MILITARY SELECTIVE SERVICE ACT
(Public law 92–129)

* * * * *

Sec. 9. Reemployment.—(a) Any person inducted into the armed forces under this title for training and service, who, in the judgment of those in authority over him, satisfactorily completes his period of training and service under section 4(b) shall be entitled to a certificate to that effect upon the completion of such period of training and service, which shall include a record of any special proficiency or merit attained. In addition, each such person who is inducted into the armed forces under this title for training and service shall be given a physical examination at the beginning of such training and service, and upon the completion of his period of training and service under this title, each such person shall be given another physical examination and, upon his written request, shall be given a statement of physical condition by the Secretary concerned: *Provided*, That such statement shall not contain any reference to mental or other conditions which in the judgment of the Secretary concerned would prove injurious to the physical or mental health of the person to whom it pertains: *Provided further*, That, if upon completion of training and service under this title, such person continues on active duty without an interruption of more than seventy-two hours as a member of the Armed Forces of the United States, a physical examination upon completion of such training and service shall not be required unless it is requested by such person, or the medical authorities of the Armed Force concerned determine that the physical examination is warranted.

[(b) In the case of any such person who, in order to perform such training and service, has left or leaves a position (other than a temporary position) in the employ of any employer and who (1) receives such certificate, and (2) makes application for reemployment within ninety days after he is relieved from such training and service or from hospitalization continuing after discharge for a period of not more than one year—

[(A) if such position was in the employ of the United States Government, its Territories, or possessions, or political subdivisions thereof, or the District of Columbia, such person shall—

[(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority; status, and pay; or

[(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case;

[(B) if such position was in the employ of a private employer, such person shall—

[(i) if still qualified to perform the duties of such position, be restored by such employer or his successor in interest to such position or to a position of like seniority, status, and pay; or

[(ii) if not qualified to perform the duties of such position, by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of such employer or his successor in interest, be restored by such employer or his successor in interest to such either position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

unless the employers' circumstances have so changed as to make it impossible or unreasonable to do so;

[(C) if such position was in the employ of any State or political subdivision thereof, it is hereby declared to be the sense of the Congress that such person should—

[(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

[(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

[(c) (1) Any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) shall be considered as having been on furlough or leave of absence during his period of training and service in the armed forces, shall be so restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted into such forces, and shall not be discharged from such position without cause within one year after such restoration.

[(2) It is hereby declared to be the sense of the Congress that any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) should be so restored in such manner as to give him such status in his employment as he would have enjoyed if he had continued in such employment continuously from the time of his entering the armed forces until the time of his restoration to such employment.

[(3) Any person who holds a position described in paragraph (A) or (B) of subsection (b) shall not be denied retention in employment or any promotion or other incident or advantage of employment because of any obligation as a member of a reserve component of the Armed Forces of the United States.

[(d) In case any private employer fails or refuses to comply with the provisions of subsection (b), subsection (c)(1), subsection (c)(3), or subsection (g) of the district court of the United States for the district in which such private employer maintains a place of business shall have power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, specifically to require such employer to comply with such provisions and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action: *Provided*, That any such compensation shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions. The court shall order speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States Attorney or comparable official for the district in which such private employer maintains a place of business, by any person claiming to be entitled to the benefits of such provisions, such United States Attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition or other appropriate pleading and the prosecution thereof specifically to require such employer to comply with such provisions: *Provided*, That no fees or court costs shall be taxed against any person who may apply for such benefits: *Provided further*, That only the employer shall be deemed a necessary party respondent to any such action.

[(e)(1) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the armed forces, by any agency in the executive branch of the Government or by any Territory or possession, or political subdivision thereof, or by the District of Columbia, shall be so restored by such agency or the successor to its functions, or by such Territory, possession, political subdivision, or the District of Columbia. In any case in which, upon appeal of any person who was employed immediately before entering the armed forces by any agency in the executive branch of the Government or by the District of Columbia, the United States Civil Service Commission finds that—

[(A) such agency is no longer in existence and its functions have not been transferred to any other agency; or

[(B) for any reason it is not feasible for such person to be restored to employment by such agency or by the District of Columbia, the Commission shall determine whether or not there is a position in any other agency in the executive branch of the Government or in the government of the District of Columbia for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be restored to such position by the agency in which such position exists or by the government of the District of Columbia, as the case may be. The Commission is authorized and directed to issue regulations giving full force and effect to the provision of this section insofar as they relate to persons entitled to be restored to positions in the executive branch of the Government or in the government of the District of Columbia, including persons entitled to be restored under the last sentence of paragraph (2) of this subsection. The agencies in the executive branch of the Government and the government of the District of Columbia shall comply with such rules and regulations and orders issued by the Commission pursuant to this subsection. The Commission is authorized and directed whenever it finds, upon appeal of the person concerned, that any agency in the executive branch of the Government or the government of the District of Columbia has failed or refuses to comply with the provisions of this section, to issue an order specifically requiring such agency or the government of the District of Columbia to comply with such provisions and to compensate such person for any loss of salary or wages suffered by reason of failure to comply with such provisions, less any amounts received by him through other employment, unemployment compensation, or readjustment allowances: *Provided*, That any such compensation ordered to be paid by the Commission shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions, and shall be paid by the head of the agency concerned or by the government of the District of Columbia out of appropriations currently available for salary and expenses of such agency or government, and such appropriations shall be available for such purpose. As used in this paragraph, the term "agency in the executive branch of the Government" means any department, independent establishment, agency, or corporation in the executive branch of the United States Government.

[(2) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b), and who was employed, immediately before entering the armed forces, in the legislative branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the armed forces. In any case in which it is not possible for any such person to be restored to a position in the legislative branch of the Government and he is otherwise eligible to acquire a status for transfer to a position in the classified (competitive) civil service in accordance with section 2(b) of the Act of November 26, 1940 (54 Stat. 1212), the United States Civil Service Commission shall, upon appeal of such person, determine whether or not there is a position in the executive branch of the Government for which he is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be restored to such position by the agency in which such position exists.

[(3) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the armed forces, in the judicial branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the armed forces.

[(f) In any case in which two or more persons who are entitled to be restored to a position under the provisions of this section or of any other law relating to similar reemployment benefits left the same position in order to enter the armed forces, the person who left such position first shall have the prior right to be restored thereto, without prejudice to the reemployment rights of the other person or persons to be restored.

[(g)(1) Any person who, after entering the employment to which he claims restoration, enlists in the Armed Forces of the United States (other than in a reserve component) shall be entitled upon release from service under honorable conditions to all the reemployment rights and other benefits provided for by this section in the case of persons inducted under the provision of this title, if the total of his service performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any service, additional or otherwise performed by him after August 1, 1961, does not exceed five years, provided that the service in excess of four years after August 1, 1961, is at the request and for the convenience of the Federal Government (plus in each case any period of additional service imposed pursuant to law).

[(2)(A) Any person who, after entering the employment to which he claims restoration enters upon active duty (other than for the purpose of determining his physical fitness and other than for training), whether or not voluntarily, in the Armed Forces of the United States or the Public Health Service in response to an order or call to active duty shall, upon his relief from active duty under honorable conditions, be entitled to all of the reemployment rights and benefits provided by this section in the case of persons inducted under the provisions of this title, if the total of such active duty performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any such active duty, additional or otherwise, performed after August 1, 1961, does not exceed four years (plus in each case any additional period in which he was unable to obtain orders relieving him from active duty).

[(B) Any member of a Reserve component of the Armed Forces of the United States who voluntarily or involuntarily enters upon active duty (other than for the purpose of determining his physical fitness and other than for training) or whose active duty is voluntarily or involuntarily extended during a period when the President is authorized to order units of the Ready Reserve or members of a Reserve component to active duty shall have the service limitation governing eligibility for reemployment rights under paragraph (2)(A) of this subsection extended by his period of such active duty, but not to exceed that period of active duty to which the President is authorized to order units of the Ready Reserve or members of a Reserve component: *Provided*, That with respect to a member who voluntarily enters upon active duty or whose active duty is voluntarily extended the provisions of this paragraph shall apply only when such additional active duty is at the request and for the convenience of the Federal Government.

[(3) Any member of a reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than three consecutive months shall, upon application for reemployment within thirty-one days after (A) his release from that active duty for training after satisfactory service, or (B) his discharge from hospitalization incident to that active duty for training, or one year after his scheduled release from the training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this section for persons inducted under the provisions of this title, except that (A) any person restored to a position in accordance with the provisions of this paragraph shall not be discharged from such position without cause within six months after that restoration, and (B) no reemployment rights granted by this paragraph shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851 and the following).

[(4) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall upon request be granted a leave of absence by his employer for the period required to perform active duty for training or inactive duty training in the Armed Forces of the United States. Upon his release from a period of such active duty for training or inactive duty training, or upon his discharge from hospitalization incident to that training, such employee shall be permitted to return to his position with such seniority, status, pay, and vacation as he would have had if he had not

been absent for such purposes. He shall report for work at the beginning of his next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following his release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled working period shall make the employee subject to the conduct rules of the employer pertaining to explanations and discipline with respect to absence from scheduled work. If that employee is hospitalized incident to active duty for training or inactive duty training, he shall be required to report for work at the beginning of his next regularly scheduled work period after expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control, or within one year after his release from active duty for training or inactive duty training, whichever is earlier. If any employee covered by this paragraph is not qualified to perform the duties of his position by reason of disability sustained during active duty for training or inactive duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, he shall be restored by that employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

[(5) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall be considered as having been on leave of absence during the period required to report for the purpose of being inducted into, entering or determining by a preinduction or other examination his physical fitness, to enter the Armed Forces of the United States. Upon his rejection, upon completion of his preinduction or other examination, or upon his discharge from hospitalization incident to that rejection or examination, such employee shall be permitted to return to his position in accordance with the provisions of paragraph (4) of this subsection.

[(6) For the purposes of paragraphs (3) and (4), full-time training or other full-time duty performed by a member of the National Guard under section 316, 503, 504, or 505 of title 32, United States Code, is considered active duty for training; and for the purpose of paragraph (4), inactive duty training performed by that member under section 502 of title 32, or section 301 of title 37, United States Code, is considered inactive duty training.

[(h) The Secretary of Labor, through the Bureau of Veterans' Reemployment Rights, shall render aid in the replacement in their former positions of persons who have satisfactorily completed any period of active duty in the armed forces of the United States or the Public Health Service. In rendering such aid, the Secretary shall use the then existing Federal and State agencies engaged in similar or related activities and shall utilize the assistance of volunteers.]

[(i)](b) Right to vote; Poll Tax.—Any person inducted into the armed forces for training and service under this title shall, during the period of such service, be permitted to vote in person or by absentee ballot in any general, special, or primary election occurring in the State of which he is a resident, whether he is within or outside such State at the time of such election, if under the laws of such State he is otherwise entitled to vote in such elections; but nothing in this subsection shall be construed to require granting to any such person a leave of absence or furlough for longer than one day in order to permit him to vote in person in any such election. No person inducted into, or enlisted in, the armed forces for training and service under this title shall, during the period of such service, as a condition of voting in any election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, be required to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

[(j)](c) Reports of separation.—The Secretaries of Army, Navy, Air Force, or Transportation shall furnish to the Selective Service System hereafter established a report of separation for each person separated from active duty.

WM. J. BRYAN DORN,
OLIN E. TEAGUE,
JAMES A. HALEY,
THADDEUS J. DULSKI,
HENRY HELSTOSKI,
JOHN PAUL HAMMERSCHMIDT,
MARGARET M. HECKLER,
JOHN M. ZWACH,
CHALMERS P. WYLIE,
Managers on the Part of the House.

VANCE HARTKE,
H. E. TALMADGE,
JENNINGS RANDOLPH,
HAROLD E. HUGHES,
ALAN CRANSTON,
CLIFFORD P. HANSEN,
STROM THURMOND,
ROBERT T. STAFFORD,
JAMES A. MCCLURE,
Managers on the Part of the Senate.

COMPENSATION FOR WORK INJURIES AMENDMENTS

Mr. DOMINICK V. DANIELS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13871) to amend chapter 81 of subpart G of title 5, United States Code, relating to compensation for work injuries, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, strike out "8101 (2)" and insert: 8101(1)

Page 1, lines 4 and 5, strike out "inserting ", podiatrists," after "surgeons"." and insert: inserting "and" after the semicolon on subsection E(iv) and adding a new paragraph (F) as follows:

"(F) an individual selected pursuant to chapter 121 of title 28, United States Code, and serving as a petit or grand juror and who is otherwise an employee for the purpose of this subchapter as defined by paragraphs (A), (B), (C), (D), and (E) of this subsection.".

Page 1, after line 5, insert:

(b) Section 8101(2) of the Act is amended by inserting ", podiatrists, dentists, clinical psychologists, optometrists, chiropractors," after "surgeons", and adding after the words "State law" a period, and the following: "The term 'physician' includes chiropractors only to the extent that their reimbursable services are limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist, and subject to regulation by the Secretary".

Page 1, line 6, strike out "(b)" and insert: "(c)".

Page 1, line 7, strike out "podiatrists," after "supplies by". and insert: "podiatrists, dentists, clinical psychologists, optometrists, chiropractors," after "supplies by", and by inserting before the semicolon ". Reimbursable chiropractic services are limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist, and subject to regulation by the Secretary".

Page 1, after line 7, insert:

(d) Section 8101(5) of the Act is amended by inserting before the semicolon ", and damage to or destruction of medical braces, artificial limbs, and other prosthetic devices which shall be replaced or repaired, and such time lost while such device or appliance is being replaced or repaired; except that eyeglasses and hearing aids would not be replaced repaired, or otherwise compensated for, unless the damages or destruction is incident to a personal injury requiring medical services".

Page 1, line 8, strike out "(c)" and insert: "(e)".

Page 2, line 5, strike out "(d)" and insert: "(f)".

Page 2, line 9, strike out "back." and insert: "back; and".

Page 2, after line 15, insert:

(g) Section 8101(1)(D) is amended by deleting the word "and" after the semicolon.

Page 2, line 16, after "2." insert: "(a)".

Page 4, line 7, after "any" insert: "other".

Page 4, line 17, after "employee;" insert: "or".

Page 5, line 21, strike out "with" and insert: "without".

Page 7, line 2, strike out "ends." and insert: "ends.".

Page 7, after line 2, insert:

"(d) If a claim under subsection (a) is denied by the Secretary, payments under this section shall, at the option of the employee, be charged to sick or annual leave or shall be deemed overpayments of pay within the meaning of section 5584 of title 5, United States Code.

Page 7, after line 2, insert:

"(e) Payments under this section shall not be considered as compensation as defined by section 8101(12) of this title."

Page 12, line 10, strike out "and" and insert: "or".

Page 12, line 11, after "if" insert: "no".

Page 13, line 22, strike out "8164" and insert: "8146a".

Page 15, lines 10 and 11, strike out "annuity computation under the civil service retirement provisions,".

Page 15, line 19, strike out "compensation," and insert: compensation or from the time compensable disability recurs if the recurrence begins after the injured employee resumes regular full-time employment with the United States,".

Page 16, after line 7, insert:

(c) Section 3315a of title 5, United States Code, is repealed upon the effective date of this section.

Page 16, line 8, after "23." insert: "(a)".

Page 16, after the line following line 9, insert:

(b) Section 8142(c)(2) of the Act is amended by adding after "Title 22" the phrase ", or a volunteer with one or more minor children as defined in section 2504 of title 22,".

Page 18, after line 4, insert:

SEC. 28. (a) Except as otherwise provided by this section this Act shall take effect on the date of enactment and be applicable to any injury or death occurring on or after such effective date. The amendments made by sections 1 (b) and (c), 2, 3, 7 (a) and (b), 8 (a) and (b), 9, 16, (a) and (b), 17, 19, 20, 21, 22, 24, and 25 shall be applicable to cases where the injury or death occurred prior to the date of enactment but the provisions of these sections shall be applicable only to a period beginning on or after the date of enactment.

(b) Section 11 of this Act shall become effective 60 days from enactment and be applicable to any injury occurring on or after such effective date.

