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Congressional Record

PROCEEDINGS AND DEBATES OF THE 92d CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Monday, July 19, 1971*

The House met at 12 o'clock noon.

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

Let not your heart be troubled: Believe in God.—John 14: 1.

Eternal God and Father of us all, whose presence is our support in the quiet of the night and our strength in the struggles of each new day, help us to realize anew how wonderful it is to enter into the secret place of the Most High and to abide under the shadow of the Almighty. Here and now may we find our courage restored and our faith renewed as we set out upon the tasks of this week.

We pray for the captive nations of the world—for those who sit in the darkness of despair, who stand in the shadows of fear, who are burdened by the yoke of oppression and yet who long for the light of liberty to set them free. Give to them the peace and power which flows from Thee. Grant that in all their fears and futility, all their grief and grievances they may feel themselves upheld by Thy strength, sustained by Thy spirit, and may they continue to live in faith and hope always abiding in Thee.

In the spirit of Him who sets men free 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 a joint resolution of the House of the following title:

H.J. Res. 169. Joint resolution authorizing the acceptance, by the Joint Committee on the Library on behalf of the Congress, from the U.S. Capitol Historical Society, of preliminary design sketches and funds for murals in the east corridor, first floor, in the House wing of the Capitol, 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 and a concurrent resolution of the House of the following titles:

H.R. 8629. An act to amend title VII of the Public Health Service Act to provide increased manpower for the health professions, and for other purposes;

H.R. 8630. An act to amend title VIII of the Public Health Service Act to provide for training increased numbers of nurses;

H.R. 9270. An act making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 3, 1972, and for other purposes;

H.R. 9417. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1972, and for other purposes; and

H. Con. Res. 242. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 8629) entitled "An act to amend title VII of the Public Health Service Act to provide increased manpower for the health professions, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. WILLIAMS, Mr. NELSON, Mr. EAGLETON, Mr. CRANSTON, Mr. HUGHES, Mr. PELL, Mr. MONDALE, Mr. DOMINICK, Mr. JAVITS, Mr. PROUTY, Mr. SCHWEIKER, Mr. PACKWOOD, and Mr. BEALL 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. 8630) entitled "An act to amend title VIII of the Public Health Service Act to provide for training increased numbers of nurses," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. WILLIAMS, Mr. NELSON, Mr. EAGLETON, Mr. CRANSTON, Mr. HUGHES, Mr. PELL, Mr. MONDALE, Mr. DOMINICK, Mr. JAVITS, Mr. PROUTY, Mr. SCHWEIKER, Mr. PACKWOOD, and Mr. BEALL 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. 9270) entitled "An act making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCGEE, Mr. STENNIS, Mr. PROXMIRE, Mr. BYRD of West Virginia, Mr. ELLENDER, Mr. TALMADGE, Mr. HRUSKA, Mr. YOUNG, and Mr. FONG, 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. 9417) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1972, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. MCCLELLAN, Mr. BYRD of West Virginia, Mr. MCGEE, Mr. MONTOYA, Mr. ELLENDER, Mr. PERCY, Mr. YOUNG, and Mr. BOGGS, 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. 7960) entitled "An act to authorize appropriations for activities of the National Science Foundation, and for other purposes," disagreed to by the House; agrees to the conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. PELL, Mr. EAGLETON, Mr. CRANSTON, Mr. PROUTY, Mr. DOMINICK, and Mr. PACKWOOD, to be the conferees on the part of the Senate.

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

S. 2227. An act to amend title 44, United States Code, to authorize the Public Printer to designate the library of the highest appellate court in each State as a depository library;

S.J. Res. 52. Joint resolution increasing the authorizations for comprehensive planning grants and open-space land grants;

S. Con. Res. 31. Concurrent resolution authorizing the printing of the compilation entitled "Federal and State Student Aid Programs, 1971" as a Senate document;

S. Con. Res. 34. Concurrent resolution authorizing the printing of the prayers of the Chaplain of the Senate during the 91st Congress as a Senate document.

The message also announced that the Vice President, pursuant to Public Law 86–42, appointed Mr. MANSFIELD, Mr. SPARKMAN, Mr. JORDAN of North Carolina, Mr. WILLIAMS, Mr. HARTKE, Mr. MOSS, Mr. BAYH, Mr. NELSON, Mr. HOLLINGS, Mr. SCOTT, Mr. ALLOTT, Mr. JAVITS, Mr. MILLER, Mr. JORDAN of Idaho, and Mr. SAXBE, to attend the Interparliamentary Union Meeting to be held in Paris, France, September 2 to 11, 1971.

AT MANASSAS

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

Mr. SIKES. Mr. Speaker, the 110th anniversary of the First Battle of Manassas may be remembered principally as an example of the Army's ability to put its

foot in its mouth. The 75th U.S. Army Band, which was participating in the exercises, refused to play "Dixie" when requested by people in the audience. The Army might well recall that "Dixie" was very much in evidence during that battle. Refusal to play this stirring and sentimental tune is not in keeping with U.S. tradition. The Communists build great monuments to their dead in occupied lands but ignore fallen heroes buried in mass and unmarked graves in their own countries. Let us not come to that kind of blind prejudice. The action of the Army Band at Manassas is not becoming to America. At the least, the Army could have been charitable to a defeated but dedicated foe.

PRESIDENT TO VISIT CHINA

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

Mr. GIBBONS. Mr. Speaker, last weekend the President of the United States took a very courageous and, I think, a very correct act in agreeing to go to China to discuss our mutual world problems with that power.

I am not positive where this road leads us, but I think it is a brave move and just as one Member of the House I want to register my support for this initiative.

THE U.S. CONSTITUTION—TO PRINT UPDATED POCKET-SIZE EDITION

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

Mr. HAYS. Mr. Speaker, I have introduced a concurrent resolution today which would authorize printing of 110,000 copies of the pocket-size edition of the U.S. Constitution. This new publication will carry the 26th amendment which was ratified on July 1, 1971, when the Ohio State Legislature became the 38th State voting for its ratification. By the action of Ohio's State Legislature all requirements to legalize lowering the voting age of citizens in all elections to 18 years were finalized.

This date of July 1 is the correct one and not July 5 as portrayed over national television showing some formalized signing by the President in the company of a lot of young people at the White House.

He knows the youngsters will learn, if they do not already know, that there is no constitutional requirement for the Executive to act further as soon as the 38th State announces its favorable action.

Each House Member will receive 250 copies.

PRESIDENT'S VISIT TO CHINA

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

Mr. WHALEN. Mr. Speaker, the highly favorable responses here at home and from abroad to the President's announcement of his pending visit to the People's Republic of China are deeply gratifying.

I advised the President of my sentiments in a letter on Friday, and I would like to insert this communication at this point in the RECORD:

JULY 16, 1971.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Your announcement last night that you have accepted an invitation to visit the People's Republic of China represents an impressive initiative on the part of this country to open the door to a new relationship with one of the most important world powers. Your unprecedented action crowns the efforts you have initiated during your presidency to ease tensions with China and face realistically the differences that exist between the United States and the People's Republic. This direct contact will allow for the examination of areas of conflict and pave the way for the resolution of misunderstandings.

Your dialogue with China's leaders will encourage other nations to follow your lead and engage in their own discussions with the People's Republic. It is only through such discussions that China can become an active member of the world community and assume the responsibility that this demands.

I firmly believe that history will commend the initiatives you have taken, and I share your hope that these efforts will help to secure peace for this generation and for those to follow.

Best wishes.

Sincerely,

CHARLES W. WHALEN, Jr.,
Member of Congress.

PRESIDENT'S VISIT TO CHINA

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

Mr. SCHMITZ. Mr. Speaker, I would like to take this opportunity to announce the fact that I have disestablished relations with the White House as long as they pursue their suicidal policy of surrendering to international communism as exemplified by the President's announced trip to meet with our sworn enemy, the Communist rulers of mainland China.

Chiang Kai-shek a few months ago in a CBS interview had this to say:

Traditional Chinese philosophy teaches us that in dealing with friends we should be loyal and faithful. In all our relations with friendly countries, we have been adhering to these principles of loyalty and faithfulness. Of course, we expect our friends to do the same for us.

This is a sound principle. It coincides with the increase in mutual strength brought about by the binding together of men of honor and like purpose.

The administration does not seem to share this policy tenet of right conduct. It is easy to talk about a two China policy, but such a policy, as all who have paid attention to the statements of both the Chinese Communists and the Nationalist Chinese understand, is impossible.

By coming out for two Chinas what the administration is in fact doing, if not actually talking about, is abandoning Free China in favor of the despotism on the mainland. It is a surrender of a principle, a prelude to the surrender of an entire people.

The free world has lost a battle. Not a battle marked by the clash of opposing armies, although our Army does oppose one of the dictatorships supported by Red China in Vietnam. But a battle of the type mentioned by the ancient Chinese sage Sun Tzu when he commented that:

To fight and conquer in all your battles is not supreme excellence: supreme excellence consists in breaking the enemy's resistance without fighting.

Winston Churchill once said that:

An appeaser is one who feeds a crocodile—hoping it will eat him last.

I would not suppose that there would be much of a difference between crocodiles and dragons in this instance.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SCHMITZ. Mr. Speaker, the time of this great Nation is expiring.

CONSENT CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Consent Calendar. The Clerk will report the first bill on the Consent Calendar.

VETERANS' ADMINISTRATION MEDICAL INFORMATION EXCHANGE

The Clerk called the bill (H.R. 4762) to amend section 5055 of title 38, United States Code, in order to extend the authority of the Administrator of Veterans' Affairs to establish and carry out a program of exchange of medical information.

Mr. HALL. Mr. Speaker, inasmuch as the bill does not meet the agreed-upon criteria and is listed on the list of suspensions by agreement, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

REPEALING THE GOVERNMENT EMPLOYEES REPORTING REQUIREMENT

The Clerk called the bill (H.R. 134) to amend title 5, United States Code, to repeal the reporting requirement contained in subsection (b) of section 1308.

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

H.R. 134

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1308 of title 5, United States Code, is repealed.

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.

PROVIDING SPECIAL HEALTH CARE BENEFITS FOR CERTAIN SURVIVING DEPENDENTS

The Clerk called the bill (S. 421) to amend title 10, United States Code, to provide special health care benefits for certain surviving dependents.

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

S. 421

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1079 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"(g) When a member dies while he is eligible for receipt of hostile fire pay under section 310 of title 37, United States Code, or from a disease or injury incurred while eligible for such pay, his dependents who are receiving benefits under a plan covered by subsection (d) of this section shall continue to be eligible for such benefits until they pass their twenty-first birthday."

SEC. 2. This Act becomes effective as of January 1, 1967. However, no person is entitled to any benefits because of this Act for any period before the date of enactment.