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

Mr. ESCH. Mr. Speaker, reserving the right to object—and I shall not object—I think it is time to ask the chairman of our subcommittee if he would briefly insert in the RECORD at this point the differences between the Senate and the House versions.

It is my understanding that this bill passed by a voice vote in the House of Representatives on May 7, 1974, and that the amendments to the bill from the other body are primary technical.

Mr. Speaker, I will ask that he explain it to us, if he will.

Mr. DOMINICK V. DANIELS. Mr. Speaker, will the gentleman yield?

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

Mr. DOMINICK V. DANIELS. Mr. Speaker, on May 7, 1974, this House by an overwhelming voice vote passed the amendments to the Federal Employees Compensation Act to modernize and upgrade compensation benefits to injured Federal workers. Those revisions were necessitated by changing social and economic conditions and by the recommendations of the National Commission on State Workmen's Compensation Laws. The amendments contained in this legislation will assure that FECA continue as a model of efficient and equitable compensation for workers injured in the scope of their employment.

The bill as passed by the House contains some 27 changes in existing law, the most principal of which would provided for continuation of full pay for up to 45 days where the employees' claim is uncontroverted, and the disability is related to traumatic injury; guarantee the right of an employee to return to his or her former or equivalent position if recovery occurs within 1 year; allow compensation of up to 312 weeks for an impaired internal or external organ not specified by statutory schedule; adjust the Consumer Price Index computation to make it more responsive to cost-of-living increases; and make certain groups, previously excluded, eligible for cost-of-living compensation increases.

This bill was a culmination of testimony and consultation with all significant groups interested in the development of enlightened compensation policy, and the tireless efforts of Mr. ESCH, the ranking minority member of the Select Subcommittee on Labor, Mr. GAYDOS, and Mr. DENT in the House, and my very close friend, Senator HARRISON WILLIAMS, chairman of the Committee on Labor and Public Welfare in the Senate.

The amendments made to this bill in the Senate carry my unqualified endorsement, since they expand the guarantee that injured Federal employees receive the medical services, treatment and benefits to which they are rightfully and fairly entitled. For the benefit of my colleagues, I will outline the additions made by the Senate, and briefly explain their rationale:

SENATE AMENDMENTS—JUSTIFICATION

FOUR NEW PROVISIONS

First, expansion of medical services and facilities: The Senate expanded the act's definition of "physician" and "medical, surgical, and hospital services and supplies" beyond the House's addition of podiatrists by the addition of dentists, clinical psychologists, optometrists, and chiropractors.

The addition of these new categories is a recognition of the need for specialized professional services which should be available directly to the disabled worker. Currently, such services are available only through referral by a treating or supervising medical doctor. A similar provision covering clinical psychologists and optometrists has been enacted into law—Public Law 93-363—in connection with the Federal employee benefits program.

The limitation on chiropractors with respect to spinal subluxation is similar to that contained in the medicare provisions of the Social Security Act, as amended. The committee has made it clear that it expects the Secretary to promulgate regulations with respect to reimbursement for chiropractic services, and will consult with the Secretary of HEW, taking into consideration all studies on chiropractic medicare, both State and Federal.

Second, compensation for damaged prosthetic devices: The present statute does not reimburse Federal employees for loss of personal property due to accident regardless of the fact that the same accident resulted in personal injury. The Senate change, and one that appears equitable under all circumstances, would amend the definition of the term "injury" to include damage to or total loss of medical braces, artificial limbs, and other prosthetic devices. It would require the Government to compensate injured employees for work-related damage to artificial appliances or prosthetic devices. However, damaged eyeglasses and hearing aids would be replaced or repaired only if the damage were related to personal injury requiring medical services—although such personal injury need not necessarily be related to an injury of the eye or ear.

It is noted that the scheduled award provisions of the act would not apply to such damage or loss.

Third, coverage of employees on Federal juries: The Senate amended the House version further to extend coverage to include all otherwise eligible Federal employees who are disabled, or killed while serving as Federal grand or petit jurors. It is intended that this coverage would be applied as if the juror were an employee on a special mission as part of—and an extension of—Federal employment.

The Department of Labor has rejected all such claims for compensation filed by Federal jurors regardless of their regular employment on the basis that Federal jurors do not come within the present statutory definition of Federal employees. It appears that at least to the extent that the Federal jurors are also regular Federal employees, this is an unfair result to those individuals performing a vital civic function.

In addition, the Judicial Conference of the United States adopted a resolution in March 1974 calling for the coverage of all persons serving as Federal jurors; we have taken a lesser step by covering only Federal employees in this capacity.

Fourth, Peace Corps volunteers: Since the last amendment to FECA in 1966, the Peace Corps has recognized a third category of volunteers, generally referred to as the head of household volunteer (22 U.S.C. 2504(c)). A head of household volunteer receives a readjustment allowance of $125 per month, the same figure as the volunteer leader receives. However, at present he or she is compensated under the FECA for disability payments at the same rate as an ordinary volunteer. This change would bring consistency in the application of disability benefits based on monthly earnings. Accordingly, this revision would "deem" head of household volunteer the same as volunteer leaders "to be receiving monthly pay" at GS-11 rates.

I urge the Members of this body to support the Senate changes incorporated into H.R. 13871. Each Member can be satisfied that this bill will advance the cause of fair and progressive compensation for our injured Federal workers.

Mr. ESCH. Mr. Speaker, I would like to ask the chairman of the subcommittee, the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) a question in review, and I simply want to clarify my understanding and the gentleman's understanding that with respect to our purpose in extending coverages to specific services such as chiropractic services, the treatment of the patient is limited to abnormal subluxation of the spine. While this bill would make such services directly available to the patient, such availability is subject to regulations by the Secretary. Is that correct? Is that the understanding of the gentleman?

Mr. DOMINICK V. DANIELS. That is my understanding.

Mr. ESCH. That in terms of these specific services they are subject to the same regulations under medicare and medicaid, and can be determined to be helpful in the treatment of the patient's condition.

Mr. DOMINICK V. DANIELS. The answer to that question is yes, also; the understanding of the gentleman is correct.

Mr. ESCH. Mr. Speaker, continuing the reservation of objection, this bill is a major step forward in the coverage of Federal employees in that it removes a major inequity, but the amendments passed by the Senate are acceptable not only to the members of the committee on this side of the aisle, but there is also indication that they are acceptable to the Office of Management and Budget, and to the Department of Labor.

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

Mr. ESCH. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, how much does this cost, I would ask the gentleman from Michigan?

Mr. ESCH. I would say to the gentleman from California that the additional figures stemming from the amendments of the Senate I do not believe we know, we do not have a specific price on those, but they cover inequities.

Let me give the gentleman an illustration: Depending if you are the head of a household, a Peace Corps volunteer, you are covered by Federal employee compensation, and this corrects the inequity where all Peace Corps volunteers would not be covered, the leader would be covered, so that it corrects an inequity such as that. And the same correction covers an extension of the services related to coverages, for example, on eyeglasses, if they are damaged while you are under employment and injured in Federal employment, then your eyeglasses would be covered.

Mr. DOMINICK V. DANIELS. If the gentleman will yield, I have just been handed a copy of the report by the staff covering the Senate amendments. I understand the annual cost of amendments added by the committee is estimated as follows: $25,000 for coverage of Federal employees serving as Federal jurors; $10,000 for coverage of the new classification of Peace Corps volunteers; and $50,000 for replacement or repair of damaged prosthetic devices and appliances.

Mr. ESCH. So the annual cost in summary would be less than $100,000?

Mr. DOMINICK V. DANIELS. $85,000.

Mr. ROUSSELOT. Less than $100,000.

If the gentleman will yield further, the overall cost of the whole bill is how much?

Mr. ESCH. The bill as originally passed in the House of Representatives with the additional coverage would be in the neighborhood of $50,000 to $60,000.

Mr. DOMINICK V. DANIELS. If the gentleman will yield, I understand the costs to be as follows: $1 million for fiscal year ending June 30, 1974; $6,777,629 for the fiscal year ending June 30, 1975; $8,266,939 for the fiscal year ending June 30, 1976; $10,283,961 for the fiscal year ending June 30, 1977; $12,785,069 for the fiscal year ending June 30, 1978; and $15,886,433 for the fiscal year ending June 30, 1979.

Mr. ESCH. I would say to the gentleman from California that this is not the addition passed by the Senate; this is the bill as passed by the House which would include this amount, and this would be over a 5-year period.

Mr. ROUSSELOT. Over a 5-year period, and the almost but not quite $100,000 add-on passed by the Senate would be on an annual basis?

Mr. ESCH. On an annual basis.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ABA'S REJECTION OF RESOLUTION CALLING FOR ABOLITION OF HOUSE COMMITTEE ON INTERNAL SECURITY

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

Mr. ICHORD. Mr. Speaker, I wish to call my colleagues' attention to the significant vote of the American Bar Association's House of Delegates which last Thursday rejected a resolution calling for abolition of the House Committee on Internal Security and transfer of its jurisdiction to the Judiciary Committee.

This is particularly noteworthy because you will be called upon in the near future to consider the House reform resolutions of Mr. BOLLING and Mrs. HANSEN which also include provisions for the transfer of the internal security jurisdiction either to the Judiciary or Government Operations committees. The effect in either case would, of course, be the abolition of the Committee on Internal Security but without assurance that the work would be effectively continued in another committee. The fact that the same proposal was rejected by the ABA should be peruasive when the resolutions are considered by you.

I find that the proposed resolution considered by the ABA was primarily a restatement of the objections to the Committee on Internal Security which the gentleman from Massachusetts (Mr. DRINAN) has been unsucessfully advancing for the past 4 years.

First, the resolution insists that the committee's "primary purposes" is "exposure for the sake of exposure" and has no truly legislative purpose. To test the validity of this allegation let me tell you about the current work of the Committee on Internal Security and let you judge whether the committee is engaged in aimless or improper investigations. During this session of the 93d Congress the committee has thus far held 22 days of hearings on the subject of terrorism—which are simply criminal acts for political purposes. No one who reads the papers can deny that this is a new and frightening internal security problem fully justifying the attention of the Congress, which itself has been the object of terrorist attacks. A committee staff study emphasizing the transnational aspects of terrorism and the first volume of the committee's terrorism hearings should be available for your review within the next several weeks. Whether these hearings will lead to specific legislation or recommendations for executive branch action is a matter I am, of course, exploring at this time.

Organizations in the United States which have been involved in terrorist acts or which support such acts "when the time is ripe" are identified in the staff study. I do not consider this "exposure for the sake of exposure," but rather as an essential part of an examination of the problems of terrorism. Terrorist acts are, after all, perpetrated by individuals who are usually responding to the propaganda of their revolutionary organizations.

You will also recall that the Speaker, and others in the House leadership as well as the Select Committee on Committees, have emphasized the necessity for the committees of the House to exercise their oversight responsibilities. This has been described as of equal importance to actual legislation, a view with which I entirely agree. I submit that the Committee on Internal Security is effectively exercising this oversight function in the course of its other current hearings dealing with the internal security work of the executive branch and which to date have focused primarily on the Federal Bureau of Investigation. These hearings are timely, necessary and satisfy an important legislative purpose.

Second, the proposed ABA resolution asserted that the internal security functions of the Congress would be "more appropriately served by other more responsible committees," and in support thereof claimed that the work of the Committee on Internal Security during the first session of the 93d Congress relating to the involvement of revolutionary groups in prison unrest was unnecessary because the Judiciary Committee had earlier found no substance to such allegations.

The facts are that the Judiciary Committee received the allegations during the course of hearings on prison reform but made no effort to investigate them and rather clearly exhibited no desire to do so. It was only after I had satisfied myself that neither the Judiciary Committee nor any other committee of the Congress had examined this problem adequately that I proposed that the Committee on Internal Security proceed with its investigation. It did so and the culmination of its work was seen this past June when over 125 State correctional officers convened at the FBI Academy at Quantico, Va., for a discussion of the problem of revolutionary involvement in prison unrest and a program of continuing dissemination of information by the FBI to State correctional officers was instituted. Director Kelley of the FBI informed me that this conference and the program were the direct result of the hearings, report and recommendations of the Committee on Internal Security.

It was this concrete example which supported my belief that no other committee of the House would have the inclination or expertise to go into such specialized internal security problems and to my belief that this important work can be done most effectively by the existing Committee on Internal Security.

The third objection cited in the rejected bar association resolution was the existence and use of the committee's public files which, as I have repeatedly explained to this body, are simply material from printed public sources compiled to assist the committee in its research and investigative functions. It is not a matter of the committee acquiring private communications and then publicizing them. All material in the files is already in the public domain and available for use by anyone who chooses to collect it.

If this body does not want the committee to maintain these files and to make their contents available to Members of Congress and executive branch investigative agencies then the House should consider a resolution to this effect. I have time and again urged those who complain so loudly about these files to come forward with such a resolution and have it voted upon up or down. No Member has done so and until I receive con-

trary instructions from the House the files will continue to be maintained just as all other committees maintain files pertinent to their mandates.

Lastly, the proposed ABA resolution asserted that the activities of the Committee on Internal Security "inhibit the free exercise of first amendment freedoms." No one has come forward with any evidence to show that revolutionary groups or their supporters and sympathizers are in any way inhibited in the exercise of their first amendment rights because of the work of the Committee on Internal Security. On the contrary, I see a continuous flood of constitutionally protected propaganda from such groups and their ability to grind it out seems to be limited only by the availability of funds to do so. Inhibited they are not.

CHARGES OF RACIAL DISCRIMINATION IN HIRING PRACTICES

(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, no one abhors racial discrimination more than I do. That is why I was shocked to read a newspaper account charging me and 19 of our colleagues with discriminating against blacks, Catholics, or other minority groups.

Speaking for myself, the charge is malicious and completely without foundation. I have requested a full and impartial investigation of the charges. Coming as it does on the heels of embarrassing fabrications of Members' insertions without the Members' knowledge or consent, one must suspect that another "dirty trick" may have been perpetrated.

For the record: neither I nor any member of my staff has ever placed any racial restrictions on employment in my office.

The placement office apparently received a phone call from a member of my staff in December 1972, requesting applicants for a typist position. The request was made without any racial restriction, yet, the placement office card file record of the request calls for only "white Republican" applicants. I cannot explain the motivation of the person preparing the card, but I think the Members should protect themselves by having the placement office provide them with a form which they could fill out and sign, detailing the qualifications which they are seeking in job applicants.

I will include in the RECORD at this point my letter requesting the Speaker to conduct an investigation into this matter, since the Justice Department has already indicated that it lacks jurisdiction on this matter.

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 19, 1974.

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

DEAR MR. SPEAKER: The reputations of several of the Members have been tarnished by charges of employment discrimination. I can only speak for myself, of course, but I consider the charge malicious and completely without foundation. Neither I nor any member of my staff has ever placed any racial restriction on employment in my office.

Coming on the heels of last week's *Record* fabrications and falsifications of bills introduced without Members' knowledge or consent, I think this situation demands a full investigation to determine whether the cards with discriminatory restrictions were mistakenly prepared by sloppy administrators or the work of some "dirty trickster."

Since the Justice Department has indicated that it lacks jurisdiction in this matter, I am requesting that your office conduct a full-scale and impartial investigation to determine the truth of these charges and issue a public report on its findings.

With best regards, I am

Sincerely yours,

VERNON W. THOMSON,
Member of Congress.

PERSONAL EXPLANATION AS TO VOTE

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

Mr. DANIELSON. Mr. Speaker, late on the afternoon of Thursday, August 15, 1974, I was absent during the latter part of the consideration of H.R. 12859, the Federal Mass Transportation Act of 1974, and missed three votes. For the record, I now state how I would have voted on each of these questions had I been present.

ROLL NO. 494

An amendment to prohibit the use of any funds to implement busing plans in order to overcome racial imbalances in any school or school system. I would have voted "No."

ROLL NO. 495

An amendment that sought to make urbanized areas with a population of 2 million or more eligible under category "A". I would have voted "No."