Mr. BYRNE of Pennsylvania. Mr. Speaker, S. 421 is a bill which would amend title 10, United States Code, to provide special health care benefits for certain surviving dependents of members of the uniformed services who die while eligible for hostile-fire pay—or from diseases or injuries incurred while eligible for such pay—to continue to receive benefits under the so-called handicapped segment of the civilian health and medical program of the uniformed services—CHAMPUS—in the same manner as though the member were still alive.

Under present law, when an active duty member dies, his surviving dependents continue to be eligible for regular health care benefits under the CHAMPUS, but under a different cost-sharing arrangement. For outpatient care the differences are minor, but large differences exist with respect to inpatient hospital care. For civilian hospitalization, the dependents of active duty members are only required to pay $25 if the duration of the hospital stay is 14 days or less. For periods of hospitalization of 15 days or more they are only required to pay $1.75 per day. However, on the day following the death of an active duty member and for any subsequent period of hospitalization his surviving dependents would be required under present law to pay 25 percent of the total cost of the care obtained.

Under the special program for mentally retarded and physically handicapped dependents, which involves training, rehabilitation, special education, and institutional care, all benefits under the program end under present law as of midnight on the date of the member's death, discharge, or retirement.

If this bill is enacted, it would permit the mentally retarded or physically handicapped spouse or children of a member killed in Vietnam, for example, to continue to receive benefits under the special program, with the same cost-sharing arrangements that applied before the member's death. Benefits under this part of the program would continue until the survivors passed their 21st birthday. The bill would cover the dependents of members who died on or after January 1967, under the circumstances in question provided they were receiving handicapped benefits at the time of the member's death. The bill has no retroactivity, however, from the standpoint of the benefits which it covers. Benefits for persons covered by the bill would commence as of the date of its enactment.

Mr. Speaker, the House last year passed a bill which included a similar provision to this but it was not taken up in the Senate.

I strongly urge that each Member of the House support this humanitarian piece of legislation.

The 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.

REMOVING RESTRICTIONS ON THE USE OF CERTAIN PRIVATE INSTITUTIONS UNDER THE DEPENDENTS' MEDICAL CARE PROGRAM

The Clerk called the bill (H.R. 1409) to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program.

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

H.R. 1409

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1070(d)(4) of chapter 55, title 10, United States Code, is amended by striking out the word "nonprofit".

SEC. 2. The amendment made by this Act shall be effective as of January 1, 1967.

With the following committee amendment:

Strike all after the enacting clause and insert the following language:

That chapter 55 of title 10, United States Code, is amended as follows:

(1) by striking out the word "nonprofit" in section 1079(d)(4).

(b) by adding the following new section at the end thereof.

"§ 1080. Cost-sharing for certain dependents.

"Notwithstanding any other provisions of this chapter, when a member dies while he is eligible for the receipt of hostile-fire pay under section 310 of title 37, United States Code, or from illness or injury incurred while eligible for such pay, and it is determined under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education and Welfare that his wife is pregnant, she may be provided care for that pregnancy under this chapter on the same basis prescribed for the dependents of members who are on active duty."

(3) the analysis is amended by inserting the following item:

"1089. Cost-sharing for certain dependents."

"SEC. 2. The amendments made by this Act shall be effective on the date of enactment, except that clause (2) of section 1, shall be effective as of January 1, 1967.

The committee amendment was agreed to.

Mr. BYRNE of Pennsylvania. Mr. Speaker, H.R. 1409 is a bill to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program.

The purpose of this bill is to permit the mentally retarded or physically handicapped spouses and children of active-duty members of the uniformed services to use private facilities operated for profit when obtaining institutional care under the civilian health and medical program of the uniformed services, if it is determined to be in the best interests of the patient and the Government to do so.

The Military Medical Benefits Amendments of 1966 authorized the establishment of a special financial assistance program for the spouses and children of active-duty members of the uniformed services who are moderately or severely mentally retarded or who have a serious physical handicap. The law authorized the establishment of this program effective January 1, 1967.

The language of the law is generally very broad in dealing with the types of benefits which may be provided under this special program. However, that portion of the law dealing with institutional care for retarded or handicapped dependents specifically excludes any such care obtained in private facilities unless such facilities are nonprofit in nature. All of the other benefits authorized under the handicapped and retarded program, and all of the benefits authorized under our regular health program by other sections of the law may be obtained in appropriate private facilities regardless of whether or not they are operated for profit.

As introduced, the bill would eliminate the prohibition on the use of private profit facilities for institutional care and its provisions would be retroactive to January 1, 1967, which was the effective date of our handicapped program. The committee, however, opposed that provision of the bill. The restriction on the use of private profit institutions was clearly set forth in the law, and members who chose to utilize such institutions presumably did so knowing that they would not receive support for expenses so incurred. It is the general policy that new benefits provided to members should be available only from the date of enactment of the authorizing legislation. Accordingly, we thus deleted that section.

We added, however, a provision to the bill which would provide medical care for the wives of servicemen who were killed or died, as a result of injuries incurred while eligible for hostile-fire pay, at the same cost for 1 year as though their husbands had survived.

Under present law, when an active-duty member dies, his surviving dependents continue to be eligible for regular health care benefits under the CHAMPUS, but under a different cost-sharing arrangement. For outpatient care the differences are minor, but large differences exist with respect to inpatient hospital care. For civilian hospitalization, the dependents of active duty members are only required to pay $25, if the duration of the hospital stay is 14 days or less. For periods of hospitalization of 15 days or more they are only required to pay $1.75 per day. However, on the day following the death of an active-duty member and for any subsequent period of hospitalization his surviving dependents would be required

under present law to pay 25 percent of the total cost of the care obtained.

There had come to the attention of the committee cases of service wives who were pregnant at the time their husbands died in Vietnam. Under the present law, if they subsequently received their maternity care at a civilian hospital, they would be charged as a dependent of a deceased person. Instead of $25 or $1.75 a day, whichever is greater, the cost would be 25 percent of the charges. Thus, a dependent wife could find herself paying several times more than she expected to pay for maternity care because her husband was killed in combat. Thus, instead of $25 or $1.75 per day, she might typically pay $150 or in some cases her share of the cost could be as high as $250 to $350.

It seems unfair that these unfortunate widows should be charged at a higher rate because of the loss of their husbands than they would be had their husbands survived.

This amendment to the bill is estimated to cost no more than $10,000 per year.

Mr. Speaker, I urge the support of every Member of this body on this most important and humane legislation.

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 amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program and for other purposes."

A motion to reconsider was laid on the table.

DEPENDENTS' SPECIAL ALLOWANCES FOR EMERGENCY EVACUATION

The Clerk called the bill (H.R. 8356) to make permanent the authority to pay special allowances to dependents of members of the uniformed services to offset expenses incident to their evacuation.

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

H.R. 8356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of May 22, 1965, Public Law 89-26 (79 Stat. 117), as amended (80 Stat. 851), is amended by striking out ", and terminates on June 30, 1971".

Mr. BYRNE of Pennsylvania. Mr. Speaker, the bill, H.R. 8356, is designed to make permanent a previously existing authority. That authority, which terminated on the 30th of June of this year, enabled the Secretaries of the services involved to pay certain special allowances to the dependents of members of the uniformed services who are evacuated from overseas duty stations under emergency conditions.

There are four basic allowances in the law:

First, a dislocation allowance equal to 1 month's basic allowance for quarters;

Second, a per diem payment, based upon the current rate established for the location involved for a period ordinarily limited to 30 days;

Third, the shipment of a privately owned vehicle at Government expense from the place evacuated to the place of temporary residence; and

Fourth, the waiver of recovery of up to 1 month's pay which may have been advanced to assist in the evacuation of the dependents.

The nature of these allowances has been addressed by the Congress on two previous occasions. In each instance, the House has determined that the authority to pay these allowances should be permanently vested in the service Secretaries. On both occasions, however, the other body established termination dates for the authority, and with those dates included, the authority was enacted into law.

This bill would do nothing more than reestablish the previously exsting authority in permanent legislation. It was requested by the Department of Defense as part of its legislative program for the 92d Congress.

On July 13, 1971, your Committee on Armed Services unanimously recommended enactment of this bill.

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.

PROMOTING MEMBERS OF THE UNIFORMED SERVICES WHO ARE IN A MISSING STATUS

The Clerk called the bill (H.R. 8656) to amend titles 37 and 38, United States Code, relating to promotion of members of the uniformed services who are in a missing status.

Mr. ASPINALL. Mr. Speaker, since this legislation does not meet the criteria adopted by the House and does not qualify for consideration on the Consent Calendar, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

The SPEAKER. That completes the call of the Consent Calendar.

SERVICEMEN'S, VETERANS', AND EX-SERVICEMEN'S DRUG TREATMENT AND REHABILITATION ACT OF 1971

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9265), to amend title 38, United States Code, to authorize a treatment and rehabilitation program in the Veterans' Administration for servicemen, veterans, and ex-servicemen suffering from drug abuse or drug dependency, 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, That this Act may be cited as the "'Servicemen's, Veterans', and Ex-Serviceme n's Drug Treatment and Rehabilitation Act of 1971".

DECLARATION OF POLICY

SEC. 2. The Congress recognizes the urgent need for meeting and attacking on all fronts the growing national social problem of drug addiction and, toward that end, firmly believes that the existing and potential facilities and resources of the Veterans' Administration must be utilized to the fullest extent.

It is the basic purpose of this Act to broaden the authority of the Administrator of Veterans' Affairs to extend appropriate treatment and rehabilitation services to certain active service personnel and to former members of the Armed Forces who, because of the nature of their discharge, would not otherwise have the requisite eligibility. In addition, it is the sense of Congress, and one of the objectives of this enactment, that provision should also be made to authorize the judicial commitment to the Veterans' Administration of certain persons for the care, treatment, and rehabilitation of their drug addiction.

This action is taken solely as one effective step toward promoting the Nation's health and general welfare and should not be construed in any way as a precedent for extending to the beneficiaries involved any other existing veterans' benefit or program which is now or hereafter may be provided for persons who served in the active military, naval, or air service and who were discharged or released therefrom under conditions other than dishonorable.

SEC. 3. (a) Part II of title 38, United States Code, is amended by inserting immediately after chapter 17 the following new chapter—

"Chapter 18.—TREATMENT FOR DRUG ABUSE OR DRUG DEPENDENCY

"SUBCHAPTER I.—TREATMENT OF EX-SERVICEMEN FOR DRUG ABUSE OR DRUG DEPENDENCY

"Sec.
"650. Definitions.
"651. Medical care and treatment for drug abuse or drug dependency.
"652. Rehabilitation services.

"SUBCHAPTER II.—DRUG ADDICTION TREATMENT PROGRAM FOR MEMBERS OF THE ARMED FORCES IN VETERANS' ADMINISTRATION FACILITIES

"660. Treatment program for members of the Armed Forces in Veterans' Administration facilities.

"SUBCHAPTER III.—TREATMENT OF VETERANS AND EX-SERVICEMEN COMMITTED FOR DRUG ABUSE OR DRUG DEPENDENCY

"670. Facilities for committed individuals.
"671. Commitment by district courts for treatment.

"SUBCHAPTER I—TREATMENT OF EX-SERVICEMEN FOR DRUG ABUSE OR DRUG DEPENDENCY

"§ 650. Definitions

"For the purposes of this chapter—

"(1) The terms 'drug abuse' or 'drug dependency' mean the illegal or wrongful use of and dependency on any narcotic drug or dangerous drug.

"(2) The term 'narcotic drug' means that group of drugs set forth in section 802(16) of title 21.

"(3) The term 'dangerous drug' means that group of nonnarcotic drugs which the Attorney General of the United States has, pursuant to sections 811 and 812 of title 21, characterized and designated as having a potential for abuse because of their depressant or stimulating effect upon the central nervous system or their hallucinogenic effects.

"(4) The term 'medical care and treatment' means both inpatient and outpatient care and treatment, and appropriate medical rehabilitation services, deemed by the Administrator as necessary to properly treat and rehabilitate an eligible ex-serviceman.

"(5) The term 'eligible ex-serviceman' means any person who has served in active

military, naval, or air service, and has been discharged or released therefrom, regardless of the nature of such discharge or release, or of section 3103 of this title, and has a drug abuse or drug dependency condition which was manifested at the time of such discharge or release or at any time thereafter.

Nothing in this chapter shall be construed in any way as a precedent for extending to the beneficiaries involved any other existing veterans' benefit or program which is now or hereafter may be provided for persons who served in the active military, naval, or air service and who were discharged or released therefrom under conditions other than dishonorable.

"§ 651. Medical care and treatment for drug abuse or drug dependency

"(a) Notwithstanding any other provision of this title, the Administrator may furnish such medical care and treatment as is deemed medically indicated for the rehabilitation of any eligible ex-serviceman whose disability is caused by or has resulted from drug abuse or drug dependency.

"(b) The Administrator may terminate further medical care and treatment under this section to any eligible ex-serviceman who refuses to cooperate with the terms and conditions of the medical care and treatment which may be prescribed, or where it is determined that the care and treatment which could otherwise be provided will serve no further benefit to the eligible ex-serviceman.

"§ 652. Rehabilitation services

"The Administrator, if he determines that successful treatment of an eligible ex-serviceman so requires, may provide rehabilitation services concurrently with, or as a continuation of, medical care and treatment under section 651 of this title.

"SUBCHAPTER II—DRUG ADDICTION TREATMENT PROGRAM FOR MEMBERS OF THE ARMED FORCES IN VETERANS' ADMINISTRATION FACILITIES

"§ 660. Treatment program for members of the Armed Forces in Veterans' Administration facilities

"(a) Any member of the Armed Forces who is determined by the Secretary of the military department concerned to have a drug abuse or drug dependency condition, may, pursuant to such terms as may be mutually agreeable to the Secretary concerned and the Administrator, and subject to the provisions of 31 U.S.C. 686, be transferred to any suitable drug addiction treatment and rehabilitation facility or program administered by the Veterans' Administration.

"(b) The Administrator shall from time to time make a report to the Secretary concerned as to the progress of the treatment of any member transferred to him pursuant to the provisions of this section, and the Administrator shall release such member to the Secretary concerned when his drug addiction condition is stabilized, or upon certification that (1) the member refuses to cooperate with the terms and conditions of the treatment prescribed, or (2) that the treatment which could otherwise be provided will be of no further benefit to the member.

"SUBCHAPTER III—TREATMENT OF VETERANS AND EX-SERVICEMEN COMMITTED FOR DRUG ABUSE OR DRUG DEPENDENCY

"§ 670. Facilities for committed individuals

"The Administrator is authorized to provide for the confinement, care, protection, treatment, and discipline of individuals addicted to the use of narcotic drugs who are placed in his custody or who are civilly committed to him under section 671.

"§ 671. Commitment by district courts for treatment

"(a) In the administration of chapter 175 of title 28, any United States district court may, with respect to any individual who is an eligible individual within the meaning of section 2901(g) of such title and who is a veteran or eligible ex-serviceman—

"(1) place such individual in the custody of the Administrator for examination by the Administrator to determine whether he is an addict and is likely to be rehabilitated through treatment; or

"(2) civilly commit such individual, if the court determines that he is an addict, to the Administrator for treatment; or

"(3) take the actions provided for in both clauses (1) and (2) of this sentence.

The Administrator shall exercise the same authority and responsibilities with respect to any individual who, pursuant to this subsection, is placed in his custody for examination or is committed to him for treatment as would be exercised with respect to such individual by the Secretary of Health, Education, and Welfare if such individual were placed with, or committed to, the Secretary pursuant to such chapter 175.

"(b) In the administration of chapter 314 of title 18, the Attorney General may, with respect to any individual who—

"(1) has been committed to the Attorney General for treatment pursuant to section 4253 of such title, and

"(2) is a veteran or an eligible ex-serviceman, transfer such individual to the Administrator for such treatment. Any such transfer shall be subject to such terms and conditions as may be mutually agreeable to the Attorney General and the Administrator. The Administrator, rather than the Secretary of Health, Education, and Welfare, shall perform such functions as may be necessary to determine whether or not any individual transferred to the Administrator for treatment under this subsection has made sufficient progress to warrant conditional release under section 4254 of such title.

"(c) In the administration of title III of the Narcotic Addict Rehabilitation Act of 1966 (42 U.S.C. 3411–3426), as amended, any United States district court may, with respect to any individual who is a veteran or an eligible ex-serviceman and for whom a petition has been filed under section 302 of such Act, civilly commit such individual, if the court determines that he is a narcotic addict, to the Administrator for treatment in a Veterans' Administration facility and thereafter place such individual in the care and custody of the Administrator for such posthospitalization program as the Administrator may direct. The Administrator shall exercise the same authority and responsibilities with respect to any individual who, pursuant to this subsection, is committed to him for treatment or is placed in his custody for posthospitalization treatment as would be exercised by the Secretary of Health, Education, and Welfare if such individual were committed to, or placed in the custody of, the Secretary pursuant to such title III."

(b) The table of chapters at the beginning of part II of title 38, United States Code, is amended by adding

"18. Treatment for Drug Abuse and Drug Dependency---------- 650".

immediately below

"17. Hospital, Domiciliary, and Medical Care---------- 601".

The SPEAKER. Is a second demanded?

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

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

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 9265 represents the contribution of the Veterans' Affairs Committee, acting within the purview of its legislative jurisdiction, toward meeting the tragic national social problem of drug abuse and drug dependency. Enactment of the bill will make possible the utilization to the fullest extent of the existing and potential facilities and resources of the Veterans' Administration.

At the outset, the bill sets forth a declaration of policy in such clear terms what we believe should be the Veterans' Administration's responsibility and mission in this area that I believe it should be set forth verbatim:

The Congress recognizes the urgent need for meeting and attacking on all fronts the growing national social problem of drug addiction and, toward that end, firmly believes that the existing and potential facilities and resources of the Veterans' Administration must be utilized to the fullest extent.

It is the basic purpose of this bill to broaden the authority of the Administrator of Veterans' Affairs to extend appropriate treatment and rehabilitation services to certain active service personnel and to former members of the Armed Forces who, because of the nature of their discharge, would not otherwise have the requisite eligibility. In addition, it is the sense of Congress, and one of the objectives of this enactment, that provision should also be made to authorize the judicial commitment to the Veterans' Administration of certain persons for the care, treatment, and rehabilitation of their drug addiction.

This action is taken solely as one effective step toward promoting the Nation's health and general welfare and should not be construed in any way as a precedent for extending to the beneficiaries involved any other existing veterans' benefit or program which is now or hereafter may be provided for persons who served in the active military, naval, or air service and who were discharged or released therefrom under conditions other than dishonorable.

This veterans' drug abuse bill will accomplish three basic purposes:

1. It will establish an orderly procedure for the Veterans' Administration to cooperate with Armed Forces in treating members of the Armed Forces with drug addiction problems.

2. It will provide that the Administrator may receive and treat ex-servicemen on the basis of commitment from Federal courts. It is expected treatment of most of these types of patients will be accomplished through the use of contract beds at the National Institutes of Mental Health facilities at Forth Worth and Lexington, Ky. These organizations are presently engaged in the treatment of narcotic addicts. The Veterans' Administration has maintained a cooperative contract relationship at these two locations for many years. By maintaining lease facilities at Fort Worth and Lexington, the VA would have an immediate treatment capacity to receive and treat military addicts and ex-servicemen addicts where the individual is under charges and must be restrained.

3. Probably the most important provision of the bill is the provision which clears up the confusion about honorable and dishonorable discharges and eligibility for treatment for drug addiction. At the present time an individual with an honorable discharge who becomes addicted after separation from service is eligible for treatment in a VA facility. An individual who may have actually developed drug addiction in service but escaped detection and was given an honorable discharge is also eligible for treatment in VA facilities. However, a serviceman who is detected as an addict in service and is involved in other irregularities may receive a dishonor-

able discharge and may not be eligible for treatment in a VA facility.

There has been a great amount of confusion as to who is eligible for treatment leading to calls for amnesty and changes in the discharge policies of the Armed Forces. With the enactment of this bill, however, this confusion will be cleared up and there would be no reason for disrupting the discharge policies of the Armed Forces because the legislation under consideration would authorize the Veterans' Administration to treat any serviceman or ex-serviceman with an addiction problem regardless of the type of discharge he holds or other legal problems he may have as a result of violation of other laws.

The committee has found that some of the confusion seems to result from the thought that Veterans' Administration treatment for drug addiction is a benefit or a reward for service. Obviously it is not. With enactment of the proposed legislation the Veterans' Administration would be authorized to treat any veteran with an addiction problem not as part of a veteran benefits program, but in the general public interest, and in an effort to protect society from crime and abuse by drug users.

The Veterans' Administration has medical facilities in every large community in America. It is the largest single medical system in the world with a staff of 5,000 full-time doctors. It has a bed capacity of over 115,000 beds and is affiliated with most of the Nation's medical schools.

The Veterans' Administration has had a great deal of experience in vocational rehabilitation and has a large and well trained staff of psychiatrists, psychologists and social workers. Obviously there is not a great deal known about the treatment and rehabilitation of addicts, but certainly the Veterans' Administration is the best equipped agency of the Federal Government to meet this problem and it is obvious that the problem is going to be with us for a long period of time.