ROLL NO. 496

An amendment that sought to require the Secretary to evaluate the extent to which urban communities are attempting to discourage auto use and encourage mass transit use before approving projects. I would have voted "No."

CONDEMNING VIOLENCE IN THE CYPRUS SITUATION

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

Mr. BIAGGI. Mr. Speaker, I join with the distinguished minority leader, the gentleman from Arizona (Mr. RHODES), and my colleague on the Democratic side, the gentleman from Indiana (Mr. BRADEMAS), in condemning the unfortunate slaying of Ambassador Davies in Cyprus.

We condemn violence, whether it be in Cyprus, Greece, on the American shores, or anywhere else in the world. But I would strongly suggest that the people of Greece are embittered over the American foreign policy in dealing with the Cyprus situation, and that the State Department, under the heading of Dr. Kissinger, is not in some measure without some fault.

The overall response of the Department of State to this major international crisis has been both dismal and disappointing. Despite my call for a suspension of military aid to Turkey and despite daily reports of U.S. weaponry being used by Turkey to arbitrarily rule Cyprus, there has been no response by the State Department.

Last week, I urged Secretary Kissinger to personally go to this troubled area to begin a new round of high level shuttle diplomacy between Ankara and Athens designed to bring about a cessation of the fighting. It seems incomprehensible to me that the Secretary does not consider this crisis important. His insensitivity to the problems has led to Greek Cypriot citizens, who remember his personal visits to nonallied Arab nations, to feel they are being accorded second-class citizenry status by the U.S. Government. These feelings have resulted in their strong anti-American sentiments of late.

Was it necessary for this act of violence to occur? Do we have assurances that the Secretary of State will even act now? Irrespective of the considerations of Greece and Turkey, our paramount concern now has to be the protection of our diplomatic personnel throughout the world. Their security cannot be jeopardized and we should take whatever steps necessary to insure their safety.

The stage may now be set for further acts of violence against Americans. We must bring the curtain down before a new act of violence occurs. I implore Secretary Kissinger to actively work on bringing the warring factions to the bargaining table, so that the independence of Cyprus can be restored. We have seen what our failure to act thus far has led to. We should need no further lessons before we act.

THE "BUY RUSSIA" BILL ALIAS THE CHROME IMPORT BILL, S. 1868

The SPEAKER pro tempore (Mr. MCKAY). Under a previous order of the House, the gentleman from Florida (Mr. SIKES) is recognized for 15 minutes.

Mr. SIKES. Mr. Speaker, the chrome bill, S. 1868, scheduled for consideration in the House of Representatives on Tuesday, should be called the "Buy Russia" bill. It will create unemployment in America, increase inflation, and cause American industry to be dependent in large extent on chrome from Russia. Russia is principal beneficiary of the bill, the United States will be the loser. Jobs for American employees and price restraints on steel products depend upon the defeat of this "Buy Russia" bill.

American industry requires a constantly increasing supply of chrome. Rhodesia has the greatest resources. Passage of this bill would create permanent restrictions against Rhodesian chrome regardless of what government may be in power there in the future. If we shut off Rhodesian chrome, we increase our dependence upon Russian chrome. Russia now will be glad to sell us chrome at a handsome profit. No longer would the world market govern the price to the United States. When Russia controls the major supply of chrome to the United States, they may

decide it is not to their best interest to sell chrome to us. The recent Arab oil embargo demonstrated the complications that can be caused by politically motivated trade embargoes. Why should we put ourselves in a position where the tyrants of the Soviet Union could use chrome against the United States as the Arabs did oil?

The effect of this bill would be to put major U.S. industries at the mercy of the Soviet Union. During the sanctions against Rhodesia the Soviet Union was our principal source of high quality chromite. It took advantage of our dependence upon it in two respects: first, the quality of the ore exported to the United States steadily deteriorated; and second, Russian prices dramatically increased. From $35.78 per short ton in 1965 the price steadily increased to $68.45 in 1972 and then fell back to $51.73 per ton in 1973 when sanctions were lifted.

Chrome is essential to U.S. industry. It is essential to medical science in the United States. It is essential to defense. Guns, planes, tanks, missiles, and ships all require chrome. When we become principally dependent upon Russia, the supply can be cut off or the price increased at will. That does not make sense. The "Buy Russia" bill should be defeated.

EXPORT-IMPORT BANK ACT AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. McKINNEY) is recognized for 5 minutes.

Mr. McKINNEY. Mr. Speaker, scheduled for floor consideration on Wednesday is H.R. 15977, the Export-Import Bank Act Amendment. Before debate begins on this issue, on the floor, I thought I would take this opportunity to share with my colleagues three letters which I have received from Connecticut regarding the Exim Bank. I believe they make a case for continuation of Exim financing in terms of jobs for workers in Connecticut and markets for Connecticut products. Without further comment, I will include those letters in the RECORD:

JULY 22, 1974.

Hon. STEWART B. McKINNEY,
House of Representatives,
Washington, D.C.

DEAR MR. McKINNEY: I am writing because I am concerned about what I am hearing and reading in the newspapers in regards to the Export-Import Bank of the United States. I work for a Fortune "100" corporation and part of my responsibility calls for arranging financings with our commercial banks and EXIMBANK. The posture Congress is taking can only hurt the American exporter and the over-all American economy. Eximbank responding to political criticism now is setting its lending rate on a case-by-case basis between 7% and 8½%. And further, though under standard practice the Eximbank puts up 45% of the cost of the export goods, with private banks providing a like amount and the borrower putting up 10%, Eximbank in recent weeks has been providing as little as 25% of the total in many cases.

Clearly, Eximbank is not a subsidy granting government agency. On the contrary, Eximbank has been very profitable. There is little doubt that international salesmen for U.S. products overseas will obtain few orders if they cannot assure potential buyers of adequate financing. Without Eximbank U.S. exporters, able to rely only on floating commercial interest rates, would be put at a disadvantage vis-a-vis foreign suppliers, who do get government financing.

Mr. Casey, president and chairman of the bank has said that loans to the U.S.S.R. have been part of "an historic and successful initiative in seeking to move our relationship away from military competition toward mutual satisfactory economic relations." No matter how small a move this may be doesn't it deserve our full support—in a world teaming with conflict and untrust? Thurston B. Morton in announcing Senate East-West Trade Hearings in 1967 said "East-West trade is a fertile field for American commercial considerations and a fertile field for controversy and myth-making."

According to recently released statistics the "real" output of the economy dropped at an annual rate of 1.2 per cent in the quarter just ended. Reports accompanying these statistics stated "the main single influence in throwing the whole G.N.P. into negative figures was a sharp deterioration in the nation's foreign trade balance."—Why then do we attack Eximbank and make its programs so restrictive that it drives business away?

Either Eximbank performs its intended function or it does not. If it does we should support it and do all we can to help it expand—if not it should be abolished. But, we should not "tie its hands" so it cannot succeed and then lay the blame on the bank for our failure.

Thank you for your consideration and I urge you to support Eximbank—without the proposed restrictions.

Yours very truly,

EDWARD F. FREUND.

JULY 19, 1974.

Hon. STEWART B. McKINNEY,
Cannon House Office Building,
Washington, D.C.

DEAR MR. McKINNEY: As president of Local Number 3381 of the United Steelworkers of America, I wish to bring your attention to House Bill HR 13338 which affects the membership of my local. This Bill deals with Eximbank and the renewal of its existence.

The existence of Eximbank has helped our membership in my local and in turn the workers in Farrel Corporation in Ansonia and Torin Corporation in Torrington, as well as other workers throughout the state. In the past few years our shop at Waterbury Farrel has received foreign orders for equipment which exceed 54 million dollars. All of these orders were gotten because of the loans Eximbank gave to these foreign buyers. To us this meant not only exporting goods, but importing work which meant jobs for my local. Before these orders came in, employment was a little shaky in our shop, but after these orders came, employment was at full capacity and will be so for at least five years.

Our membership is aware of the fact that if Eximbank had not made the loans to these buyers, then foreign competition would have gotten the orders and with it a number of our members may have lost their jobs. We are not asking that you favor us, but we have heard so much about foreign countries subsidizing their businesses which have hurt us, we are only asking that you help us even the odds in getting this work.

We therefore request that you favorably support the extension of the Eximbank.

Very truly yours,

ROBERT L. COOK,
President, Local 3381, United Steelworkers of America.

JULY 24, 1974.

Hon. STEWART B. McKINNEY,
House of Representatives, Cannon House Office Building, Washington, D.C.

DEAR SIR: Thank you for the time you so kindly gave to me when I was in Washington last week. It was kind of you to take time out of your extremely busy day to see me. Your thoughts as to how we can do a better job are also very much appreciated. I expect to host a meeting of the District Export Council of Connecticut next week and will discuss some of these ideas with the group.

Since my return I have obtained some new figures regarding Connecticut exports which might be of interest to you. Present authorized Exim commitments total $323,000,000 for Connecticut exports of $473,000,000. The most recent export figures for Connecticut show us 17th in the nation with a total of $830,000,000 in exports of manufacturing products. This figure should have reached $1,000,000,000 in 1973 and this would mean that approximately 60,000 jobs are related to exports according to the formula used by most of the experts. There are 900 to 1,000 companies involved in exporting although we think these figures are low as it does not include many of our fine companies that produce components of end use products exported by others.

Thank you again for your time, and I hope that I have the opportunity of meeting with you again in the near future.

Sincerely,

WILLIAM J. STANNERS,
Executive Vice President.

OUR ECONOMIC SITUATION DEMANDS ACTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RAILSBACK) is recognized for 5 minutes.

Mr. RAILSBACK. Mr. Speaker, it is becoming increasingly difficult for the average American to make ends meet. Double digit inflation—which is what we have been experiencing since the beginning of the year—is simply not the kind of inflation we can live with and still have confidence in our economic future. Bringing inflation under control must be this country's No. 1 priority, and economic restraint has to be the key ingredient to any policy we adopt.

I would like to point out that bringing our economy under control does not in any way imply that I favor control as such. Mandatory wage and price controls simply did not work in the past, and I am still very much opposed to them. I am, therefore, encouraged that the bill before us today, H.R. 16425, the Anti-Inflation Act of 1974, proclaims that nothing in the legislation authorizes the imposition or reimposition of mandatory economic controls with regard to prices, rents, wages, salaries, corporate dividends, interest rates, or any similar transfers.

As we are all aware, Congress originally granted the President standby authority to control prices and wages back in 1970. This authority has been repeatedly renewed, most recently in 1973, when the economic stabilization program was continued until April 30, 1974. Although the administration recommended that the controls themselves be phased out by that deadline, the President did request an extension of the Cost of Living Council. This request was then renewed by President Ford in his address to the Congress on August 12.

Although I am against actual controls, I do nevertheless believe that wages and prices should be carefully watched, that all segments of our economy must be aware of the public concern in the economic area, and that the Government

needs all possible information available in order to charter its course against inflation. Therefore, I urge immediate enactment of H.R. 16425.

Briefly stated, this legislation creates a Cost of Living Task Force within the Executive Office to monitor the economy. The task force will encourage price restraint, analyze industrial capacity, determine the effects of governmental and international transactions upon inflation, work with labor and management to improve the structure of collective bargaining and to increase productivity, and try to determine what can be done to solve our inflationary problems.

The task force will be composed of at least nine members who are appointed by the President, including the Secretaries of Treasury, Labor, and Commerce, the Director of the Office of Management and Budget, and the Chairman of the Council of Economic Advisers. This task force will transmit quarterly reports to the Congress outlining its actions, findings, and recommendations about inflation. The task force's authority terminates at the end of fiscal year 1976, and, hopefully, by that time, inflation will be under control.

Mr. Speaker, we should not be mislead that this bill will solve the economic crisis—we need more long-range programs for that—but it will at least let us know what we are dealing with.

THE UNWISE COURSE OF U.S. POLICY IN THE CYPRUS CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS) is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, day by day, the events surrounding the crisis over Cyprus, which began last month, spell out a pattern of increasing tragedy for the people of that small island republic, for the people of Greece, and for the future course of relations between Greece and the United States.

Mr. Speaker, last night in Boston, Mass., I had the privilege, together with my distinguished colleague, the gentleman from Maryand, the Honorable PAUL SARBANES, of addressing the 52d national convention of the Order of Ahepa, the Greek-American fraternal organization.

Mr. Speaker, on that occasion, I spelled out my own views on the aggressive actions by the Government of Turkey against Cyprus and indicated why I believe that the policies pursued by the U.S. Department of State are in large measure responsible for these unhappy developments in the eastern Mediterranean.

This morning, August 19, 1974, Mr. Speaker, I again joined Congressman SARBANES to testify before the Senate Foreign Relations Committee in support of President Ford's nomination of Jack B. Kubisch as the new U.S. Ambassador to Greece, and I also on this occasion expressed my views on U.S. policies in the Cyprus crisis.

Mr. Speaker, I insert at this point in the RECORD the text of my prepared statement before the Foreign Relations Committee which includes the text of my address last night in Boston:

STATEMENT OF CONGRESSMAN JOHN BRADEMAS OF INDIANA, ON THE NOMINATION OF JACK B. KUBISCH AS U.S. AMBASSADOR TO GREECE

Mr. Chairman: I am very grateful for the opportunity to appear before the distinguished Members of this great Committee to testify in support of the nomination by President Ford of Jack B. Kubisch as the new Ambassador to Greece.

Although this is my sixteenth year as a Member of Congress, this is the first time I have requested an opportunity to appear before your Committee, and I should therefore perhaps explain why I have asked to do so today.

In the first place, I have the privilege of being the first native born American of Greek origin ever elected to Congress and you will, therefore appreciate that I have a particular concern about developments in the land of my father's birth and about the relationships of our own country with Greece.

That these relationships are today suffering the greatest strain is symbolized by the tragic news of which I have just learned, the slaying in Nicosia a few hours ago of our distinguished Ambassador to Cyprus, a valued friend of mine and, I am sure, of many members of this Committee, an outstanding servant of our country, Rodger P. Davies.

Second, I am glad of the opportunity to express my very high regard for President Ford's first ambassadorial nomination, Jack Kubisch.

I have known Mr. Kubisch for a number of years. He was a constituent in that he lived in South Bend, Indiana, in the District I represent, from 1950 to 1961 as well as for two years in the early 1940's, and Mrs. Kubisch is from South Bend. Mr. Kubisch was in private business with several Indiana firms during the 1950's, including the Bendix Home Appliance Company and Great Northern Distributors.

Beyond my pleasure at seeing an outstanding former constituent nominated to so responsible a position, I have followed with great interest Mr. Kubisch's career in the United States Foreign Service.

As I am sure you are aware, Mr. Chairman, Mr. Kubisch has been accorded the rank of Minister by each of three Presidents (Kennedy, Johnson and Nixon) and served as Charge d'Affaires in three of our most important embassies, France, Brazil and Mexico.

In 1971 he was named United States Minister to our Embassy in Paris where he served as Charge d' Affaires during 1972 and part of 1973, during which period he worked with Dr. Kissinger on both the Vietnam peace talks and the negotiations that led to the development of a relationship between the United States and the Peoples Republic of China.

As you are also aware, he has since May 1973 been serving as Assistant Secretary of State for Inter-American Affairs and is, as well, the United States Coordinator of the Alliance for Progress in Latin America.

Although Mr. Kubisch has not been as directly involved with Greek affairs as with the other areas of the world which I have mentioned, he did play a role in the Marshall Plan Program, which, of course, was vital to Greece. During 1949–50 he was an Assistant to Ambassador Averell Harriman in the regional headquarters of the Marshall Plan in Paris.

From my observation of Mr. Kubisch, I have come to regard him as a person of the highest integrity, outstanding ability and unquestioned dedication to the interests of the people of the United States.

The United States is obviously today confronted with very great difficulties in respect of our policies toward Greece. Only a diplomat with exceptional qualities will be able to have a change to cope effectively with these difficulties. I believe that Jack Kubisch is eminently qualified to assume the important responsibility of United States Ambassador to Greece and I am, therefore, pleased to commend him most warmly to the Members of the Committee on Foreign Relations and to the Senate.