In a letter which I personally delivered to the President at the White House, I requested the President to rescind an administration order to transfer the National Institute of Mental Health Narcotics Center in Fort Worth to the Bureau of Prisons. In part, I said in my letter:

The latest check with currently operating VA drug centers indicated that over 100 veterans who have applied for drug abuse treatment are on the waiting list. What does a drug addict do when he's on a waiting list for treatment for drug addiction? There are approximately 400 empty beds at Fort Worth today that could be used on a contract basis to treat drug addicted veterans and I think the Veterans' Administration should take immediate action to contract with Fort Worth for as many beds as possible so that it will not have a waiting list of drug addicted veterans. I have been assured that the necessary staffing for this center can be recruited almost on an immediate basis.

The committee wishes to emphasize that this bill will in no way interfere with current administration planning to set up a special agency in the Federal Government to deal with the national narcotic problem. The Veterans' Administration medical program has a proud record of major breakthroughs in many areas of medical science and it is believed that with their facilities and know-how they can make a major contribution to overcoming the drug crisis in our Nation if they are given the funds to do so.

The committee is fully cognizant of the President's recent message on drug abuse and his specific plan to attack the problem. Undoubtedly the Congress will act responsibly after careful and studied consideration. However, it should be made a matter of record that after 3 weeks of in-depth hearings on the entire VA medical program—in which all aspects of the drug problem were considered and discussed—it is the unanimous view that time is of the essence and action must be taken at once to accelerate VA's participation and positive contribution toward solving this national social problem. H.R. 9265 is entirely consistent with the President's objectives, and should, in fact, prove to be an effective complement to his proposals.

I strongly urge its approval.

Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. SATTERFIELD) the chairman of the subcommittee that held hearings on this bill.

Mr. SATTERFIELD. Mr. Speaker, H.R. 9265 represents the contribution of the Veterans' Affairs Committee, acting within the purview of its legislative jurisdiction, for meeting the tragic national problem of drug abuse and drug dependency. Enactment of this bill will make possible utilization to the fullest extent of existing and potential facilities and resources of the Veterans' Administration.

It will accomplish three basic purposes. The first, it would provide for drug addiction and drug abuse treatment to ex-servicemen regardless of the nature of their discharge or separation from the service. It will provide on a voluntary basis for medical and psychiatric treatment on an inpatient or outpatient basis as well as rehabilitation.

Mr. Speaker, the second part of this bill will permit the transfer of active-duty military personnel who suffer from drug dependency to VA drug treatment or VA facilities on a reimbursable basis under such terms and conditions as the Secretary of the service involved and the VA Administrator mutually agree, with the provision that the VA Administrator shall release such personnel to the Secretary concerned only when the drug condition is stabilized or upon certification that the individual refuses to cooperate or that further treatment will do no good.

The third part of this measure will authorize the transfer of ex-servicemen or veterans who have a drug-addiction or drug-abuse problem to the VA Administrator from Federal courts under the commitment provisions of titles 28 and 18 of the United States Code and of the Narcotics Addict Rehabilitation Act.

Mr. Speaker, probably the most important aspect of this bill is the provision which will clear up the confusion about honorable and dishonorable discharges and the eligibility of ex-servicemen for treatment of drug addiction. At the present time an individual with an honorable discharge who becomes addicted after his separation from service is eligible for treatment in a VA facility. An individual who may actually have been an addict while in the service but who escaped detection and was given an honorable discharge is also eligible for treatment in VA facilities. However, a serviceman who is detected as an addict while in the service and is involved in other irregularities may receive a dishonorable discharge and may not be eligible for treatment in a VA facility. Enactment of this bill will authorize the VA to treat an ex-serviceman with a drug addiction problem regardless of the type of discharge he holds.

It should be pointed out, however, that the bill specifically provides that this authorization will not be construed in any way as a precedent for extending to such ex-servicemen any other existing veterans' benefit or program to which he might not otherwise be entitled.

Mr. PEYSER. Mr. Speaker, will the gentleman yield for a question?

Mr. SATTERFIELD. I am glad to yield to the gentleman from New York.

Mr. PEYSER. I support the concept of the idea of this bill completely, but I do have a question dealing with the availability of facilities to support this program. Are there existing adequate facilities now to let a program of this nature effectively take place?

Mr. SATTERFIELD. There are at the present time five drug treatment centers in our VA system. Recently the House passed an appropriation to add an additional $14 million, which will be enough to finance a projected 32 such facilities by this October. Further facilities are projected for the next fiscal year.

Mr. PEYSER. I notice this refers to treatment but also speaks of rehabilitation. Are there facilities envisioned here to be for rehabilitation and treatment?

Mr. SATTERFIELD. Yes. First of all, a treatment center basically consists of 15 beds for inpatient treatment. There will be outpatient facilities for approximately 200 patients. There will be provided, in connection with the medical treatment and psychiatric treatment, a rehabilitation effort drawing upon the expertise and experience of the Veterans' Administration, which has been involved in rehabilitation of other veterans, including some addicts, over the past several years.

Mr. PEYSER. My main concern is that there are now very few beds available in any of these centers. All I am suggesting is, I wonder if the $89 million in this program today is enough to make it really workable over a period of 5 years?

Mr. SATTERFIELD. I would say this: The main treatment that would be given after a person becomes physically stabilized after addiction or drug dependence would primarily be on an outpatient basis. This would incorporate psychiatric treatment, "rap sessions" now accepted as a part of that kind of treatment, together with a rehabilitation program and an effort to qualify an individual to hold gainful employment and if necessary to try to find that employment for him. This would not require hospital beds.

Mr. PEYSER. I thank the gentleman.

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

Mr. SATTERFIELD. I am happy to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the explanation the distinguished gentleman from Virginia made about this bill. I compliment the subcommittee and the Committee on Veterans' Affairs for getting their house in order on this sorely pressing national problem.

Mr. Speaker, I have served for the last

year and a half on a special subcommittee of the Committee on Armed Services on alleged drug abuses within the services. That report has been submitted, under the chairmanship of the distinguished gentleman from Georgia (Mr. HAGAN). I served as ranking minority member. There are many findings, conclusions, and recommendations of this committee.

In addition to the statement made by the distinguished gentleman from Virginia and the distinguished chairman of the full Committee on Veterans' Affairs, from Texas, and the ranking minority members and others interested in this, there are several facets of this problem which should be recalled, emphasized, and reviewed to the Members of the House as a whole.

First. Our militia derives from its civilian counterparts. There is no great evidence, although much publicity and headline grabbing, as to the great differences in percentage of experimenters in drug use.

Second. The pushers and abusers are the people who need to be prosecuted, and we have indeed put teeth in this law as a nation.

Third. I have been sorely concerned about maximum benefit of inservice medica' care and hospital treatment. The distinguished gentleman from Virginia has wrapped this up in talking about the "drying out" or the wrungout portion of the treatment after the experimenting and before complete return to productive society. No one knows about the ultimate answer to the treatment of hard narcotics addicts. Certainly we must be open for reasonable approaches, including psychiatric help, the "rap sessions" the gentleman suggests, and everything.

Mr. Speaker, we must have the Veterans' Administration enhanced so that it can treat the total body politic that has become addicted or has experimented, whether they are seeking further care after discharge under so-called amnesty or not. One would be unfair to say that we must keep all of these people in service for treatment and rehabilitation on a duty status if they would not be willing to have the psychedelic user who might have a retrogression to psychopathic phenomena after months and even years, serving aboard a nuclear submarine or even flanking one's self on the defense perimeter. However, the whole answer is not just among veterans, I want to say to the Members of the House, but one of the most astounding things we have uncovered in our investigation is that of the principal treatment centers for civilians including discharged service personnel, under the U.S. Public Health Service are drawing to a rapid close at Lexington and Fort Worth for treatment of hard narcotics cases. Indeed, as the commissioned officers corps of the U.S. Public Health Service is being written out of existence by the social workers and the ne'er-do-wellers, who do not seek professional advice, this is happening in direct proportion, paradoxically when we spare them least.

I think we need this bill and we need to reconstitute the professional service of the U.S. Public Health Service and the Lexington farm and its satellites and ancillaries on the East and West coasts. We need to meet this problem forthrightly and headon with every facility that we have available to us in order to eliminate this dread scourge. The time has long since passed when we can plead that we are proceeding on the basis of exigencies of war alone.

I thank the gentleman for yielding.

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

Mr. SATTERFIELD. I am glad to yield to the gentleman from Florida.

Mr. ROGERS. Mr. Speaker, I think all of us are concerned about this problem. I am a member of the Subcommittee on Public Health and Environment which the gentleman from Virginia is also a member of.

We have been studying the drug abuse problem for some weeks now. I just want to get clear in my own mind what this legislation would do. I do not want us to be duplicative, and yet I certainly want to handle the problems before us. It is my understanding that as proposed here, you would be able to treat any veteran in a VA facility or in a contract facility where the Veterans' Administration contracts with a facility to give the veteran such treatment. Is that correct?

Mr. SATTERFIELD. That is correct.

Mr. ROGERS. Also it is my understanding that under the NARA Act, the courts may give control of a veteran to the Veterans' Administration. It is not directed to, but it may.

Mr. SATTERFIELD. That is correct. It is permissive. And this merely adds to that act an additional place for veterans to be referred.

Mr. ROGERS. Yes. I think as the gentleman brought out, the Veterans' Administration is not geared up to handle this problem, but this is part of the legislation to get them to do it.

One thing I am concerned with, and which I hope we can make clear in the debate today, is the fact that while the Federal Government is mounting an attack in response to the President's call we have two Federal facilities which are expert in doing something about drug abuse treatment, namely, at Lexington, Kentucky, and at Fort Worth, Tex. Yet HEW is now proposing to phase out one of the two treatment centers, the one at Fort Worth, and turn it over to bureau of prisons, in effect giving priority to the treatment of prisoners before you treat veterans or the general public. I hope we can make it clear here that this type of legislation authorizes the Veterans' Administration, as the gentleman suggested in our hearings, to contract immediately for the use of the Fort Worth facility to help in the detoxification of the hard addicts and then provide for additional services in the communities to which the veterans may return.

Is this contemplated in this approach to this legislation?

Mr. SATTERFIELD. Yes; that is precisely what is contemplated. I wish to congratulate the gentleman for bringing out the fact that the Public Health Service is preparing to close down the facility at Fort Worth. In past years the Veterans' Administration has had contract beds in this facility. Further, as the gentleman from Florida knows, hearings which were conducted at Fort Worth last week made it quite clear that there are beds available, should the VA find it necessary and desirable to contract for beds at that facility in the future. I think this is an important adjunct to the entire program and one which should be pursued.

I thank the gentleman for his questions and for his remarks.

Mr. ROGERS. I thank the gentleman for yielding and for that further explanation. In my opinion it would be a tragedy if this Congress allows the center at Fort Worth to be closed or transferred to the present system, when we have the dramatic need in this Nation to treat addicts right now. There is a team there that has the expertise, they know the job, they can get the program into operation as well as having the followup in the community. I think we must see that this facility remains open as a drug treatment center, as it was originally designed.

Mr. TEAGUE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 9265. This bill, if enacted into law, will give statutory recognition to the drug treatment program of the Veterans' Administration and at the same time will permit the treatment for narcotic addiction of exservicemen who are not presently eligible for Veterans' Administration benefits or hospitalization.

This bill, Mr. Speaker, is the result of several weeks of hearings and intensive study by the Hospital Subcommittee of the Committee on Veterans' Affairs. Because of my interest in the subjects being explored by this important subcommittee, I sat in on a number of their sessions. Throughout the hearings, which covered all aspects of Veterans' Administration medical care, including the operation of the hospital system, ran the often expressed opinion that the vast medical facilities of the Veterans' Administration should be more widely utilized in the treatment of veterans, exservicemen and active duty miltary personnel who are suffering from narcotic addiction.

I want to compliment and commend the Hospital Subcommittee, particularly the chairman, the gentleman from Virginia (Mr. SATTERFIELD) and the ranking minority member, the gentleman from Pennsylvania (Mr. SAYLOR) for reporting a bill that is truly responsive to the problem facing our Nation.

This bill, Mr. Speaker, will authorize drug treatment and rehabilitation for any exserviceman, irrespective of the nature or character of his discharge from the armed services. There appears to be some inconsistency in present law and regulation in that a drug addict who happens to get caught prior to separation from service is denied needed treatment because of a bad discharge. If he is not caught until after separation from service, he is eligible for treatment. On the other hand, Mr. Speaker, it is not the committee's intention, or desire, to re-

ward dishonorable military service by granting veterans benefits to such individuals. In authorizing drug treatment only, we have made it possible for the Veterans' Administration to participate more fully in fighting this national social problem.

The bill also authorizes the treatment of veteran addicts who are committed by a Federal court.

Under agreements with the secretaries of the military departments, the Veterans' Administration would also be authorized to provide treatment for active duty servicemen.

Mr. Speaker, this bill is good legislation. It is in conformity with President Nixon's planned solution to the growing problem of drug addiction among our population and I urge Members to support it.

Mr. Speaker, I yield such time as he may consume to the ranking minority member of the subcommittee which reported this bill, the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 9265, a bill to authorize a treatment and rehabilitation program in the Veterans' Administration for servicemen, veterans, and ex-servicemen suffering from drug addiction.

The Veterans' Administration hospital system already has a continuing drug treatment program for veterans. In fact, five of the specialized drug treatment centers have been placed in operation since October 1970. By October of 1971, the Veterans' Administration expects to have an additional 27 centers in operation. These 32 specialized treatment centers will provide capacity for the annual care of an estimated 6,000 veteran addicts in addition to those who are already receiving drug treatment in a regular VA hospital setting.

The bill before the House today, H.R. 9265, will expand the on-going drug treatment program in the Veterans' Administration by authorizing the Administrator of Veterans' Affairs, under an agreement with the Secretary of the Army, Navy, or Air Force, to receive and treat active duty servicemen for drug addiction. I must confess, Mr. Speaker, that I was reluctant at first blush to support this provision of the bill, believing that the Veterans' Administration has enough difficulty in obtaining adequate funds to treat veterans who are already eligible for hospitalization. Since the cost of providing such treatment, however, would be reimbursable to the Veterans' Administration by the Department of Defense, I can and do support this provision of the bill. It will permit the Veterans' Administration to cooperate with the Armed Forces in solving this growing social problem.

Additionally, the bill authorizes the Veterans' Administration to provide medical treatment and rehabilitation to veterans irrespective of the nature of their discharge. Under existing law, dishonorably discharged veterans are not eligible for veterans' benefits, including hospital treatment. Thus, one segment of those who are separated for drug-related offenses are deprived of needed treatment in Veterans' Administration facilities because of the limitation of existing law.

President Nixon, in his message of June 17, 1971, to the Congress of the United States said:

> The Veterans Administration medical facilities are a great national resource which can be of immeasurable assistance in the effort against this grave national problem. Restrictive and exclusionary use of these facilities under present statutes means that we are wasting a critically needed national resource. We are commonly closing the doors to those who need help the most. This is a luxury we cannot afford. Authority will be sought by the new Office to make the facilities of the Veterans Administration available to all former servicemen in need of drug rehabilitation, regardless of the nature of their discharge from the service.

The bill before the House today, Mr. Speaker, will accomplish this commendable goal set forth in the President's message by making the specialized drug treatment facilities of the Veterans' Administration available to all veterans and ex-servicemen irrespective of the nature of their discharge.

I want to emphasize that it is not the committee's intention and certainly not mine to make available to dishonorably discharged servicemen the wide range of veterans benefits that have heretofore been available to men who serve under honorable conditions. Since the Veterans' Administration has the facilities to aid in combating this dread and ever-growing social menace, it is fitting that they should assist in promoting the Nation's health and welfare by providing drug treatment to this unfortunate group of ex-servicemen. This action is not to be considered as a precedent for granting veterans benefits, or even hospital treatment, to all dishonorably discharged servicemen.

Finally, Mr. Speaker, the bill will authorize the Veterans' Administration to provide drug treatment for ex-servicemen who have been committed by Federal courts. Under existing law, Veterans' Administration hospitals do not accept the responsibility of providing protective custody for veterans who are in need of treatment. Thus, another segment of the veteran population is deprived of the treatment that the Veterans' Administration is well equipped to provide.

The provisions of this legislation will in no way conflict with the administration's plans to fight this national social problem. In fact, it is my considered opinion that this legislation is in consonance with the President's plan to deal with what he has termed "a national emergency."

It is good legislation and it is necessary legislation. I urge that it be supported.

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

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

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of H.R. 9265. This bill, if enacted, will permit treatment for narcotic addiction and rehabilitation for all ex-servicemen regardless of their types of separation and will include active duty personnel when authorized by the respective Secretaries of the military departments.

It represents to me the humanitarian approach to a very serious problem confronting our Nation and I believe it will go a long way in attempting to overcome it since it will permit treatment for many ex-servicemen excluded under the existing law.

It should be emphasized that this legislation does not make available to the dishonorably discharged veteran any benefit other than drug treatment and rehabilitation.

Treatment for dishonorably discharged veterans was included only after deep consideration by the committee and their inclusion was based on the fact that it was in the interest of the general public in helping to rid the country of the drug problem that threatens our society.

I also want to stress that I can find no conflict in this bill with the President's plan to deal with the national drug problem. In my estimation it augments it. The Veterans' Administration already has an established drug treatment program which is in the process of expansion. Consequently, the enactment of this bill should not disrupt the overall medical treatment program. It merely will enable the Veterans' Administration to care for a larger segment of the veteran population addicted to narcotics.

Drug addiction has reached the proportions of a national emergency. I believe, therefore, that no means of overcoming it should be ignored. This legislation affords an open door policy of overcoming drug addiction to all veterans.

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

Mr. SAYLOR. I am happy to yield to my colleague, the gentleman from Florida (Mr. HALEY).

Mr. HALEY. Mr. Speaker, I want to thank the gentleman from Pennsylvania (Mr. SAYLOR) for the statement that he has just made, and I wish to associate myself with his remarks, and I too hope that the House will suspend the rules and pass this bill because it is needed very badly.

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

Mr. SAYLOR. I am happy to yield to my colleague, the gentleman from South Carolina (Mr. DORN.)

Mr. DORN. Mr. Speaker, I wish to commend my distinguished and able colleague, the gentleman from Pennsylvania (Mr. SAYLOR), for the splendid statement he has just made, and also to commend the gentleman from his diligence, perseverance, and persistence in the subcommittee, and in the full committee, to bring this kind of legislation to the floor.

This problem of drug abuse among servicemen and ex-servicemen is one that the American people at the moment are vitally concerned about. Our people know that this is a national crisis that must be dealt with or will destroy our Nation.

Mr. Speaker, a veteran wounded in this fashion is no less wounded that if he were hit by gunfire. Furthermore, he is a menace to himself and to society. This legislation authorizes the VA to fulfiill its mandate to care for him who shall have borne the battle; and in recognition of the critical nature of this problem, this

bill authorizes the VA to treat men who, under current law, might not be eligible for VA treatment because of the nature of their discharge from the service.

Mr. Speaker, I would like to commend my distinguished subcommittee chairman, Mr. SATTERFIELD, for the work that he has done, and of course we are proud of the leadership of our chairman, "TIGER" TEAGUE.

This is one of the first pieces of legislation that the gentleman has handled in his capacity as subcommittee chairman and he has done a magnificent job.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the distinguished gentleman from Massachusetts (Mr. BURKE).

Mr. BURKE of Massachusetts. Mr. Speaker, I thank the gentleman for yielding, and I wish to associate myself with the remarks made by the distinguished gentleman from Pennsylvania (Mr. SAYLOR) and to commend him for the work that he has done in this matter, and to commend the subcommittee chairman, the gentleman from Virginia (Mr. SATTERFIELD), and the chairman of the full committee, the gentleman from Texas (Mr. TEAGUE), and all of the members on the majority and minority sides of the committee, for the excellent bill that they have brought out here.

Mr. Speaker, on June 2, in a speech before this House, I pledged my commitment to get action before any more time had elapsed in solving one of the most serious and tragic problems facing this Nation today, that of rehabilitating and treating our heroin addicted GI's. The habit is easy to pick up in Southeast Asia and difficult to cure, taking its costly toll on the individual, his family and the country. To date, the Government has contributed little to this effort. With an estimated 10 to 15 percent of U.S. troops in Vietnam on the habit, we must, as a nation act now.

The Veterans' Administration is the logical and most effective Government agency to direct this program. For this reason, I rise in support of H.R. 9265, which is the first piece of legislation considered by this House to recognize the severity of this problem and attempt to deal with it. The bill's most important provision clears up the confusion surrounding honorable and dishonorable discharges and eligibility for treatment for drug addicts. Presently, an individual with an honorable discharge becoming addicted after separation from the service is eligible for treatment in a VA facility. An individual who may have developed drug addiction while in the service, but escaped detection and received an honorable discharge is also eligible for treatment in VA facilities.

Unfortunately, many servicemen who are detected as addicts while in the service receive dishonorable discharges and as a result, may not be eligible for treatment in a VA facility. With enactment of this legislation, the VA would have the necessary authorization to treat any serviceman or ex-serviceman regardless of the type of discharge he holds. Importantly, this proposal will allow the Administrator of the Veterans' Administration to receive for treatment ex-servicemen from the Federal courts and allow him to contract beds at the National Institute of Mental Health facilities at Fort Worth and Lexington, which are involved in the treatment and rehabilitation of drug addicts. Since the VA has maintained a lease arrangement with Fort Worth and Kentucky, the VA will be able to treat immediately service-connected addicts under charges and/or being detained.