The third reason, Mr. Chairman, I have asked to appear before you today is to express my views on United States policy toward Greece during the current crisis in Cyprus.

Because I had an opportunity last night in Boston at the National Convention of the Order of AHEPA to address myself to this subject, I should like to ask consent to insert at this point in the hearings the text of my remarks in Boston and only briefly summarize them here.

REMARKS OF CONGRESSMAN JOHN BRADEMAS, 52D CONVENTION, ORDER OF AHEPA, BOSTON, MASS., AUGUST 18, 1974

I am very grateful for this opportunity to speak to my brother Ahepans gathered for this 52d Supreme Convention of our Order.

We meet at a time of tragedy and sorrow, tragedy and sorrow for the people of Greece, the people of Cyprus, and for persons of Hellenic origin wherever they may live.

For during the last weeks, the world has been witness to an example, with few parallels in recent times, of naked aggression by one country against a far smaller one.

The cease-fire on Cyprus announced on Friday can in no way diminish the outrageous action of Turkey over the last several days in invading and attacking, by land, sea, and air, this small island country.

What is particularly shocking, of course, is that, by action and inaction, the government of the United States has condoned and, it is not too much to say, given tacit support to these aggressive acts on the part of the government of Turkey.

Already, as a consequence of Turkish military attacks, Cypriots, both Greek and Turkish, as well as members of the United Nations peacekeeping forces have lost their lives.

In complete violation of repeated UN Security Council cease-fire resolutions, the Turks have poured thousands of troops onto Cyprus and have bombed Nicosia and other areas and have shelled the island from the sea.

U.S. ARMS USED FOR TURKISH AGGRESSION

And what is, of course, particularly outrageous is that arms used by the Turkish forces have been supplied by the taxpayers of the United States and troops that have been carrying out these savage attacks have been trained with money supplied by the American people through our program of aid to Turkey.

And where are we today?

The invasion and occupation of Cyprus by Turkish forces has had the most calamitous effects.

First, Greece, one of the oldest friends and most faithful allies of the United States, has been compelled, in protest at American acquiescence in the Turkish invasion, to withdraw from NATO, thereby gravely weakening NATO defenses in the Mediterranean and presenting a windful gift to the Soviet Union and her Warsaw Pact allies.

Second, after years of military dictatorship in Greece, openly supported by the United States, a new and democratic government has at long last returned to the cradle of democracy.

But the Turkish occupation of Cyprus is an obvious setback to any efforts of our country to support the continuation of constitutional government in Greece.

A third consequence of the failure of U.S. policy to respond sensitively and wisely to this crisis is, of course, the peril to the independence and peace of Cyprus, a free country with which the United States has enjoyed friendly relations. For who can now say with assurance for how long—no matter the final

settlement of the Cyprus crisis—there will continue to be bloodshed and fighting and internal strife on that vital island in the eastern Mediterranean?

You should know that only last Thursday all five Members of Congress of Greek origin—my colleagues and friends, Congressman Peter Kyros of Maine, Gus Yatron of Pennsylvania, Paul Sarbanes of Maryland, and Skip Bafalis of Florida—and I met with Secretary of State Kissinger to express directly to him our profound concern—and our vigorous protest—at the posture of the government of the United States during these last weeks.

CONGRESSIONAL PROTESTS TO KISSINGER

Because our discussions with Secretary Kissinger were understood to be off the record, I do not feel it appropriate to indicate to you here what he had to say to us on Thursday.

But I can tell you what we said to him.

We expressed in the strongest language possible our view that there could be no doubt that the policy of the United States government during these last bloody weeks has been clearly tilted in favor of Turkey.

We protested the failure of the government of the United States to respond effectively to Archbishop Makarios' blunt and open warning in early July that the military junta in Athens intended to seek his assassination and the overthrow of the lawfully elected government of Cyprus.

We protested the failure of the United States government publicly to express support for the restoration of constitutional government in Cyprus after the coup.

We protested the failure of the United States government publicly to protest the initial attacks on Cyprus by Turkish military forces.

We protested the failure of the United States government publicly to support the plea by the British Foreign Secretary to the Turks to continue the talks in Geneva.

And we protested to Secretary Kissinger the failure by the government of the United States—up until noon last Thursday—to voice any public criticism whatsoever of the massive invasion of Cyprus by Turkish forces and the Turkish air and sea attacks on Nicosia and other parts of the island.

In sum, we registered to Secretary Kissinger the strongest possible protest against the failure of the United States to oppose, by public word or by deed, what the rest of the civilized world, both through UN Security Council resolutions and commentaries by governments and press, has protested, the blatant disregard by the Turks of the cease-fire resolutions and the military conquest by Turkey of one-third of Cyprus.

And to State Department spokesmen who describe as "baloney" charges that U.S. policy has tilted in favor of Turkey, I call attention to the following paragraph from a Washington Post report of a press conference in Ankara last Friday at which (Turkish Prime Minister):

"Ecevit said he had had frequent telephone conversations during the crisis with Secretary of State Henry Kissinger and he strongly praised the American role. He said that Washington had been 'less emotional' and more objective than Britain, whose Foreign Secretary James Callaghan sternly denounced Turkey for breaking off the Geneva talks earlier this week.

"The United States, Ecevit said, had 'evaluated the problem objectively, refrained from taking sides, refrained from pressures'."

A CALAMITOUS FAILURE FOR U.S. FOREIGN POLICY

Here in the United States we have just emerged from what President Ford quite rightly described as the long nightmare of Watergate.

During the last two years, the American people have been learning month by month of what we now know to have been the most sordid pattern of lawlessness and corruption on the part of any Administration in the near 200 year history of our country.

But I feel I must tell you that in the last month there has emerged another pattern of which no citizen of the United States can be proud.

For, to reiterate, by the actions and inactions of our own government, we have in effect sided with one NATO ally, Turkey, to support the use of American arms and American trained forces for military aggression against a small, friendly nation with close ties to another NATO ally, Greece.

It has been a time of calamitous failure for the foreign policy of the United States.

What I believe has been most remarkable and most worthy of praise during this difficult time is the restraint and dignity of Prime Minister Constanine Caramanlis, whose government must remain the best hope for return to an enduring democracy in Greece.

The sharp rise in anti-American sentiment in Greece, at precisely that time when constitutional government is born again there, must stand as a sharp rebuke to the shortsightedness of American policy toward Greece.

Last Friday, I talked by telephone to an American friend, of Greek descent, in Athens who said, "It is now dangerous to be an American in Athens"!

As one who just ten years ago this year visited Greece with Harry S. Truman and Mrs. Lyndon B. Johnson and who personally observed the tumultuous welcome they received, I can tell you that the actions of the United States Department of State over these past weeks mark the bankruptcy of U.S. policy toward one of our oldest friends.

Some of us have for a long time publicly warned against the dangers to the American national interest, and to Western security, of our blindly supporting successive military dictatorships in Greece. The United States is now reaping the whirlwind of the unwisdom of that fundamentally anti-NATO, anti-American policy.

Let us all hope that, somehow, despite the folly of our Department of State in this matter, we can at least begin to repair the wounds and start the now long task of rebuilding the confidence of the people of Greece in the government of the United States.

UNITED STATES SHOULD HALT AID TO TURKEY

What are we to do now, in the immediate situation?

As you may know, my four Hellenic-American colleagues and I on August 2 introduced in the House of Representatives a resolution expressing the sense of Congress that all foreign troops, except those required by the UN peacekeeping effort, should be withdrawn from the island of Cyprus.

Well over 100 Members of the House of Representatives, both Democrats and Republicans, joined us in cosponsoring this resolution.

In response to the escalation of the Turkish military attacks on Cyprus, however, we determined that a stronger resolution was necessary and for that reason, last Wednesday, all five of us introduced another resolution in the House expressing the sense of Congress that all U.S. economic and military assistance and military sales to Turkey should immediately be stopped until all Turkish armed forces have been withdrawn from Cyprus.

Many other Members of the House have asked to cosponsor this resolution, House Resolution 1319, and I am tomorrow introducing additional resolutions at their request.

It now seems to me imperative that Americans of Greek origin and indeed all Americans who love freedom and cherish the enduring ties between Greece and the United States should immediately communicate to their Representatives and Senators in Congress their support for this resoultion.

For only if the government of Turkey is made to realize that the people of America are opposed to the use of their tax dollars for such aggressive purposes will there be any chance for restoring peace and independence to Cyprus, for sewing up the gaping hole in NATO which American diplomacy has caused by compelling the withdrawal of Greece from NATO, and for making clear U.S. support for constitutional government in Greece after the long nightmare of military dictatorships there.

So I hope that even tonight the Order of Ahepa will go on record as supporting the efforts of Congressman Brademas, Kyros, Yatron, Sarbanes, and Bafalis to reverse the blatantly pro-Turk policy of our Department of State.

FAILURE OF "PRIVATE DIPLOMACY" OF STATE DEPARTMENT

For it must now be clear to all but the most biased observers that the so-called "private diplomacy" of the Department of State has failed, and failed abysmally, to prevent the tragedy of the last month.

I hope that the Order of Ahepa will unanimously approve a resolution urging a cut-off in all U.S. military and economic aid and all U.S. military sales to Turkey until such time as Turkish troops have been withdrawn from Cyprus.

The time for effective action is now. And I hope that before sundown tomorrow every member of the Ahepa family here will send a telegram to his Congressman as well as to both his United States Senators urging support of every effort in Congress to cut off all further U.S. military and economic aid and military sales to the government of Turkey. And I hope that similar wires will be sent to President Ford and Secretary Kissinger as well.

I am confident that the American people support neither the pro-Turkish policies of the Department of State nor the wrongs these policies have worked against the people of Cyprus and of Greece.

I am equally confident that the persons who must take the lead in calling for the righting of these wrongs are the men and women of the family of Ahepa.

RESOLUTION URGING HALT OF U.S. AID TO TURKEY UNTIL WITHDRAWAL OF TURKISH ARMED FORCES FROM CYPRUS

Mr. Speaker, at this point in the RECORD I insert the text of House Resolution 1319, which I have introduced on behalf of myself and the gentleman from Maine (Mr. KYROS), the gentleman from Pennsylvania (Mr. YATRON), the gentleman from Maryland (Mr. SARBANES), and the gentleman from Florida (Mr. BAFALIS).

Mr. Speaker, House Resolution 1319 expresses the sense of the House of Representatives that all U.S. military and economic assistance to Turkey be suspended until all the armed forces of Turkey have been withdrawn from Cyprus.

The text of House Resolution 1319 follows:

H. RES. 1319

Resolved, That it is the sense of the House of Representatives that—

(1) all military, economic, or other assistance, all sales of defense articles and services (whether for cash or by credit, guarantee, or any other means), all sales of agricultural commodities (whether for cash, credit, or by other means), and all licenses with respect to the transportation of arms, ammunitions, and implements of war (including technical data relating thereto) to the Government of

Turkey should be suspended on the date of adoption of this resolution; and

(2) the provisions of this resolution should cease to apply when the President reports to the Congress that the Government of Turkey has withdrawn all of its armed forces from Cyprus.

Mr. Speaker, at this point in the RECORD I list the names of those Members of the House of Representatives who have so far cosponsored this or identical resolutions:

COSPONSORS OF HOUSE RESOLUTION 1319

Mr. Kyros, Mr. Yatron, Mr. Sarbanes, Mr. Bafalis, Mr. Hanrahan, Mr. Annunzio, Mr. Dent, Mr. Taylor of Missouri, Mr. Price of Illinois, Mr. Johnson of Colordo, Mr. James V. Stanton, Mr. Shuster, Mr. Minish, Mr. Adams, Mr. O'Brien, Mr. Cronin, Mr. Hudnut, Mr. Parris, Mr. Sarasin, Mr. Fascell, Mr. Rosenthal, Mr. Froelich, Mr. Don H. Clausen, Mr. Biaggi, Mr. Abdnor, Mr. Rooney of Pennsylania, Mr. Eilberg, Mr. Ketchum, Mr. Boland, Mr. Badillo, Mr. Rousselot, Mr. Gilman, Mr. Burke, Mr. Conte, Mr. Tiernan, Mr. Walsh, Mr. Seiberling, Mr. Gude, Mr. Young of Illinois, Mr. Steelman, and Mr. Thompson of New Jersey.

Mr. Pike, Mr. Hanley, Mr. Obey, Mr. King, Mr. Vanik, Mr. Maraziti, Mr. Podell, Mr. Stuckey, Mr. Carney of Ohio, Mrs. Grasso, Mr. Yates, Mr. Van Deerlin, Mr. Traxler, Mr. Vigorito, Mr. Nedzi, Mr. Helstoski, Mr. John L. Burton, Mr. Philip Burton, Mr. McKinney, Mr. Wyman, Mr. Reuss, Mr. Steele, Mr. Edwards of California, Mr. Roncalio of Wyoming, Mr. Moss, Ms. Jordan, Mr. Fauntroy, Mr. Won Pat, Mr. Ford, Mr. Roybal, Mr. Stark, Ms. Holtzman, Mr. Dingell, Mr. Pepper, Mr. Luken, Mr. Rodino, and Mr. Dulski.

CRISIS IN CYPRUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. SARBANES) is recognized for 5 minutes.

Mr. SARBANES. Mr. Speaker, the crisis of Cyprus has brought tragic consequences to the people of that independent nation; has disrupted peace in the eastern Mediterranean; has plunged NATO into a grave internal crisis and has caused a serious deterioration in the long-standing friendly relationship between the United States and Greece.

In light of the Turkish aggression on Cyprus, I have joined with the gentleman from Indiana (Mr. BRADEMAS), the gentleman from Maine (Mr. KYROS, the gentleman from Pennsylvania (Mr. YATRON, and the gentleman from Florida (Mr. BAFALIS, along with 72 other Members of the House, in introducing House Resolution 1319 which calls for a cutoff of all military and economic assistance and all military sales to Turkey until all of Turkey's Armed Forces have been withdrawn from Cyprus. Mr. Speaker, I invite other Members of the House who may not already have done so to join in cosponsoring House Resolution 1319, the text on which follows this statement.

Mr. Speaker, last night I was privileged to address in Boston the 52d Annual Convention of the Order of Ahepa, the Nation's largest Greek-American fraternal order, on the tragic consequences of U.S. policy with regard to Cyprus. The text of this address is set out below:

HOUSE RESOLUTION 1319

Resolved, That it is the sense of the House of Representatives that—

(1) all military, economic, or other assistance, all sales of defense articles and srevices (whether for cash or by credit, guarantee, or any other means), all sales of agricultural commodities (whether for cash, credit, or by other means), and all licenses with respect to the transportation of arms, ammunitions, and implements of war (including technical data relating thereto) to the Government of Turkey should be suspended on the date of adoption of this resolution; and

(2) the provisions of this resolution should cease to apply when the President reports to the Congress that the Government of Turkey has withdrawn all of its armed forces from Cyprus.

STATEMENT OF CONGRESSMAN PAUL S. SARBANES (D.-MD.) ORDER OF AHEPA, 52D ANNUAL CONVENTION, BOSTON, MASS., SUNDAY, AUGUST 18, 1974

Reverend clergy, fellow members of the AHEPA family and all true friends of liberty and justice. Tonight I join with fierce determination in your efforts to achieve peace and justice for the suffering people of Cyprus and fair and honorable treatment for the people of Greece.

The recent events on the historic Greek islands of Cyprus have once again tested the bravery of the Cypriot people and the conscience of us all. As one Greek Cypriot soldier, fighting on a front line with only a bolt-action rifle and supported by obsolete armored cars and a few tanks almost thirty years old told a journalist, "write that Greeks are never afraid." When he said that he was fighting against some of the most modern, sophisticated weapons in the world; weapons provided by the American taxpayer to Turkey, but provided for defensive purposes and not for despicable actions of aggression.

We meet here to join in an effort to restore the independence and integrity of Cyprus and to aid its people to meet the critical problems of survival now facing them. Remember that at this very moment thousands of refugees in Cyprus, victims of Turkish aggression, are without food, shelter, and medical care and in need of immediate assistance. We must do all we can to respond to that need at once.