The VA has a large, well-trained staff of psychiatrists, social workers, and psychologists and is the best equipped agency to deal with the problem of drug addiction at the present time. The bill provides for a 5-year program at a cost of $89.3 million.

We have also been given assurance by the Veterans' Affairs Committee that this bill in no way will clash or interfere with the plans of the administration to set up a special agency to deal with the national narcotic problem. The committee has further stated in a unanimous statement that H.R. 9265 is "entirely consistent with the President's objectives and will be an effective complement to his proposals." Time is of the essence in combating this problem. The excellent facilities and services of the Veterans' Administration are the appropriate starting place to wage an immediate all-out effort to aid our returning heroin-addicted GI's.

Mr. TEAGUE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. HILLIS).

Mr. HILLIS. Mr. Speaker, I rise in support of this legislation. Before I attended 3 weeks of hearings by the Hospital Subcommittee of the House Committee on Veterans' Affairs, I was not aware of all the details concerning this matter, but after those 3 weeks of hearings I was sincerely convinced that this legislation was needed to fight the drug abuse problem that exists among our Nation's veterans.

It was most alarming to me to hear the VA Chief Medical Director state for the record:

> We have reason to believe that there are some 50,000 veterans who have a drug abuse problem. I believe this is a most conservative estimate.

This legislation is designed to help solve this problem.

H.R. 9265 has three basic purposes which have already been explained in detail, so I will not take time to go into them at this moment.

This legislation, however, would authorize the Veterans' Administration to treat any serviceman or ex-serviceman with an addiction problem regardless of the type of discharge that he holds.

The committee found that there was confusion that had existed in this area, and some of this confusion seems to result from the thought that the Veterans' Administration treatment for drug addiction was a benefit, or some sort of a reward for services rendered to their country.

Obviously, this is not the case. But with the enactment of the proposed legislation, the Veterans' Administration will be authorized to treat any veteran with an addiction problem—and not as a part of a particular veterans benefit program, but in the interest of rehabilitating the young men who have served their country, and more importantly, in an effort to protect society from crime and abuse by drug users, that inevitably follows.

The Veterans' Administration has medical facilities in every large community in America, it is the largest single medical system in the world with a staff of 5,000 full-time doctors. It has a bed capacity of over 115,000 beds and is affiliated with most of the Nation's medical schools.

The Veterans' Administration certainly has had a great deal of experience in vocational rehabilitation and has a large and well-trained staff of psychiatrists, psychologists and social workers. True, more needs to be known—a great deal needs to be known about the treatment and rehabilitation of addicts, but certainly the Veterans' Administration is the best equipped agency, I think, of the Federal Government to meet this problem and it is obvious that the problem is going to be with us for a long time to come.

Mr. TEAGUE of Texas. Mr. Speaker, I yield to the gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO. Mr. Speaker, I thank the distinguished gentleman from Texas, the chairman of the full committee, and I express my regret for no longer being a member of the esteemed committee on which I was proud to serve for 2 years under the able leadership of the gentleman from Texas.

Mr. Speaker, the Nation owes a special debt to the young men who accepted induction into the armed services and were called upon to fight in Indochina. Some died on a distant shore without knowing the reason for our involvement in Vietnam, but the important consideration is that they answered the call of their country. As doubts about the war crystallized, an inevitable conclusion was that if there was any moral guilt, it lie in the commitment of U.S. troops to a war and an environment which the GI could not understand.

These soldiers were trained to act aggressively, and then were placed in an environment which demands this skill for survival. Boredom, isolation, a defective mental and physical environment, and the possibility of enemy contact constitute the daily life of the combat soldier. In some areas many dangers required constant mental alertness for the entire tour of duty. For those safe in the United States, it is impossible to contemplate the rigors of combat duty and the effects of fear, loneliness, boredom, constant mental alertness, and of dirt and of filth, on a man's mind. The GI becomes so wound up inside that he feels like a rubberband which is stretched to its maximum and about to snap. To relieve this constant pressure, some GI's turn to drugs.

This Government placed these GI's in an environment which has caused many of them to turn to drugs, and it must now accept the responsibility of drug rehabilitation for returning soldiers.

Furthermore, we must recognize that the drug addict who spent a few dollars for drugs in Vietnam may be returning to the United States with a $300-a-day habit. If this amount of money is not available through a legitimate job, the drug addict will turn to illegal means to acquire the money, resulting in a higher crime rate. Without rehabilitation, the prior servicemen, who have become hooked on drugs, face a bleak future in a penal institution.

We have a moral obligation to provide rehabilitation to drug addicted ex-servicemen, and this obligation should transcend criminal commitment and the type of separation from the service.

H.R. 9265 is an excellent vehicle to provide rehabilitation for ex-servicemen and I recommend its passage, because it provides rehabilitation for ex-servicemen regardless of the type of discharge the individual incurred, and because the bill works through the existing Veterans' Administration facilities.

Mrs. REID of Illinois. Mr. Speaker, in view of the alarming reports about the prevalence of drug abuse among military personnel, it is imperative that all potential treatment facilities be used to the fullest extent possible. The Veterans' Administration medical program has a proud record of major breakthroughs in many areas of medical science, and I feel confident that with their facilities and know-how they can make a major contribution to overcoming the drug crisis in our Nation if they are given the authority and funds to do so. This is the purpose of H.R. 9265, and I would like to join my colleagues in expressing support for this legislation and commending the Committee on Veterans' Affairs for bringing it before us.

The Veterans' Administration has medical facilities in every large community in America; it is the largest single medical system in the world with a staff of 5,000 full-time doctors. It has a bed capacity of over 115,000 and is affiliated with most of the Nation's medical schools. Furthermore, it has had a great deal of experience in vocational rehabilitation and has a large and well trained staff of psychiatrists, psychologists, and social workers.

Several weeks ago, I joined some 50 colleagues in sponsoring legislation known as the Armed Forces Drug Abuse Control Act. That bill, H.R. 9057, has three major objectives: To create a drug abuse control corps in each branch of the service to promote drug abuse education as well as provide rehabilitative treatment for addicts; to provide that those who voluntarily undergo treatment and rehabilitation would not be tried for offenses involving the possession or use of narcotic drugs; and to specify that no serviceman with a drug problem can be discharged until adjudged free from drug dependence by competent medical authorities.

In my judgment, the bill before us—H.R. 9265—is entirely consistent with the objectives of that proposal and, in fact, will complement it in these ways: In establishing an orderly procedure for the Veterans' Administration, to cooperate with the Armed Forces in treating those servicemen with drug addiction problems; by providing that the VA may receive and treat ex-servicemen on the basis of commitment from Federal courts; and by authorizing the VA to treat any serviceman or ex-serviceman with any addiction problem regardless of the type of discharge he holds or other legal problems he may have as a result of violations of other laws. With the enactment of this measure the Veterans' Administration would be authorized to treat any veteran with an addiction problem—not as part of a veteran benefits program, but in the general public interest—and in an effort to protect society from crime and abuse by drug users.

Drug addiction, like a disease, has reached epidemic proportions. While we must deal with it at its source, we must not allow its victims to go untreated. Time is of the essence and action must be taken at once to accelerate the use of all available facilities in solving this tragic national problem. Therefore, I hope that H.R. 9265 will be enacted by the Congress without undue delay.

Mr. WRIGHT. Mr. Speaker, I rise in support of this bill. Certainly the Nation owes this and more to those who have served in their country's defense. If they have fallen victims to the menace of drug addiction, the Nation owes them treatment.

As the gentleman from Florida (Mr. ROGERS) has pointed out, there already exists an excellent facility at Fort Worth, Tex., with existing capacity and personnel capable of providing treatment for thousands of these unfortunate men. During World War II, this facility gave treatment and rehabilitation services to as many as 1,100 men at one time. It presently treats veterans under contract with the Veterans' Administration, although the hospital has been managed under the direction of the U.S. Public Health Service.

It is a strange and utterly inexplicable irony that the Department of Health, Education, and Welfare seems intent on closing this facility, the only one of its kind west of the Mississippi River, at this very time when the President is asking Congress for $115 million to build new facilities.

This bill should be passed, and the Fort Worth facility should be kept open and expanded.

Mr. MONTGOMERY. Mr. Speaker, as a coauthor of H.R. 9265, I urge favorable consideration of the measure in order that we might set into motion a program to eradicate drug addiction and drug dependency among servicemen, ex-servicemen, and veterans. This legislation is in keeping with the priorities we have set in the Congress, as well as the priorities set by President Nixon.

Everyone recognizes the need to combat the drug problem in America. The time has come to translate this recognition of need into concrete action. By establishing programs to fight the drug problem we will be helping to decrease crime in America and rehabilitate our fellow citizens so that they can once again become productive members of society.

The most important provision of this bill will allow the Veterans' Administration to treat servicemen and veterans with a drug problem no matter what type of discharge they received from the Armed Forces. The program will apply to those with a dishonorable discharge, as well as those with an honorable discharge.

It should be pointed out that this program is not a reward or benefit for service. Rather, it is a program in the general public interest and in an effort to protect society from crime and abuse by drug users.

Mr. Speaker, this will be one of the most important pieces of legislation this body has before it this year. I therefore urge favorable approval of H.R. 9265.

Mr. PUCINSKI. Mr. Speaker, as cosponsor, I rise in support of H.R. 9265, the Servicemen's, Veterans' and Ex-Servicemen's Drug Treatment and Rehabilitation Act of 1971.

No one really knows the extent of the drug problem in the military. We have all heard the estimates that 50 percent of the troops in Vietnam are addicted to or dependent on drugs. The initial findings following the implementation of medical tests administered to troops leaving Vietnam indicate about 2 percent are addicted to heroin.

Whatever the figure is, there are veterans and ex-servicemen who are suffering from drug addiction or dependency. The Veterans' Affairs Committee has the basic responsibility of seeing to it that the medical needs of veterans are met. We have therefore reported out H.R. 9265.

The bill authorizes the Administrator to furnish medical care and treatment to any eligible ex-serviceman whose disability is caused by or resulted from drug abuse or drug dependency. In addition, active duty members of the Armed Forces may be treated.

The language of the bill will terminate the dilemma of men with dishonorable discharges not being able to receive treatment at VA facilities. The committee recognizes that the veterans drug abuse bill is not a benefit or reward for service. Rather it is in the general public interest to treat any ex-servicemen for drug dependency.

We are all anxious to see the Administration's Special Office for Drug Abuse Prevention get off the ground. In the meanwhile, there are ex-servicemen who need medical attention and H.R. 9265 will help to provide that medical attention and assistance.

Mr. REID of New York. Mr. Speaker, I rise to lend my strong support for H.R. 9265, the Veterans Drug Treatment Act.

The magnitude of the drug problem among our veterans, particularly those returned from Vietnam, makes it imperative that we act without delay. It has been estimated by the VA that 50,000 of the Nation's 200,000 drug addicts are veterans. My guess is that both these figures are underestimated, and certainly they fail to take into account the many thousands of servicemen in Vietnam who are addicted to drugs and who will soon become veterans. Nevertheless, it is clear that the VA has a major role to play in

the treatment of drug addiction in our country.

The law presently bars many veterans from receiving VA medical treatment for narcotics addiction. No veteran who has been discharged under "dishonorable" conditions is eligible. Yet, in 1970 the Army awarded a total of 2,295 undesirable, bad conduct, and dishonorable discharges for drug abuse offenses alone. Here are nearly 2,300 potential or actual addicts disqualified from medical treatment. Also disqualified are the many additional thousands of veterans who may have been discharged under dishonorable conditions for reasons unrelated to drug abuse.

A second disqualifier under present law is the requirements that a disability be "service-connected" in order for the veteran to be eligible for initial outpatient medical care. Drug addiction is invariably not service-connected as that term is defined by statute. Thus even thousands of honorably discharged veterans who become addicted to drugs are largely unable to receive the necessary treatment.

Such a policy makes no sense at a time when drug addiction is a pervasive and destructive illness in our society. To deny a person access to medical treatment—treatment beneficial not only to the individual but also very much so to the community—is self-defeating and unenlightened.

The bill before us removes these legal barriers and permits all addicted veterans to be treated by the VA, regardless of the character of their discharge or the origin of their addiction. This is a major step forward, and one, incidentally, which I have been urging for some time.

Chairman TEAGUE and the committee are to be commended for taking this prompt and meaningful action to meet the drug addiction problem among our veterans, and I wholeheartedly urge my colleagues to vote for H.R. 9265.

Mr. RANGEL. Mr. Speaker, I rise in support of the Veterans Drug Treatment Act. There is no question in my mind that this legislation is greatly needed. It comes not a moment too soon.

Official military sources put the rate of heroin addiction at about 14 percent of our servicemen now in South Vietnam. This amounts to about 33,000 men. Dr. Jaffe, President Nixon's special adviser on drug abuse, recently returned from a 3-day tour of military drug treatment centers in South Vietnam and describes this figure as the "upper limit."

The heroin detection tests made on homeward-bound American soldiers reveal about a 5-percent rate of drug addiction. However, since a positive test means that a soldier has to stay in Vietnam up to 30 days longer for treatment, GI's are doing everything they can to avoid detection. Some drink beer to dilute the urine, some strap a bag of another's urine to their side, some detoxify ahead of time and some simply pay off people. Regardless of the methods used, it is evident that at least some addicted soldiers are getting by undetected. Thus, the 5-percent rate is probably low. But whether the rate is 5 percent or 14 percent, the point is that the large number of returning addicted GI's makes it more likely than ever before that when a mother's son returns home she gets not a hero but an addict. And society gets not a potentially productive citizen but a potentially destructive criminal. Thus, the bill is not a moment too soon.

Briefly, the bill will do three things. It will authorize the Administrator of Veterans' Affairs to furnish medical care and treatment to any ex-servicemen who has a drug dependency condition while in service. It does not matter what the nature of his discharge or release is. Under current policy, the Veterans' Administration refuses to treat ex-servicemen with dishonorable discharges and requires an administrative procedure with a favorable decision to treat bad conduct or undersirable discharged veterans. This has caused a ridiculous problem because the military in the past has given most drug dependent soldiers dishonorable or bad conduct discharges in effect rendering them ineligible for VA treatment. The addict was literally thrown out on society to be dealt with at the limited drug addiction treatment centers operated by the public and private sector. Under this bill though, regardless of the discharge a veteran gets from the military, he remains eligible for VA. The treatment furnished would not include monetary benefits but would include comprehensive inpatient and outpatient care, treatment, and rehabilitation and anything else deemed necessary to treat the ex-servicemen for his condition. The bill will also leave the discharge policies of the armed forces intact instead of carving out certain exceptions.

Second, the bill will establish a simple procedure for the VA to cooperate with the Armed Forces in treating servicemen still in the Armed Forces who have a drug problem. Any member of the Armed Forces who is drug dependent may be transferred by the military to a VA hospital for treatment. The servicemen will then be returned to the military when his addiction condition is stabilized, when he refuses to cooperate, or when treatment will be of no further benefit. The question arises whether the VA has the capability to handle this load. The VA is the largest medical system in the country. It has hospitals all over the Nation, a staff of 5,000 doctors, and receives interns from most of the Nation's medical schools. The big problem will not be with space but with staff. I am confident that the VA will move quickly to meet this problem.

Third, the bill will authorize the VA to treat any ex-serviceman who has been committed by Federal courts for drug dependency. This means that any Federal district court can place any veteran who has committed a crime—other than a crime of violence—in the custody of the VA for examination to determine whether he is an addict and can civilly commit him there if the court determines that he is. He will then remain in the VA for treatment up to 36 months and may not voluntarily withdraw. The bill also allows the ex-serviceman himself to voluntarily file a petition with the U.S. attorney for the district to accept treatment for his addiction at the VA when he is charged with a crime.

Admittedly, this bill is not a panacea. Rehabilitation cannot be an absolute success with one stroke of the pen. One of the biggest concerns is that if we do not make the treatment desirable, then rehabilitation simply will not work. A second problem is that the addicted veteran needs more than just treatment. He needs positive reinforcement. He needs a job or something that will make him feel worthwhile. As of yet, no one has come up with a viable program that has a definite future.

Currently, the VA has operating 19 treatment centers using different modalities in an attempt to come up with a program that has a future. They are gearing up so that the total number of centers is expected to reach 32 by October. The key question facing these VA centers is whether GI addicts differ from street addicts here in the United States. Generally they have had the habit for a shorter period of time. Usually their habit was begun because they were under a more severe stress in Vietnam than street addicts are here. This leads one to believe that at least some may have psychological strengths that ordinary street addicts lack. Since our experience in drug rehabilitation thus far has been dismal, then if some of these propositions are true, perhaps the VA will find some measure of success in rehabilitating our veterans. At any rate, the bill we have before us today will provide some legislative help. I am hopeful that my colleagues will join me in supporting this most important measure.

Mr. ANDERSON of California. Mr. Speaker, I rise in strong support of H.R. 9265, a bill to authorize a drug treatment and rehabilitation program in the Veterans' Administration.

Mr. Speaker, war is not something that is easily fought; nor is it easy to walk away from war and return to normalcy.

Many have returned to the United States to face unemployment, to face the alienation of their friends, and to face anything but a hero's welcome. Many return with a drug problem.

We have heard the testimony that drug abuse among returning Vietnam veterans is unusually high. We have heard the testimony that GI's with a drug problem are receiving dishonorable discharges and, thus, may not be eligible for treatment in VA hospitals. In some instances, we have read that the ex-serviceman, who must support a $100-a-day habit, has turned to crime to feed his addiction to drugs.

The Veterans' Affairs Committee has found that there is an erroneous idea that VA treatment for drug addiction is a benefit or a reward for service. And, as the committee has stated in its report, "Obviously, it is not."

Instead, a drug program as a part of veterans' benefits is "in the general public interest, and in an effort to protect society from crime and abuse by drug users."

H.R. 9265 is not a bill to set a precedent for extending to the beneficiaries involved, any other existing veterans' benefit which is provided for honorably dis-

charged veterans. Nor does this bill disrupt the discharge policies of the armed services.

This measure authorizes the Administrator of the Veterans' Administration to furnish medical care and treatment to an ex-serviceman whose disability is caused by drug dependency. Thus, a veteran who served distinguishedly but fell under the influence of drugs and received a dishonorable discharge, may be admitted to a VA hospital for treatment.

In addition, H.R. 9265 allows the Administrator to receive active duty members of the armed services, for the purpose of treating such individuals for drug dependency.

Mr. Speaker, I have always had the greatest admiration for Chairman TEAGUE and his committee on the way they discharge their duties, and I want to take this opportunity to commend them for bringing this problem so promptly to the attention of the Congress.

We must make every effort to promote the Nation's health and welfare and I feel that one of our first steps should be in treating and rehabilitating the veteran.

Mr. MONAGAN. Mr. Speaker, although I have some serious reservations on the adequacy of the Veterans' Administration hospital system to cope with drug addiction in the military, because of the urgency of the situation I shall vote to suspend the rules and pass the bill.

In this session of Congress I introduced H.R. 8216, the Armed Forces Drug Abuse Control Act of 1971, and my bill currently has over 50 cosponsors. My bill, unlike the bill under consideration, focuses on the problem of drug addiction among active members of the military and sets forth a program of treatment and rehabilitation for the addicts while they are in the service. A key feature of my bill prohibits the discharge of any member of an armed service who is determined to be addicted to narcotics until he is found to be free from habitual dependence on drugs. My bill proposes to treat servicemen-addicts in comprehensive treatment and rehabiiltation programs established in each of the armed services because existing drug treatment programs in the VA and in the public sector are simply not prepared to care for the tremendous number of addicts who, it is estimated, will be returning from Vietnam. For example, while the number of addicts is judged by some authorities to be from 35,000 to 50,000, in a recent letter to me Dr. Marc Musser, Chief Medical Director of the Veterans' Administration, Department of Medicine and Surgery, said that the VA hopes to be able to treat a total of 6,000 drug addicts annually within the next 2 years. Clearly, the projected treatment facilities are going to be inadequate to deal with the military drug addiction problem on the basis of current estimates.

In light of the provisions of this bill which will: allow addicts who are active members of the Armed Forces to be treated in VA facilities; permit civil commitment of ex-servicemen by the Federal courts to VA facilities; and authorize VA treatment of any ex-serviceman, without regard to the type of discharge received by him, the conclusion that the projected annual capacity for VA drug treatment is unrealistic, is inescapable.

I would prefer, of course, that my bill, the Armed Forces Drug Abuse Control Act of 1971, be enacted into law, and that drug addiction in the Armed Forces be taken care of in the Armed Forces. I noted with great interest that Mr. Donald E. Johnson, Administrator of the Veterans' Administration, opposed enactment of the bill under consideration in favor of the drug treatment legislation proposed by the President that parallels my own suggestions in several respects, including my proposal to detain identified addicts in the military until they are cured. However, this legislation will provide for some expansion of the VA drug treatment facilities, and in view of the serious drug addiction problem, I believe that all proposals directed toward providing a solution should and must be supported.

I will also continue to work for enactment of my proposal in this session of Congress.

Mr. WOLFF. Mr. Speaker, I rise in support of the bill, H.R. 9265, to authorize a treatment and rehabilitation program in Veterans' Administration hospitals for servicemen and veterans suffering from drug abuse or drug dependency.

As a relatively new member of the Veterans' Affairs Committee, I was privileged to help in the development of this bill after lengthy hearings and to be listed as a sponsor on the bill being considered today.