We meet here to press forward with the cause of justice for the people of Cyprus. We must pursue this goal not only because of our close ties with those of Greek heritage but, perhaps more importantly, because the Turkish invasion of this small, independent and peaceful country violated every principle of international law and every precept of human decency. Turkey's military action was carried out in direct violation of United Nation's resolutions and in the face of condemnation by world opinion. Let there be no doubt about it, Cyprus is the victim of aggression, raw and brutal aggression which has brought death and destruction to that lovely country. It is a grievous wrong and we must work to make the situation right.

As Americans we should be deeply concerned and troubled by the position our State Department has taken with respect to this crisis. Despite repeated warnings from many sources, including members of the Congress and representatives of your organization and many other concerned groups, the State Department at every critical juncture has failed to take action to avert the tragedy now confronting us.

1. It refused to support Archbishop Makarios, the democratically elected President of Cyprus, when such support could have preserved stability and peace on Cyprus.

2. It failed to prevent Turkish military intervention by denouncing the attempted coup in Cyprus and stressing the need to preserve constitutional government in Cyprus.

3. It refused to bring pressure to bear on Turkey to prevent the invasion of Cyprus and to limit and restrict Turkish military action once such an invasion occurred. Contrast, if you will, the actions of the late President Johnson, who warned a Turkey preparing to go to war in no uncertain terms of the American Government's position and thereby preserved peace in the area.

4. It failed to consider the need to be understanding and supportive of a democratic regime in Greece, thereby placing in danger our traditional friendship.

Let us look for a moment, because it is important to our understanding of this matter, at the statements our State Department has issued on this tragic matter during the past week and the interpretations placed upon them.

Item: On Wednesday, August 14th, State Department spokesman, Robert J. McCloskey stated, in response to charges that U.S. policy was favoring Turkey, "I think it is plain baloney that the United States is tilting toward any one party or other in this dispute."

Item: Just the day before, on Tuesday, August 13th, the State Department issued a statement on Cyprus in which it stated the U.S. position to be as follows: "We recognize the position of the Turkish community on Cyprus requires considerable improvement and protection. We have supported a greater degree of autonomy for them."

"The parties are negotiating on one or more Turkish autonomous areas. The avenues of diplomacy have not been exhausted. And, therefore, the United States would consider a resort to military action unjustified. We have made this clear to all parties."

Notice my friends that this statement was directed to all parties at a time when it was obvious to everyone that only Turkey was engaged in aggressive military action. Furthermore, the comments favoring greater autonomy for the Turks on Cyprus was made at the very time that a desperate effort was underway to prevent the Geneva talks from collapsing. As one diplomat subsequently observed: "In the day's context those were the magic words Turkey had been waiting for."

Item: On Wednesday morning, August 14th at 5 a.m. Turkish forces began major aggressive military actions with air strikes and tank and troop movements directed at Nicosia and Famagusta.

Item: British Foreign Secretary James Callaghan, returning home from Geneva following the renewed Turkish military action, said: "A great opportunity has been thrown away. All we needed in Geneva was another 36 hours to work out a solution. All that has been thrown away." He went on to express the belief that the Turkish orders to attack were issued before Turkey walked out of the Geneva peace conference.

Item: In London, Archbishop Makarios stated: "I am in particular disappointed at the attitude of the United States which could, I believe, have prevented Turkey from invading Cyprus or at least put an end to the aggression."

Item: On Wednesday, August 14th, in the face of Turkey's flagrant action, the State Department finally issued its first public criticism stating "We deplore the Turkish resort to the use of force". However it then went on to issue warnings to both Turkey and Greece by stating "If Greece and Turkey, two NATO allies, were to resort to war it should be clear that they could not count on a continuing line of military supply from the United States." Imagine, with Turkey actively moving as an aggressor, the State Department felt compelled to warn both sides.

Item: On Thursday, August 15th, Turkish Prime Minister Ecevit after a meeting with U.S. Ambassador William Macomber in Ankara told reporters Turkey is very happy with the "frank and open" U.S. policy on Cyprus.

Item: On Friday, August 16th, after Turkey had overrun one third of the island and unilaterally declared a cease fire, a State Department spokesman stated: "We welcome the Turkish government's announcement of a cease fire and we want to make clear that we could not understand any resumption by Turkey of military operations on Cyprus." This is incredibly mild diplomatic language and obviously suggests the the State Department could understand the Turkish military operations up to that point.

Item: The Turkish view of the American role was stated in Ankara on Friday by Prime Minister Ecevit at a press conference where he said he had had frequent telephone conversations during the crisis with Secretary of State Henry Kissinger and he strongly praised the American role. He said that Washington had been "less emotional" and more objective than Britain, whose foreign Secretary James Callaghan sternly denounced Turkey for breaking off the Geneva talks earlier this week. The United States, Ecevit said, had "evaluated the problem objectively, refrained from taking sides, refrained from pressures."

In the light of all of this it is clear indeed who is talking plain baloney. It is the State Department when it contends that its policy has not been tilted toward any one party in this dispute.

As you know those of us in Congress of Greek-American descent and many other who are close friends of Greece and the Greek people have made the strongest representations to the State Department since the beginning of this crisis. To press forward on this matter we have introduced in the House of Representatives a resolution calling for a cut-off of all military and economic assistance and all military sales to Turkey. We believe strongly that the United States government must make it clear to Turkey in no uncertain terms that this country condemns recent Turkish action, that it opposes any partition on the island of Cyprus, and that it supports the integrity and the independence of that country.

The consequences of the catastrophic policy of our State Department during this crisis are staggering:

1. NATO has been plunged into its worst internal crisis since its creation 25 years ago and the Western security system in the Eastern Mediterranean has collapsed.

2. Efforts to support the civilian government of Constantine Karamanlis and the restoration of constitutional democracy to Greece have been dealt a serious blow. Karamanlis, a man of outstanding ability and a close friend of the United States throughout his political life, has been placed in an exceedingly difficult position.

3. Peace and justice on Cyprus have been jeopardized, perhaps for generations to come, as efforts to develop harmony between its people have given way to hatred and bitterness. The independence and integrity of a peaceful nation has been subverted contrary to all rules of international law.

4. The likelihood of conflict between Greece and Turkey, two NATO allies, has been greatly increased. As Prime Minister Karamanlis stated when Greece withdrew its troops from NATO, he was acting only "after the Atlantic Alliance had demonstrated its inability to prevent Turkey from creating a state of conflict between two allies."

5. A consequence which must pain us all personally is the grave deterioration in Greek-American relations. America and Greece have always had a close relationship since this country assisted Greece in its struggle against Turkey for national independence and human dignity. In two world wars Greece fought valiantly with America against the forces of aggression and she has consistently been one of our closest allies. Is Greece now to be lost as our friend because of the blindness and shortcomings of the State Department's policy?

It is imperative that our national policy be altered so that this question be answered with a ringing no. It is for this reason that Congressmen Brademas, Kyros, Yatron, Bafalis and myself have introduced our resolution cutting off aid to Turkey. Cutting off aid, I want to point out, to a nation which recently announced that it was resuming the growing of opium. A step which will deal a critical blow to our efforts to control drug addiction in this country, where it is estimated the number of heroin addicts has been cut in half since the opium ban was instituted. And yet, despite this fact and despite the generous compensation paid by the U.S. to Turkey farmers for the ban, the Turkish government is resuming opium production and thereby turning loose on the streets of America an enemy which menaces us all. What kind of a policy is it, I ask you, to trade the friendship of Greece for that of a country which is willing to poison our youth.

The task before us is not an easy one. We must go to work to change the policy of the State Department so that it returns to basic international principles of justice and the rule of law and repudiates armed aggression and its brutal and illegal results. We must take measures to provide the desperately needed assistance and aid required by the displaced refugees on Cyprus. And we must take steps to restore our traditional friendship with Greece and to support the re-institution of democracy in the land which gave that cherished concept to the world. All of these things will require great effort but working together I believe we can prevail.

THE 15TH ANNIVERSARY OF CAPTIVE NATIONS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, the 15th anniversary of Captive Nations Week was successfully observed both here and abroad. As has been already extensively reported, the 1974 week was highlighted by official proclamations across the country, rallies and parades, news accounts and editorials, and radio and TV discussions. The chief contribution of the recent observance was the constructive doubts it raised about détente and the captive nations.

An analysis of this important subject appeared in The Rising Tide, July 29, 1974, edition, a rapidly expanding newspaper devoted to the general subject of world freedom.

Under the caption "Captive Nations Belie Détente," it presents the analysis developed by Dr. Lev E. Dobriansky of Georgetown University. Excerpting the basic essentials of this presentation, I earnestly commend them to the studied reading of our Members and all others who are concerned with peace, human rights, and freedom:

CAPTIVE NATIONS BELIE DÉTENTE

(By Dr. Lev E. Dobriansky, chairman of the National Captive Nations Committee and president of the Ukrainian Congress Committee of America)

Little is it recognized or understood in the Free World that the essential freedom message of the two towering Russian intellectuals, Andrei Sakharov and Alexander I. Solzhenitsyn, conforms almost precisely with the established captive nations analysis. In calling for the withdrawal of Russian power to the national borders of Russia and the renunciation of Marxism-Leninism they, and countless behind them in the USSR, are in essence calling for the freedom of the crucial non-Russian nations in the USSR, the surcease of Russian imperio-colonialism, and the open admission of the bankruptcy of Marxist philosophy in the whole area of the captive nations. Both strike at the foundation stone of the captive nations analysis, namely the captive non-Russian nations in the USSR, the first victims of Soviet Russian imperio-colonialism, and both point to this basic analytical structure of thought without which the conception of "a structure of peace" in our time cannot but become a colossal illusion.

NATIONS

All the diplomatic flurry, motion and summitry of the past few years haven't made a dent in the overall structure of the captive nations. The simple historical truth is that an enduring structure of peace cannot possibly be founded on a permanent structure of captive nations, extending from the Danube to the Pacific and into the Caribbean. The ultimate and determining question is whether detente, as presently conceptualized and developed, can accommodate not so much the oppressive Red regimes but more so the liberating forces in the captive nations and peoples themselves. . . .

Part of the antidote to present illusions of detente is surely a memorized review of the long list of captive nations:

People or nation:	*Year of Communist domination*
Armenia	1920
Azerbaijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Idel-Ural	1920
North Caucasia	1920
Ukraine	1920
Far Eastern Republic	1922
Turkestan	1922
Mongolian People's Republic	1924
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Serbia, Croatia, Slovenia, etc., in Yugoslavia	1946
Poland	1947
Romania	1947
Czecho-Slovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960

It should be stressed that almost half of the captive nations are in the Soviet Union itself. Of these, most were conquered by Soviet Russian force after World War I and forcibly incorporated into a newly-formed empire-state called the Union of Soviet Socialist Republics at the end of 1922. They form the foundation of Moscow's outer empire in Central Europe, Asia and Cuba.

MOSCOW'S TROIKA POLICY

For an evaluation with perspective and understanding of these prospective developments and the illusions of detente, the concept of Moscow's traditional troika policy is indispensable.

As elaborated in the '73 Week, the troika consists of (1) the anchor horse racing toward a controlled, totalitarian and imperialist consolidation within both the inner empire in the USSR and the outer empire in the so-called satellite states of Central Eu-

rope; (2) guided by the effective "peaceful coexistence" sub-strategy, the second unit pointing in the direction of a divide-and-subvert process in the West; and (3) the final part, still generated by "wars of national liberation," galloping in a progressive infiltration and undermining of the less developed areas of the world. Each part of the troika is continually reflected by some notable, varying current events.

Viewed globally, the Cold War in its real sense has not diminished; as manipulated by Moscow * * *.

EIGHT PROMINENT ILLUSIONS OF DETENTE

The outline of the foregoing captive nations analysis is adequate enough to spotlight the mounting illusions of detente which can be concisely defined as follows:

(1) *The Nation-State Illusion:* At this late stage in global politics it is incredible, but true, that in our highest governmental, educational and other institutions that the USSR is viewed as a nation-state with "Soviet citizens" of different ethnic backgrounds similar to the pattern of the U.S. In defending detente the Secretary of State, who plainly misunderstands the Captive Nations Week Resolution, suffers from this basic illusion when he speaks of "our two peoples," "out two nations," and some sort of a "Soviet domestic structure" for an area which is really multi-international in composition.

(2) *The Non-Interference Illusion:* The first illusion logically breeds this one on non-interference in the "internal affairs" of the USSR. Rationally, the principle of non-interference is valid where it concerns a nation-state, but in the case of an empire-state, founded on conquest and oppression of nation and with imperial extensions and ambitions beyond, it makes only practical sense to the imperialist power. The abuse of this principle is an old imperial Russian technique with Stalin, Vishinsky, Khrushchev and Brezhnev have frequently employed not only for the empire-state of the USSR but also, as the Brezhnev doctrine confirms, for its imperial extensions in Central Europe.

(3) *The Institutional Policy Illusion:* The strange notion that the external policy of a state can be divorced from its internal, imperial policies is what may be called the institutional/policy illusion, which is obviously cognate to the preceding illusion. The external imperial policy has always been fed by the oppressive, whether authoritarian or totalitarian, internal policy of the empire. To hope for substantial changes in the former without essential structural and behavioral changes in the latter is the illusion. As Solzhenitsyn recently pointed out, one of the characteristics of our present pseudo-detente is: "When any acts of cruelty and even brutality by one side towards its own citizens and its neighboring peoples is hastily and nearsightedly accepted by the proponents of detente as "in no way standing in the way of detente"—thereby encouraging new acts of brutality and persecution . . . Kissinger is quoted.

(4) *The "Peaceful Coexistence" Illusion:* As shown earlier, "peaceful coexistence" is no illusion for Moscow. It is a very specific and definite substrategic policy for the Kremlin totalitarians. It only becomes an illusion for the West and us Americans when we identify it with détente in the mistaken belief that this troika unit of Westpolitik means a live-and-let-live policy. "Peaceful coexistence" for Moscow means plainly ideo-political warfare in all its dimensions against the West, and in our country it is already an open secret that our F.B.I. cannot cope with the inflow of agents from behind the Iron Curtain.

(5) *The Non-Ideologic Illusion:* Some détentists hold that the ideologic power of Moscow and its syndicate is minimal and that there is little to fear from it. As far back as 1957, Kissinger observed, "The emerging middle class in Russia may, of course, in time ameliorate the rigors of Soviet doctrine." Apart from a mythical middle class in "Russia," Marxist-Leninist ideology remains doctrinally powerful in the CPSU membership and beyond, though for the Russian populace at large and among the captive non-Russian nations its power of attraction is nil. What is more important is the effective tool it represents to attract all sorts of elements in the Free World who have not experienced the experience of the captive peoples, including from another interpretative angle the Russian people.

(6) *The Humanist Illusion:* Bred by the "mellowed Communist" fantasy of the 60's, many détentists view the Kremlin and other Red totalitarians as destalinized types and thus more humane and reasonable to work with toward "peace." After all Solzhenitsyn was exiled, not murdered. Those harboring this widespread illusion are easily deceived by calculating Potemkinist techniques of the Kremlin, where for one Solzhenitsyn tens of thousands linger in Moscow's prison camps, psychiatric wards and terminal cells. The leadership is mainly Stalin-bred, is brutal and calculating, and in Hitlerian fashion cultivates and dominates a society that is predominantly technocratic and militaristic.

(7) *The Economic Interpendence Illusion:* It is in the area of trade, long-term joint projects, and gradually enhanced economic involvements leading to a generalized economic interdependence that leverage is sought by us to curb and cause all three horses of the Russian troika to retreat, with "peace" becoming more secure than ever before. Bear in mind that Moscow's essential objective is to acquire our advanced technology to shore up its messy, labor-short and capital-starved economy while its overall strategic troika races on.

It is absolutely necessary, therefore, to focus the predication of our trade and investments on politico-social concessions in the USSR itself and not for Moscow's restraint in Vietnam, the Mideast and elsewhere, which is really a dealt cover-up for relative American weakness in these areas and could be open-end as the troika, fed by our economic "aid," races on. Without, such USSR-centered concessions, economic interdependence will remain an illusion and, as in all cases of trade with totalitarian powers, the answer to the question of "Who is giving the shaft to whom?" should be evident.

(8) *The Non-Morality Illusion:* Finally, the supposedly hard-nosed play in power balances leaving no room for moral forces of idealism, human rights, freedom, national independence, etc. is perhaps the most absurd illusion surrounding détente. Regardless of all its imperfections, the whole story of America is founded on moral idealism, whether expressed by internal or external policies for basically they're interwoven, and this unfolding story is unsurpassed in the history of mankind. The continuing impact of American idealism on the captive nations is boundless and is one of the greatest of our weapons against the Kremlin totalitarians.

A détente pursued on the basis of these illusions will only court disaster for us and the Free World. A real, genuine détente, pointing even to the mutual benefits of entente, presupposes the dissipation of these illusions and a concrete development of an irreversible and guaranteed movement of actions that would preclude violence, further arms build-up, and the violation of fundamental human and national rights. Invoking the nuclear scare, as Kissinger does, is no argument for an illusory détente. The formation of a genuine détente, based on the factual counterpoints to the illusions, is the hope of this 15th Captive Nations Week anniversary.

* * * been shifted, with low-keyed operations in one area, intense repressive measures in another, and incessant plays on "American imperialism" in a third. Skillfully employing the "peaceful coexistence" strategem and its low-keyed tactics, Moscow seeks both time and critical economic means to sustain and expand this overall structure and its manifold activities for the historic moment when its diplomacy and adjunct military and other factors will directly confront the West, and the U.S. in particular, at clear-cut advantages to itself.

THE COLD WAR: "PEACEFUL COEXISTENCE" AND DÉTENTE

The current confusion over the terms of Cold War, "peaceful coexistence" and détente suggests in itself that the time is ripe for a national reexamination of our policies before we find ourselves too far afield in abating Moscow's global strategy. Treaties, negotiations, cultural exchange, trade and other involvements were rife in relations with Nazi Germany, but these failed to alter the course of basic trends. The injection of a nuclear age doesn't make these activities any more substantial and scarcely deters Moscow from racing its global troika.

From the beginning of the RSFSR the strategem of "peaceful coexistence" has always been a tool in Moscow's Cold War arsenal. The first victims of Soviet Russian aggression, such as Byelorussia, Ukraine, Georgia and others, were temporarily exposed to it. This special Cold War concept of unyielding systemic conflict and political warfare is uttered almost daily by Moscow and its satraps, and aside from the Aesopian language means in essence: "The struggle between the proletariat and the bourgeoisie and between world socialism and imperialism will be waged up to the complete and final victory of Communism on a world scale. . . . All forms of the class struggle—political, economic and ideological—are closely interwoven, one augmenting the other—bringing first one form and then another to the forefront."

Within the empire the Cold war is expressed in varying degree by nationalist assertions, resistance to Russification, open dissidence, religious revival, underground publications, and sheer ideological apathy and indifference. In the third sphere of Moscow's operations, who would classify Vietnam, the Mideast, the Indian Ocean, the base of Cuba and others as being beyond the Cold War concept as it pertains to US–USSR relations? The Cold War in its multiform can be and is waged through proxy and intermediate conduits.

AMERICANS MUST SUPPORT CZECHOSLOVAK ASPIRATIONS FOR FREEDOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, August 21 marks the sixth anniversary of the 1968 invasion of Czechoslovakia by the Soviet Union—an outrageous act of totalitarian oppression which again reminded the world that ideals of freedom and human dignity simply do not exist for the brutally cruel masters of the Kremlin.

The people of Czechoslovakia again commemorate August 21 as a day of Soviet shame as will Americans who trace their ancestry to this captive nation. None of us, as Americans, must ever forget that a system of monstrous barbarity still rules in the captive nations and that all of us must continue our support for the Czechoslovak people in their just aspirations for self-determination and human dignity.

Mr. Speaker, at this point in the RECORD I wish to include an appeal from the Czechoslovak National Council of America issued in commemoration of this sad day in the history of freedom-loving peoples everywhere.

The appeal follows:

CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA,
Chicago, Ill., August 21, 1974.

FREEDOM IS INDIVISIBLE

On this sad occasion of the sixth anniversary of the brutal Soviet-led invasion and occupation of peaceful and freedom-loving Czechoslovakia, we American citizens of Czech, Slovak and Subcarpatho-Ruthenian descent, again remind the entire world of this Soviet violation of key principles of international law incorporated into the Charter of the United Nations:

The brutal Soviet aggression and occupation:

(1) violated the sovereignty of a member state of the United Nations (Article 2, Section 1);

(2) was carried out in violation of Article 2, Section 4, which prohibits the use of military force in the relations between individual members of the United Nations;

(3) violated the principle of self-determination of peoples (Article 1, Section 2);

(4) was in conflict with Article 2, Section 7, which prohibits outside intervention in matters essentially within the domestic jurisdiction of any state;

(5) was in conflict with a number of resolutions of the General Assembly of the United Nations, particularly with Resolution 2131 (XXI) adopted at the meeting of December 21, 1965, upon the Soviet Union's own motion, prohibiting any intervention in the domestic affairs of any state and guaranteeing its independence and sovereignty.

The continued Soviet occupation of Czechoslovakia is another crime against the right of a small country to determine its own destiny and aspirations. The invasion was an intervention by the forces of reactionary communism to prevent the Czechs and Slovaks from establishing their own social order that did not endanger anyone and sought to contribute to the building of bridges across the discords of a divided world and to lend aid to a better understanding and cooperation among all nations on the basis of true progress and humanity.

The people of Czechoslovakia have not resigned themselves to these aggressive plans of Moscow. The day of August 21, is being commemorated in Czechoslovakia as a *Day of Soviet Shame* in a mighty and disciplined resistance against Soviet pressure. We are joining our friends in Czechoslovakia in asking the entire civilized world to support the people of Czechoslovakia in their effort to achieve;

"The withdrawal of Soviet troops from Czechoslovakia."

SAFE AMERICA COMMITTEE SUPPORTS HCIS

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

Mr. WAGGONNER. Mr. Speaker, on July 31, the Safe America Committee, an organization composed of individuals from occupations as diverse as clerics and carpenters, admirals and academicians, bankers and businessmen, placed a full page "Open Letter to Congress" in the Washington Post and other journals, supporting the continuation of the House Committee on Internal Security and urging the expansion of its activities in keeping with the increased threats to the safety of America.

I am hopeful that every member of the House will have an opportunity to review the challenging contents of this well-conceived letter sponsored by an impressive list of notables whose efforts are being coordinated by the American Security Council.

ASC itself requires no introduction in Washington circles—nor for that matter in Moscow, which, through its propaganda organs Izvestia and Pravad, has bitterly attacked the Council's incisive positions on vital national and international security issues. The ASC was founded in 1955 as a nonpartisan, educational organization. It draws heavily upon a broad across-section of the American public for its sources of membership. ASC is administered by ex-FBI agent and World War II bomber pilot John Fisher and a competent staff of experts in the fields of military, security, and international affairs. The letter follows:

SAFE AMERICA COMMITTEE,
Washington, D.C.

DEAR CONGRESSMAN: Less than two weeks after all America was shocked by the terrorist kidnapping of Patricia Hearst, the House Committee on Internal Security released a report on the Symbionese Liberation Army.

Since the epidemic of political terrorism which has plagued the rest of the world now threatens to break out in the United States, the Committee on Internal Security is now holding hearings on trans-national aspects of terrorism and their effect on American internal security.

Yet Congressman Bolling's House Committee has proposed the abolition of the House Committee on Internal Security and the transfer of its jurisdiction to the Committee on Government Operations (House Resolution 988). (The Hansen Committee of the Democratic Caucus substitute would transfer internal security jurisdiction to the Judiciary Committee).

This proposed transfer of jurisdiction would not only abolish the House Committee on Internal Security, it would also abolish the functions of that Committee. This is true because this provision would not transfer the 40 experienced professional staff employees of the House Committee on Internal Security . . . nor would it provide a budget for a new staff.

The Bolling proposal doesn't even provide for sub-committee status for the internal security function. Even if it did, no sub-committee can have the stature and the effectiveness of a standing committee.

The Bolling provision follows the pattern of the proposal which has been made for many, many years by the anti-security lobby led by the National Committee Against Repressive Legislation.

But this is totally contrary to the wishes of the average voter.

For example, the Opinion Research Corporation did a public opinion survey of voting age citizens in April 1974 and asked:

It has been proposed in Congress that the House Committee on Internal Security should be abolished and its area of work (but not its staff) given to the Government Operations Committee. Do you agree or disagree with this proposal?

45% disagreed; 26% agreed and 29% were undecided.

In other words, nearly twice as many voters were for keeping a separate House Committee on Internal Security as were for the transfer of jurisdiction.

On the lawmaking role of the Committee, the Opinion Research Corporation asked:

Should Congress pass new legislation that makes it illegal to teach or advocate the overthrow of the Government by force or violence?

63% said yes; 30% said no and 7% were undecided.

On the investigative and public information role of the Committee, the Opinion Research Corporation asked:

Do the American people have the right to be fully informed about the goals and activities of organizations which are dedicated to the overthrow of the U.S. Government by force and violence?

89% said yes; 8% said no; 3% were undecided.

Passage of HR 988 or the Hansen substitute in their present form would effectively eliminate the functions of the Internal Security Committee and would be directly contrary to the clear wishes of the vast majority of the voters.

We strongly support the continuation of a standing House Committee on Internal Security. We also urge the expansion of its staff and activities so that it can be more responsive to the increased internal security threats.

PARTIAL LISTING OF SAFE AMERICA COMMITTEE MEMBERSHIP

Robert E. L. Eaton, Natl. Cmdr., The American Legion.

Richard Smith, Chairman, Young Republican Natl. Fed.

Martha Rountree, President, Leadership Foundation.

Ron Dear, Executive Director, American Conservative Union.

Gen. Bruce C. Clarke, USA Ret., Chairman Emeritus, National Assoc. Uniformed Services.

Brig. Gen. A. R. Brownfield, Exec. Dir., The Military Order of the World Wars.

Miss Eleanor Schlafly, Exec. Sec., Cardinal Mindszenty Fdn.

Sgt. Maj. C. A. McKinney, Dir. of Legislative Affairs, Non-Commissioned Officers Assn.

J. Fred Schlafly, President, American Council for World Freedom.

Elwyn W. Kelting, President, Fundamental Christian Assn.

H. Dean Buttram, Jr., Pres., Student Government, Jacksonville State University.

Mrs. Billie Bowles, State V. P., Calif. Republican Assembly.

Anatol Pleskaczewski, V. Pres., Byelorussian Congress Com. of America.

Lt. Julian Hopkins, Natl. Comdr., Disabled Officers Association.

John M. Fisher, President, American Security Council.

Mrs. Maurice Kubby, Natl. V. P., American Legion Auxiliary.

Ray R. Soden, Natl. Cmdr., Veterans of Foreign Wars.

O. P. Norton, Exec. Dir., Amer. Soc. for Ind. Security.

Natalie Wales Hamilton, Pres., Committee to Unite America.

Ron Docksai, Natl. Chairman, Young Americans for Freedom.

Donald O. Shaw, Member, Bd. of Governors, Natl. Counter Intelligence Corps Association.

Mrs. Bernard F. Kennedy, Natl. Americanism Chairman, American Legion Auxiliary.

Dr. S. Edgar Moon, Exec. Dir., Western Pennsylvania Public, Interest Research Group.

Mrs. H. W. Glickfield, President, Women's Republican Club of Ft. Lauderdale.

Reverend Cyril Drozdiak, Franciscan Order.

Mrs. A. A. MacGregor, Pres. Rep. Women of Pa., Inc.

Dr. Ivan Docheff, Natl. Chm., American Friend of the Anti-Bolshevick Bloc of Nations.

Carl L. Hill, President, Taxpayers Association.

D. L. Harlow, CMSAF Ret., Director of Legislation, Air Force Sergeants Assn.

R. Adm. V. H. Schaeffer, USN Ret., Exec. Dir., Naval Reserve Assn.

R. W. Nolan, Natl. Exec. Sec., Fleet Reserve Association.

Richard Mantia, Exec. Sec., Building and Construction Trades Council (St. Louis).

Jack Valenti, President, Local 655, Retail, Clerks International Association.

Ollie W. Langhorst, Exec. Sec.-Treas., Carpenters District Council (St. Louis).

Robert E. Stewart, Sec.-Treas., Local 35, Plumbers and Pipefitters International.

Joseph F. Cointin, Dist. 9, Bus. Rep., Intl. Assn. Machinists.

Richard D. Flotron, Bus. Rep., Local 1, Intl. Bro. Elec. Workers.

Russell E. Egan, Exec., Local 13, Office and Professional Employees Intl. Union.

H. C. Schwarzer, Bus. Rep. and President, Carpenters Local 1108, AFL-CIO.

Gerald Shearrer, Police Sgt., Detroit Police Department.

Kenneth K. Hinau, Detective, Honolulu Police Department.

William F. Maughan, Deputy Inspector, New York City Police Department.

Mrs. Frank A. McAllister, Rosedale.

Mrs. Leslie F. Johnson, Omaha High School Principal.

R. G. Hatcliff, Principal, Newport Spec. School Dist.

Harry Burdette, Vice Principal, Baltimore City Public Schools.

Sanford N. McDonnell, Pres., McDonnell Douglas Corp.

Roger Milliken, President, Deering Milliken, Inc.

William R. Lloyd, President, Pittsburgh Elevator Company.

P. P. Butler, Ret. Pres., First City Natl. Bk., Houston, Tx.

C. G. Carlson, President, Caco-Pacific.

R. F. Babbidge, Chrm. of Bd. and Chief Executive Officer, Promanent International, Inc.

Edward B. Benjamin, Starmount Farm.

W. F. Colclough, Ret. Chrm. of Bd., American Bank Note Company.

Mrs. Page Nelson.

J. D. Street, President, St. Louis Slag Prod. Company.

William E. Cromling, Exec. V.P., 1st Natl. Bank of Elyria, Ohio.

Col. Michael P. Yannell, Pres., Builders Express, Inc.

Cmdr. A. F. Kempe, USMC Ret., Pres., Seneca Coal Corp.

John G. Sevcik, Gen. Mgr., McCormick Place.

Dr. Mary Tarzian, Publisher, Banner-Graphic & Sarkes Tarzian, Inc.

C. L. Ballew, President, Circulation Svc., Inc.

Arthur L. Reese, Director, Motorola, Inc.

Paul Mann, Pres. & Chrm. of Bd., Home St. Life Ins. Co., Inc.

Ambassador David M. Key, Ret.

Amb. J. Wesley Jones, Ret.

Amb. Elbridge Durbrow, Ret.

Dr. Hugh W. Ellsaesser, Physicist, Lawrence Livermore Laboratory.

Adm. E. J. Roland, USCG Ret.

Maj. Gen. Frank D. Weir, U.S. Marine Corps-Ret.

Gen. H. K. Mooney, USAF Ret.

Vice Admiral K. K. Cowart, USCG Ret.

Gen. A. P. O'Meara, USA Ret.

Lt. General E. M. Almond, USA Ret.

Vice Admiral J. H. Doyle, USN Ret.

Neill S. Brown, President General Paper Corporation.

John C. Irwin, Gen. Atty. U.S. Steel Oilwell Division.

G. Woodrow Ballew, Pres. Blackburn Bank.

Robert L. Bell, President, The Gauley Natl. Bank.

William K. Todd, Pres., Todd Publications, Inc.

Arnold H. Jacobsen, Chrm., Washington Central Bank.

Layton W. Bailey, Jr., Vice Pres., MCA TV.

C. Dana McCoy, President, Space Systems, Inc.

Rev. Thomas J. O'Day, Director, Loyola Retreat House.

Pastor D. Goldberg, Grace Bible Institute.

Rev. Simon E. Forsberg, Minister and Instructor, Montana Institute of the Bible.

Rev. Newton M. Coughenour, Clergyman and Lecturer.

Rev. Richard C. Halter, Pastor, Calvary Baptist Church.

Rev. Gerard J. Clark, Catholic Priest, St. Anthony Church, Milwaukee.

Rev. Paul C. Pepoon, The United States Methodist Church.

Rev. C. William Havens, Baptist Missionary.

Rev. R. J. McMiller, Lutheran Pastor.

Rev. Edgar A. Day, Minister, United Methodist Church.

Rev. Edgar A. Day, Minister, United Methodist Church.

Rev. Emmanuel Kelsch, Chaplain, Holy Trinity Hospital.

Rev. Robert W. Cooke, Evangelist (Baptist)

Rev. Oliver N. Hamby, Minister Natl. Presbyterian Church.

Rev. Bob White, Evangelist, Bob White Evangelistic Assn.

Brother Harvey, Missionary, Maryknoll Fathers.

Rev. J. P. Sweeney, Chaplain, Flushing Hospital Med Centre.

Rev. Wilbur Kissell, Chaplain, Providence Hospital.

Professor Roger W. Williams, Columbia University.

Dr. John Eccles, Prof., State Univ. of New York.

Professor Ralph H. Davidson, Ohio State University.

Dr. Kurt Glaser, Professor of Government, Southern Illinois University.

Professor Leon D. Nobes, Western Michigan University.

Professor Ward Fleming, Prof. of Political Science, City Colleges of Chicago.

Professor John H. Dudley, Calif. St. Univ., Long Beach.

Professor Marvel L. Baker, University of Nebraska.

Professor Sarah L. Rowe, West Chester State College.

Professor Richard Stealy, Ball State University.

Dr. William H. Pixton, Prof., Troy State Univ.

Professor Gustav H. Franke, Jr., Hampden-Sydney College.

Dr. T. F. Boushy, Prof. of Hist. & Pol. Sci., Fayetteville State University.

Professor Gordon N. Murray, City Colleges of Chicago.

Dr. E. Atwell Cherry, Professor of Economics, State Univ. of New York.

Coach Paul F. Dietzel, Director of Athletics, University of South Carolina.

SANTA ROSA COUNTY CHAMBER OF COMMERCE RESOLUTION ON THE ECONOMY

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

Mr. SIKES. Mr. Speaker, the Santa Rosa County Chamber of Commerce at Milton, Fla., has adopted a resolution expressing their concern with unnecessary spending in Government and their desire for more cooperation between Congress and administrative agencies. I am glad to call this resolution to the attention of the Members of the House and to urge careful consideration of the wording of the resolution.

SANTA ROSA COUNTY
CHAMBER OF COMMERCE,
Milton, Fla.

RESOLUTION

Whereas, the political climate of our country has been in a state of turmoil for the past several years, and

Whereas, that turmoil has been a factor in the down turn of our economy, and

Whereas, the primary factor in the inflation, now evident in our country, is believed to be government fiscal policy, and

Whereas, the cause of that political turmoil has, evidently, been eliminated, and

Whereas, the problem of administering our country should now be the primary concern of our Congress, now therefore be it

Resolved, That the Board of Directors of the Santa Rosa County Chamber of Commerce most earnestly call upon the members of the U.S. Senate and House of Representatives to lay aside partisan politics and strive to work together for the good of all of the United States, and be it further

Resolved, that the Board of Directors of the Santa Rosa County Chamber of Commerce enjoin each legislator to make diligent efforts to eliminate these programs, both enacted and proposed, which cause unnecessary spending by Government and which cause unnecessary restraints to be placed upon those businessmen who practice the "Free Enterprise Method", of U.S. Business.

Approved and adopted by the Board of Directors of the Santa Rosa Country Chamber of Commerce this 12th day of August, A.D. 1974, in Milton, Santa Barbara County, Florida.

NATIONAL TIMBER RESOURCES

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

Mr. SIKES. Mr. Speaker, the Forestry Incentives Program, which received an overwhelming endorsement in Congress, is expected to contribute significantly toward better forest management and increased timber production on a very large portion of the Nation's timberlands. An interesting and sound discussion of the Forestry Incentives Program appeared in the Baltimore Sun recently under the pen of Henry S. Kernan. It is entitled "National Timber Resources." I feel that it deserves reprinting in the CONGRESSIONAL RECORD.

NATIONAL TIMBER RESOURCES

(By Henry S. Kernan)

Since earlier this year a United States District Court has enjoined the Forest Service from selling an extra billion board feet of national forest timber as ordered by the Cost of Living Council. At issue in the case are high prices for lumber against contentions that the 92 million acres of timbered national forest have a broader vocation than supplying coniferous lumber to a voracious market for housing.

With nearly two thirds of the soft wood saw timber inventory, public forests are the logical and efficient source of wood. Yet their traditionally subordinate part in supply will probably not change easily or soon. Only intensive timber management could change that part to a major one, a proposal which Congress has ignored or defeated several times.

Instead Congress has chosen non-industrial private forests for money and attention. Although such ownerships cover 60 per cent of the country's forested area, they have only one fifth of coniferous sawtimber. Economists and foresters have long shuddered over their fragmentation and poor condition; but Congress has seen them as an opportunity to help private endeavor without sparking controversy over the federal forests.

At the time of hearings and debates even

such contentious viewers of forest policy as the Sierra Club and the National Forest Products Association accepted the choice as wise. While the national forests by law have a vocation for multiple use, private lands can reach for whatever degree of commerical timber management the owners' means and interests allow.

Thus by that strange transmogrification of words which is the genius of our language, FIP (once a silver coin worth 6½ pence) has become the Forestry Incentives Program and a potentially weighty factor for better housing and the quality of life which abundant wood products can give. Herein is a new tack for forestry. Other programs such as the Soil Bank have planted trees, but primarily for social purposes aimed at easier, pleasanter surroundings for residents and visitors to the countryide. The new forestry incentives are for the national timber supply and only incidentally for the benefits which receive equal status on the national forests.

FIP has two sections of the 1973 Farm Bill. They authorize annual appropriations of $25 million with orders that the Secretary of Agriculture use them where planting trees and improving timbered stands best match the aim of producing sawlogs. Therefore the 1974 Program Year, although leaving out no state, placed half the funds in the Southeast, with Alabama's $903,000 the largest share. California's $50,000 is about half of Maryland's, with Alaska and Rhode Island coming in last with $5,000 each. State foresters select the counties and local foresters the exact sites for planting or improvement. The use of high quality land first results from a clear directive and should prevent weak mix-up of social and economic needs which cost-sharing programs have too often become.

Nevertheless the Forestry Incentives Program would probably not have come about had not cost-sharing suggested an alternative to the controversial cutting of old-growth timber on the national forests and to the cycles of steeply rising lumber and plywood prices of 1969 and 1973. Since then both the Forest Service and the President's Panel on Timber and the Environment have pointed toward even steeper prices and shortages of coniferous sawtimber instead of the low-cost, abundant and high quality wood which the forests should provide. They include the best and most extensive pinelands in the world and hardwoods that rival the best of the tropics.

Therefore the program offers incentives only for planting trees and improving timber stands upon the sites most capable of yielding returns upon the costs incurred. Those for planting run from $32 to $90 an acre, depending mainly upon the effort needed to rid the ground of competing vegetation and prepare the soil. The first year's planting of 450,000 acres will be mostly on the coastal sweep from East Texas to the Eastern Shore where some 30 million acres lie idle or nearly so.

The aim of timber stand improvements is to give the best trees room to grow by eliminating their competitors for light and space. It will cover about the same area as planting, but with lower costs and less time for salable results than the 20 years pine planting require.

A taxpayer can well ask why this form of private enterprise needs the fillip of federal help up to 75 per cent of the investment cost. The country needs wood while millions of acres are either unstocked or growing wood so poor as to be almost without value. For the private owner the alternatives to growing wood can usually be bonds and savings accounts that yield higher returns.

The alternatives to public ownership or help are the ecological and energy problems of using materials which neither sink rapidly and harmlessly back into the cycle of life as does wood nor renew themselves with the easy nudge of an incentive dollar.

TO THE CONGRESS

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

Mr. KOCH. Mr. Speaker, a lyric statement by Joel Oppenheimer in the Village Voice has come to my attention which I believe captures the feeling that millions of Americans, myself included, toward former President Richard M. Nixon. Let me read it:

TO THE CONGRESS

dears sirs i do not
wish to sound
vindictive but if he'll
pay his taxes and the
penalties they'd
properly put on you
or me, and if he makes
good a few blighted
public lives, and if
he'll scotch tape the
constitution back
together again, and
if he'll breathe life
into assorted indochinese,
then we'll just be even.

There is much debate in the country on whether the President will escape prosecution or be granted immunity. It is clear Mr. Speaker, from your statements and others, that this Congress quite correctly will not grant immunity to Richard M. Nixon for any criminal acts which he may have performed while in Congress; and I believe that the special prosecutor, Leon Jaworski, will find it impossible to continue with the prosecution of lesser former officials of government for criminal activities and allow the chief culprit to remain free from prosecution. I have full confidence that the special prosecutor will fulfill his obligations of office in the same exemplary way that he has to date.

PAIRS IN THE COMMITTEE OF THE WHOLE

(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, I am today introducing a resolution to amend the House rules so as to extend the use of pairs to the Committee of the Whole House on the State of the Union.

The practice of "pairing" in the House began in the early 1800's. Members on opposing sides of an issue would informally arrange pairs when both were to be absent from the floor during a vote on a particular bill. The pair, though not counted as a vote, allowed Members to indicate how they would have voted had they been present.

Originally, pairing was done by gentlemen's agreement with the House exercising no control over their use or abuse. In 1880, as part of a general reform of the House rules, pairs received their first formal recognition, as a device for enabling Members to announce their positions on bills when they could not be present for the actual voting. Thereafter, pairs were to be announced by a clerk of the House and published in the official journal of the day's proceedings immediately following the first rollcall.

So long as votes taken in the Committee of the Whole were limited to voice votes, divisions, and—unrecorded—teller votes, pairs were not practical nor were they needed. When electronic recorded votes were introduced in the Committee of the Whole, pairs would have been convenient, but the Speaker ruled that pairs were not permitted.

I can see no valid reason not to extend the use of pairs to recorded votes taken in the Committee of the Whole. The Committee is a procedural fiction whose genesis can be traced back to Britain's early parliament. The Committee, in reality, is the House operating under less formal procedural rules for the sake of convenience. For example, only 100 Members are needed to conduct its business, whereas a quorum in the House is 218. Why should Members be denied the convenience of pairing in this forum?

Moreover, on many occasions, the real fight over the shape of legislation occurs during consideration of amendments in the Committee. By the time the bill is before the House for final approval, in many cases approval is little more than a formality.

Though the rules of the House now provide that pairs may be announced just once during the course of the legislative day, the CONGRESSIONAL RECORD does show pairs after each vote taken in the full House by the electronic recording system. Announcing pairs but once each day was recommended in the 1880's as a means of expediting the business of the House at a time when a call of the roll lasted 20 minutes.

Expedition was also a principal reason for adopting the electronic vote recording system now employed. However, my proposal will in no way delay matters. As all Members know, most pairs are no longer formally announced by the pair clerk; they are arranged by majority and minority clerks and inserted in the appropriate place in the CONGRESSIONAL RECORD. Under my amendment, no time would be lost; the pair clerks would simply repeat the process now used in the House for votes taken in the Committee of the Whole.

My final reason for offering this amendment is, perhaps, the most important. Each Member has a responsibility to the constituents he or she represents to cast a vote each time a bill or resolution is before the House. When a Member is, for some reason, unable to be present for a vote on the floor, I believe the responsibility to be on record on that particular issue is not diminished. My amendment would enable each Member to formally record his or her position on controversial legislative actions in the Committee when unable to be there in person.

I should add that under any procedure pairing can be accomplished only to the extent that there are enough Members who wish to be recorded in the negative on any given vote to offset those who wish to be recorded in the affirmative, and vice versa. Where a vote is lop-sided no pairs—or only a small number of pairs—may be available. However, this limitation on the usefulness of pairing applies whether pairs are permitted only in the House or also in the Committee of the Whole.

The reform I am proposing is a modest one; it would hurt no one and would assist both the Members and their constituents. I am introducing the resolution and hopefully, stimulate debate. I intend now so that it may be a matter of record, to offer my resolution as an amendment to the Bolling and Hansen committees' reform proposals because I believe it would be consistent with the stated goals of House Resolution 988, and would be in the public interest.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. ANDERSON of Illinois (at the request of Mr. RHODES), for today, on account of illness.

Mr. BEARD (at the request of Mr. EVINS of Tennessee), for today, on account of a death in the family.

Mr. BROTZMAN (at the request of Mr. RHODES), for today, on account of a death in the family.

Mr. FOUNTAIN, from 12 noon until 1 p.m. today, on account of official business.

Mrs. HANSEN of Washington, for August 20, 21, 22, and 23, on account of official district 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:

Mr. SIKES for 15 minutes, today, and to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. LENT) to revise and extend their remarks, and to include extraneous matter:)

Mr. MCKINNEY, for 5 minutes, today.

Mr. RAILSBACK, for 5 minutes, today.

(The following Members (at the request of Mr. BRECKINRIDGE) to revise and extend their remarks and include extraneous matter:)

Mr. BRADEMAS, for 5 minutes, today.

Mr. SARBANES, for 5 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. MINISH, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MATSUNAGA, to extend his remarks immediate preceding passage of the bill H.R. 11796.

Mr. ZABLOCKI.

Mrs. MINK to revise and extend her remarks on H.R. 11796, considered in the House today.

(The following Members (at the request of Mr. LENT) and to include extraneous matter:)

Mr. KEMP in three instances.

Mr. STEELMAN.

Mr. ARCHER.

Mr. GUDE.

Mr. MOORHEAD of California.

Mr. WYMAN in two instances.

Mr. VEYSEY.

Mr. BROYHILL of Virginia.

Mr. BROOMFIELD.

Mr. BRAY in two instances.

Mr. SEBELIUS.

Mr. CRONIN.

Mr. FINDLEY.

Mr. CRANE.

Mr. BROWN of Ohio.

Mr. DERWINSKI in three instances.

Mr. HOSMER in two instances.

Mr. CONTE.

Mr. COLLINS of Texas in four instances.

Mr. SARASIN in two instances.

(The following Members (at the request of Mr. BRECKINRIDGE), and to include extraneous matter:)

Mr. ANNUNZIO in six instances.

Mr. RARICK in three instances.

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in two instances.

Mr. GAYDOS.

Mr. HAMILTON in two instances.

Mr. EILBERG in 10 instances.

Mr. MOLLOHAN.

Mr. LEHMAN.

Mr. EVINS of Tennessee in two instances.

Mr. ROUSH in two instances.

Mr. FISHER in three instances.

Mr. BIAGGI in 10 instances.

Mr. BERGLAND.

Mr. FRASER in five instances.

Mrs. MINK in two instances.

Mr. DIGGS.

Mr. LUKEN.

Mr. TEAGUE in six instances.

Mr. MATHIS of Georgia in five instances.

Mr. BROWN of California in five instances.

Mr. VANIK.

Mr. MITCHELL of Maryland.

Ms. HOLTZMAN.

Mr. YOUNG of Georgia.

Mr. OBEY.

Mr. MURPHY of New York.

Mr. BINGHAM in 10 instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3289. An act to amend the act of August 10, 1939 (53 Stat. 1347), and for other purposes; to the Committee on Agriculture.

S. 3308. An act to amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 3906. An act to amend title 10, United States Code, by repealing the requirement that only certain officers with aeronautical ratings may command flying units of the Air Force; to the Committee on Armed Services.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 10044. An act to increase the amount authorized to be expended to provide facilities along the border for the enforcement of the customs and immigration laws;

H.R. 15791. An act to amend section 204(g) of the District of Columbia Self-Government and Governmental Reorganization Act, and for other purposes; and

H.R. 15936. An act to amend chapter 5, title 37, United States Code, to provide for continuation pay for physicians of the uniformed services in initial residency.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 3066. An act to establish a program of community development block grants, to amend and extend laws relating to housing and urban development, and for other purposes; and

S. 3190. An act to authorize appropriations for fiscal year 1975 for carrying out the Board for International Broadcasting Act of 1973.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following title:

On August 15, 1974:

H.R. 7218. An act to improve the laws relating to the regulation of insurance companies in the District of Columbia.

On August 16, 1974:

H.R. 15155. An act making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1975, and for other purposes;

H.R. 15405. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1975, and for other purposes; and

H.R. 15544. An act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending June 30, 1975, and for other purposes.

ADJOURNMENT

Mr. BRECKINRIDGE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 1 minute p.m.), the House adjourned until tomorrow, Tuesday, August 20, 1974, 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:

2662. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a copy of Presidential Determination No. 75-1, finding that the making of an agreement with the Government of Egypt for the sale of 100,000 metric tons of wheat, and the sale of such wheat in furtherance of such an agreement, is in the national interest of the United States, pursuant to subsections 103 (d)(3) and (d)(4) of the Agricultural Trade Development and Assistance Act of 1954, as

amended (Public Law 480); to the Committee on Agriculture.

2663. A letter from the Deputy Chief of Naval Material (Procurement and Production), transmitting the semiannual report of the Department of the Navy's research and development procurement actions of $50,000 and over, covering the period ended June 30, 1974, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

2664. A letter from the Chairman, Cost Accounting Standards Board, transmitting the annual progress report of the Board for fiscal year 1974, pursuant to section 719(k) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

2665. A letter from the Assistant Secretary of the Treasury for International Affairs, transmitting a report on the status of foreign credits by U.S. Government agencies and by international organizations in which the United States is a member, as of June 30, 1973, pursuant to section 634(f) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2666. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements other than treaties entered into by the United States, pursuant to Public Law 92-043; to the Committee on Foreign Affairs.

2667. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204 (d) of the Immigration and Nationality Act, as amended [8 U.S.C. 1154(d)]; to the Committee on the Judiciary.

2668. A letter from the Secretary of Commerce, transmitting the annual report of the National Marine Fisheries Service for calendar year 1973, pursuant to section 9 of the Fish and Wildlife Act of 1956 [16 U.S.C. 742h]; to the Committee on Merchant Marine and Fisheries.

2669. A letter from the Administrator of General Services, transmitting a prospectus proposing the acquisition, under a lease arrangement, of space in a building to be constructed to house the U.S. courts and other Federal agencies with an adjacent parking facility in Fort Lauderdale, Fla.; to the Committee on Public Works.

2670. A letter from the Chairman, U.S. Tariff Commission, transmitting the 24th report of the Commission on the operation of the trade agreements program, covering calendar year 1972, pursuant to section 402(b) of the Trade Expansion Act of 1962; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

2671. A letter from the Comptroller General of the United States, transmitting a report on the need to reimburse more consistently health facilities under medicare and medicaid; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 16425. A bill to provide for the monitoring of the economy, and for other purposes (Rept. No. 93-1297). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. H.R. 12113. A bill to revise and restate certain functions and duties of the Comptroller General of the United States, and for other purposes; with amendment (Rept. No. 93-1300). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAWKINS: Committee of conference. Conference report on S. 821 (Rept. No. 93-1298). Ordered to be printed.

Mr. PRICE of Illinois: Committee of conference. Conference report on S. 3698 (Rept. No. 93-1299). Ordered to be printed.

Mr. TEAGUE: Committee of conference. Conference report on H.R. 14920 (Rept. No. 93-1301). Ordered to be printed.

Mr. TEAGUE: Committee of conference. Confernce report on H.R. 13999 (Rept. No. 93-1302). Ordered to be printed.

Mr. DORN: Committee of conference. Conference report on H.R. 12628 (Rept. No. 93-1303). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia:

H.R. 16457. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the amount of certain cancellations of indebtedness under health care education loan programs; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mr. McCLOSKEY, Mr. BREAUX, Mr. FORSYTHE, and Mr. WHITEHURST):

H.R. 16458. A bill to establish a Federal Zoo Accreditation Board in order to insure that zoos and other animal display facilities maintain minimum standards of care for animal inventories, to provide technical and financial assistance to zoos, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HAWKINS (for himself, Mr. REUSS, Ms. ABZUG, Mr. ANDERSON of California, Mr. BADILLO, Mr. BARRETT, Mr. BENITEZ, Mr. BOLAND, Mrs. BURKE of California, Mr. JOHN L. BURTON, Mr. BROWN of California, Mr. CARNEY of Ohio, Mrs. CHISHOLM, Mr. CLAY, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. CORMAN, Mr. DOMINICK V. DANIELS, Mr. DELLUMS, Mr. DENT, Mr. DIGGS, Mr. DRINAN, Mr. EDWARDS of California, Mr. EILBERG, and Mr. FAUNTROY):

H.R. 16459. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; to the Committee on Education and Labor.

By Mr. HAWKINS (for himself, Mr. REUSS, Mr. FRASER, Mr. GRAY, Mr. GREEN of Pennsylvania, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Miss HOLTZMAN, Ms. JORDAN, Mr. KOCH, Mr. LEHMAN, Mr. LUKEN, Mr. MEEDS, Mr. METCALFE, Mrs. MINK, Mr. MOAKLEY, Mr. MURPHY of New York, Mr. NIX, Mr. PATMAN, Mr. PERKINS, Mr. PODELL, Mr. RANGEL, Mr. REES, and Mr. RIEGLE).

H.R. 16460. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; to the Committee on Education and Labor.

By Mr. HAWKINS (for himself, Mr. REUSS, Mr. RODINO, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SARBANES, Mr. SEIBERLING, Mr. SMITH of Iowa, Mr. STARK, Mr. STOKES, Mr. THOMPSON of New Jersey, Mr. TIERNAN, Mr. TRAXLER, Mr. VANDER VEEN, and Mr. CHARLES H. WILSON of California):

H.R. 16461. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; to the Committee on Education and Labor.

By Mr. HAWKINS (for himself, Mr. REUSS and Mr. PHILLIP BURTON):

H.R. 16462. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; to the Committee on Education and Labor.

By Mrs. HECKLER of Massachusetts:

H.R. 16463. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the tax imposed on interest on savings; to the Committee on Ways and Means.

By Mr. MITCHELL of Maryland:

H.R. 16464. A bill to transfer the technical assistance authority to the Secretary of Housing and Urban Development with respect to the surety bond guarantee program of the Small Business Administration provided by the Housing and Urban Development Act of 1970 to the Small Business Administration; to the Committee on Banking and Currency.

By Mr. MITCHELL of Maryland (for himself, Mr. BADILLO, Mr. TIERMAN, Mr. KEMP, Mr. HAWKINS, Mr. DELLUMS, Mr. HELSTOSKI, Mr. LONG of Maryland, Mr. MOAKLEY, Mr. STARK, Mr. YOUNG of Georgia, Mr. CONYERS, Mr. FAUNTROY, Mr. RANGEL, Ms. COLLINS of Illinois, Ms. ABZUG, Mr. STOKES, Mr. EDWARDS of California, and Mr. BURGENER):

H.R. 16565. A bill to limit use of prison inmates in medical research; to the Committee on the Judiciary.

By Mr. CONLAN:

H.R. 16466. A bill to reestablish the fiscal integrity of the Government of the United States and its monetary policy, through the establishment of controls with respect to the levels of its revenues and budget outlays, the issuance of money and the preparation of the budget, and for other purposes; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 16467. A bill to amend the Merchant Marine Act, 1920, in order to permit cargo vessels to carry more than 16 passengers when emergency situations arise; to the Committee on Merchant Marine and Fisheries.

By Mr. GUDE:

H.R. 16468. A bill to amend title 39, United States Code, to require the Postal Service to consult with agencies of State and local governments with respect to the construction of certain Postal Service facilities, to establish hearing procedures with respect to proposals for such construction, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUDE (for himself, and Mr. DU PONT):

H.R. 16469. A bill to authorize the voluntary withholding of Maryland, Virginia, and District of Columbia income taxes, pursuant to agreements subject to review by the Committee on House Administration of the House of Representatives, in the case of certain legislative officers and employees; to the Committee on House Administration.

By Mr. HEINZ (for himself, Mr. BIESTER, Mr. KYROS, and Mr. MYERS):

H.R. 16470. A bill to establish a National Center for the Prevention and Control of Rape and provide financial assistance for a research and demonstration program into the causes, consequences, prevention, treatment, and control of rape; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 16471. A bill making a supplemental appropriation for the Department of Health, Education, and Welfare for the fiscal year

ending June 30, 1975, to provide funds to conduct a study of the effects of the red tide on human health; to the Committee on Appropriations.

By Mr. KYROS:

H.R. 16472. A bill to direct the Secretary of Commerce to undertake a comprehensive study of the present and future needs of public ports in the United States, to establish a loan and grant program to enable public ports to comply with certain Federal standards, and for other purposes; to the Committee on Public Works.

By Mr. OWENS (for himself, Mr. RAILSBACK, Mr. MITCHELL of New York, Mr. BELL, Mr. BROWN of California, Ms. BURKE of California, Mr. PHILLIP BURTON, Ms. CHISHOLM, Mr. CLEVELAND, Mr. COHEN, Mr. CRONIN, Mr. DAVIS of South Carolina, Mr. DELLUMS, Mr. EDWARDS of California, Mr. FASCELL, Mrs. GRASSO, Mr. HARRINGTON, Mr. HOGAN, Mrs. HOLT, Ms. HOLTZMAN, Mr. LAGOMARSINO, Mr. LUKEN, Mr. MCKAY, Mr. MANN, and Mr. MURPHY of New York):

H.R. 16473. A bill to regulate lobbying and related activities; to the Committee on the Judiciary.

By Mr. OWENS (for himself, Mr. PODELL, Mr. RONCALLO of New York, Ms. SCHROEDER, Mr. STARK, Mr. SYMINGTON, Mr. THOMPSON of New Jersey, Mr. VIGORITO, and Mr. WON PAT):

H.R. 16474. A bill to regulate lobbying and related activities; to the Committee on the Judiciary.

By Mr. VANDER JAGT:

H.R. 16475. A bill to authorize a limited waiver of the child labor provisions of the Fair Labor Standards Act of 1938 with respect to certain agricultural hand harvest laborers; to the Committee on Education and Labor.

By Mr. WYMAN:

H.R. 16476. A bill to amend title 5, United States Code, to provide that an employee's accrued annual leave may be granted only upon such employee's request and, absent such request, such accrued leave may not be required to be taken; to the Committee on Post Office and Civil Service.

By Mr. MELCHER:

H.J. Res. 1112. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September annually as National Good Neighbor Day; to the Committee on the Judiciary.

By Mr. WALDIE:

H. Con. Res. 608. Concurrent resolution expressing the policy of the Congress that the performance of the functions of the Federal Government should be attained by use of its own manpower and not by means of contracts with the private sector; to the Committee on Post Office and Civil Service.

By Mr. BINGHAM:

H. Res. 1326. Resolution to amend the Rules of the House of Representatives to permit pairs in Committee of the Whole on roll call votes; to the Committee on Rules.

By Mr. CAREY of New York:

H. Res. 1327. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. MOORHEAD of Pennsylvania:

H. Res. 1328. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. BRADEMAS (for himself, Mr. KYROS, Mr. YATRON, Mr. SARBANES, Mr. BAFALIS, Mr. HANRAHAN, Mr. ANNUNZIO, Mr. DENT, Mr. TAYLOR of Missouri, Mr. PRICE of Illinois, Mr. JOHNSON of Colorado, Mr. JAMES V. STANTON, Mr. SHUSTER, Mr. MINISH, Mr. ADAMS, Mr. O'BRIEN, Mr. CRONIN, Mr. HUDNUT, Mr. PARRIS, Mr. SARASIN, Mr. FASCELL, Mr. ROSENTHAL, Mr. FROEHLICH, Mr. DON H. CLAUSEN, and Mr. BIAGGI):

H. Res. 1329. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. BRADEMAS (for himself, Mr. KYROS, Mr. YATRON, Mr. SARBANES, Mr. BAFALIS, Mr. ABDNOR, Mr. ROONEY of Pennsylvania, Mr. EILBERG, Mr. KETCHUM, Mr. BOLAND, Mr. BADILLO, Mr. ROUSSELOT, Mr. GILMAN, Mr. BURKE of Massachusetts, Mr. CONTE, Mr. TIERNAN, Mr. WALSH, Mr. SEIBERLING, Mr. GUDE, Mr. YOUNG of Illinois, Mr. STEELMAN, Mr. THOMPSON of New Jersey, Mr. KING, Mr. VANIK, and Mr. MARAZITI):

H. Res. 1330. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. BRADEMAS (for himself, Mr. KYROS, Mr. YATRON, Mr. SARBANES, Mr. BAFALIS, Mr. PODELL, Mr. STUCKEY, Mr. CARNEY of Ohio, Mrs. GRASSO, Mr. YATES, Mr. VAN DEERLIN, Mr. TRAXLER, Mr. VIGORITO, Mr. NEDZI, Mr. HELSTOSKI, Mr. JOHN L. BURTON, Mr. PHILLIP BURTON, Mr. MCKINNEY, Mr. WYMAN, Mr. REUSS, Mr. STEELE, Mr. EDWARDS of California, Mr. RONCALIO of Wyoming, Mr. MOSS, and Ms. JORDAN):

H. Res. 1331. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. BRADEMAS (for himself, Mr. KYROS, Mr. YATRON, Mr. SARBANES, Mr. BAFALIS, Mr. FAUNTROY, Mr. WON PAT, Mr. FORD, Mr. ROYBAL, Mr. STARK, Ms. HOLTZMAN, Mr. DINGELL, Mr. PEPPER, Mr. LUKEN, Mr. RODINO, Mr. DULSKI, Mr. PIKE, Mr. HANLEY, and Mr. OBEY):

H. Res. 1332. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

520. By Mr. PRICE of Illinois: Memorial of the House of Representatives of the Illinois General Assembly relative to that body's opposition to the proposed abandonment of various railroad lines within the State; to the Committee on Interstate and Foreign Commerce.

521. Also, memorial of the House of Representatives of the Illinois General Assembly relative to returning the observance of Memorial Day to May 30; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. MINK:

H.R. 16477. A bill for the relief of Keith Lai McKinney and Clifford Tuan McKinney; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 16478. A bill for the relief of Dr. Wilfredo Falcon; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

474. By the SPEAKER: Petition of Peggy Ha'o Ross, Kahului, Maui, Hawaii, relative to redress of grievances; to the Committee on Interior and Insular Affairs.

475. Petition of William E. Payne, Jersey City, N.J., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

RECENT DEVELOPMENTS SHOW OUR AMERICAN CONSTITUTIONAL SYSTEM WORKS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. EVINS of Tennessee. Mr. Speaker, certainly the recent developments and historic events, including the successful Presidential transition, have once again demonstrated the strength and enduring soundness of our Constitution.

In this connection I place in the RECORD herewith my recent newsletter, Capital Comments, because of the interest of my colleagues and the American people in this most important subject:

RECENT DEVELOPMENTS SHOW OUR AMERICAN CONSTITUTIONAL SYSTEM WORKS

Recent developments and historic events in the Congress and the country have again demonstrated that our American system of constitutional government works. The 93rd Congress may well be recorded in history as the Congress that reversed the flow of power which for years has been away from Congress and to the Executive.

As Mr. Anthony Lewis pointed out recently in a nationally syndicated column, the capable, competent and statesmanlike conduct of the Members of the Committee on the Judiciary during the impeachment proceedings "conveyed a reassuring sense of constitutional order."

The writer commended the wisdom and eloquence of the Members of the Committee and made the point that the impeachment process was one method by which Congress reasserted its power.

There have been other examples—legislation regaining control of the purse strings and controlling executive impoundments of appropriated funds, termination of the bombing in Cambodia, and a successful challenge to claims of virtually unlimited executive privilege, among others.

This historic week in Washington, which included the resignation of President Nixon—