Drug abuse and addiction among GI's is a most serious problem and this bill provides the means for a frontal attack on the social scourge of narcotics, especially among servicemen and veterans.

There are several important points in this legislation:

The VA drug abuse and addiction treatment and rehabilitation programs would be effectively coordinated with programs in the military and the means would be created for any needed expansion in the program.

The approach is one of treatment and rehabilitation and not one of criminal punishment. This is the responsible way to treat those men who, having been in the service of their country, deserve our special attention and assistance in returning to useful roles in society.

Consistent with this attitude the program would be open not only to veterans normally eligible for VA programs but also to men still in the service and men who received less than honorable discharges. This last point clears up an important problem because heretofore a drug user in the military immediately received a less than honorable discharge which meant he was denied access to military rehabilitation and also, because of the nature of his discharge, to rehabilitation through the VA.

This bill would enable U.S. courts to commit ex-servicemen to the rehabilitation under civil procedures which would insure their treatment but prevent the proliferation of criminal records which would linger with these men.

The entire thrust of this bill is to rehabilitate GI's and veterans who have a drug problem in the most humane and effective manner so as to place them back in the mainstream of society as soon as possible. It is a compassionate program which recognizes the medical problem these men have as well as their justifiable plea for help. These men who have helped our Nation by serving in the Armed Forces cry out for our help in breaking terrible drug habits. We cannot ignore their cries and this bill gives us the means of answering.

Mr. BROOMFIELD. Mr. Speaker, it is with great enthusiasm that I offer my support for this critical legislation. In the past months I have viewed with increasing alarm reports of hard-core drug use by our military forces in Southeast Asia. While exact figures are impossible to calculate, estimates have been made that from 10 to 25 percent of our enlisted men in Vietnam use heroin. This bill sets up an orderly method for the treatment of the thousands of servicemen and veterans who have become addicted to hard-core drugs.

The measure authorizes the Veterans' Administration to supervise and control the rehabilitation of all addicted veterans and servicemen. As the largest medical system in the country, it is the most logical Federal agency to conduct a military drug treatment program. It already has facilities spread throughout the country, staffed by professionals trained and experienced in drug treatment. Without the strong and coordinated organization an agency such as the VA can provide, the treatment of large numbers of servicemen will more than likely prove impossible.

It should be noted that the bill specifies that all veterans will be eligible for treatment regardless of the nature of their discharge from the Armed Forces. At the present time, those dishonorably discharged for drug usage are ineligible for treatment and rehabilitation programs, a senseless ruling when one recognizes that drug addiction is a medical problem requiring medical treatment.

Of course, it is in the best interests of the general public that we treat all servicemen who need drug related help, for it is the community at large which all too often suffers as much as the addict. Returning to the United States, veterans who have become addicted find that heroin is exceedingly more expensive than it was in Vietnam. Their natural inclination is to turn to crime to pay for their habit. In this light, then, funds spent on drug treatment are well worth the cost—both for the addict and his society.

Finally, Mr. Speaker, I would hope that this legislation—by providing adequate drug treatment facilities for men presently in the Armed Forces—will encourage those who are now addicted to voluntarily come forth for treatment. One must wonder how many men there are who desperately need help but out of fear of reprisals or lack of facilities never ask our assistance. At the same time, we must wonder to what degree these hidden addicts affect the efficiency of our armed services.

By any yardstick, therefore, it is to

our advantage to open channels through which these men can kick their habits. This bill provides those channels to any and all Armed Forces personnel who have need of them.

Mr. WINN. Mr. Speaker, I rise in support of H.R. 9265. We are all only too well aware of the drug addiction problem as it exists in this country today. The President has designated it as a national emergency. This bill, if enacted, assures every veteran the right to treatment and rehabilitation by the Veterans' Administration for drug addiction regardless of the type of discharge he received from the armed services.

This is not to be construed in any way as a reward for the veteran with a dishonorable discharge. Rather, it is for the protection of the general public and carries with it no other right to which the honorably discharged veteran is entitled.

Active duty personnel also will be eligible for narcotic addiction treatment under agreements with the secretaries of the military departments concerned where it is deemed advisable or necessary. This treatment will be at the expense of the military department.

The Veterans' Administration already is engaged in an expanding drug treatment program. Consequently, this bill merely will make available treatment to a larger segment of those in need of it.

We are faced with a problem so vast and insidious that it is my opinion every tool available which will aid in overcoming it should be employed. A bad discharge is not sufficient reason for denying drug addiction treatment to an exserviceman since such action would constitute a short-sighted view in attempting to overcome the emergency.

I believe we are fortunate in having as a resource an on-going drug treatment program available through the Veterans' Administration and believe it should be utilized to the maximum degree. For this reason I support the bill.

Mr. FULTON of Tennessee. Mr. Speaker, this legislation authorizes nearly 90 million dollars to provide treatment and drug care services under the Veterans' Administration.

Much as we deplore the increase in the use of drugs in our society, the time has long passed when we can treat the problem with mere statements of moral indignation.

The time has come to recognize the problem for what it is and provide facilities and programs for those who are addicted as an alternative to a possible lifetime of dependency, social ostracism and potential criminal activities.

By so doing, we in no way compromise any moral reservations or aversions which we may personally hold against the debilitating misuse of drugs and narcotics.

What we are doing is attempting to treat, through medical and professional means, a problem which has arisen in spite of the illegalities of the sale and use of narcotics and the widespread social condemnation of such practices.

I am sponsoring similar legislation, H.R. 8915, which would establish drug abuse control organizations within the Armed Forces. This legislation and the bill I am sponsoring are entirely compatible.

The committee and its distinguished chairman are to be commended for bringing this legislation to the floor in such a timely manner. It has my full support and I respectfully urge its passage.

Mr. HECKLER of Massachusetts. Mr. Speaker, I support extending the authority of the Veterans' Administration to establish treatment and rehabilitation programs for veterans not otherwise eligible for existing programs.

I support this legislation because of the serious nature of the drug abuse problem and because of the need to marshall all our resources to defeat this menace. However, I do not want my endorsement of the bill to be construed in any way as reducing the responsibility of the Department of Defense in this area.

In my view, the primary responsibility for the prevention, detection and treatment of military drug abuse problems must be placed squarely with the armed services. Their burden must not be reduced in any way.

Diverting the true responsibility from the armed services to the Veterans' Administration would place an additional workload on VA medical care facilities that are already heavily burdened. The United States cannot sacrifice the caliber of care for all veterans for the sake of addicted GI's who can be treated in Department of Defense treatment centers.

We must not take one bed from a veteran to put a drug addict in it. To do so when the military could be treating these individuals would be a serious mistake and could be harmful to the VA hospital system.

I have introduced legislation that would expand the authority of the armed services to deal with their drug abuse problem and to express the sense of Congress that the military must bear the burden for treatment and rehabilitation of persons who become dependent on drugs during their service careers.

The legislation now before us, H.R. 9265, should be a complementary measure to the legislation I have introduced affecting the Department of Defense. I believe both proposals should be enacted as rapidly as possible by this Congress.

Mr. RANDALL. Mr. Speaker, I will support H.R. 9265 not because it is the perfect answer to the treatment and rehabilitation of ex-servicemen suffering from drug abuse or drug dependency but because it is the only legislation at this point which sets out to do something about salvaging the lives of those who have drifted into dependency on drugs. The two great problems related to drugs consist of first, somehow arresting the supply or availability of harmful drugs, and second, the attempt at restoration of the lives of those who have once fallen into the use of drugs. H.R. 9265 addresses itself to ex-servicemen, in this second category.

It should be immediately noted that the wording in the preceding sentence did not use the word "veterans" although the title of the bill covers treatment and rehabilitation by the Veterans' Administration of servicemen, meaning those still in the armed services; veterans, meaning those who have been the recipient of an honorable discharge; and ex-servicemen, meaning those who have received a discharge less than honorable.

Thus, it could be said that for the first time by this legislation veterans hospitals are authorized to take those suffering from drug abuse or dependency even though they may still be in the service, and also for the first time may accept those men who are not veterans in the sense that they do not hold an honorable discharge but who while serving in the Armed Forces because of their addiction were not honorably discharged. They cannot be called veterans but only ex-servicemen.

Unless we are all willing to arbitrarily conclude that an addict deserves no future because he has succumbed to drug abuse while in the service, and unless we also conclude that we are unwilling to take a chance to salvage these lives, then the Congress will go ahead with this novel and innovative effort within the Veterans' Administration system. Mindful of the reluctance by certain VA personnel to accept those who have been discharged other than honorably, and mindful of the perennial problems of understaffing, notwithstanding, H.R. 9265 is very clear in its declaration of policy, that the admission of ex-servicemen to VA hospitals shall not be construed in any way as a precedent for the beneficiaries involved to receive any other veterans benefits or programs which are limited to honorably discharged veterans.

The sole purpose of H.R. 9265 is an effort to furnish medical care to disabled ex-servicemen whose disability results from drug abuse. If better legislation comes along later, it will of course replace H.R. 9265. In the interim, until a decision is reached whether Department of Defense will treat active-duty personnel, and whether Department of Defense will have its own rehabilitation services to include psychiatric treatment and counseling, H.R. 9265 should be passed into law.

As long as the services continue to turn out into society those drugs-disabled persons who have served but thus are not veterans, I think we should disregard the reluctance of some VA hospital personnel to accept these men. This should be the course at least until the office created by Executive order on June 17 and headed by Dr. Jerome H. Jaffee as a special action office on drug abuse makes its study and reaches a clear decision as to whether the director of the action office decides to assign drug treatment to the Department of Defense or to HEW under some new civilian agency, or to some other Federal officer or agency.

Meanwhile, there are between 50,000 and 60,000 ex-servicemen, even if they are not veterans, desperately in need of treatment whose lives may be salvaged and who, except for being weak instead of strong while in the service, would

have been honorably discharged as veterans rather than simply as ex-servicemen.

Repeating, for the time being, and until future legislation can amend or improve drug rehabilitation procedures, H.R. 9265 is a measure that will hopefully serve to restore the lives of those who might otherwise continue on as drug dependents with all of the losses involved and entailed including the crimes which will continue to be committed to supply themselves with drugs.

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

The SPEAKER. The question is on the motion of the gentleman from Texas (Mr. TEAGUE) that the House suspend the rules and pass the bill H.R. 9265, as amended.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 379, nays 0, not voting 54, as follows:

[Roll No. 193]

YEAS—379

Abbitt	Carney	Flowers
Abernethy	Carter	Flynt
Abourezk	Casey, Tex.	Foley
Abzug	Cederberg	Ford, Gerald R.
Addabbo	Celler	Ford,
Anderson, Calif.	Chamberlain	William D.
Anderson, Ill.	Chappell	Forsythe
Anderson, Tenn.	Chisholm	Fountain
Andrews, Ala.	Clancy	Fraser
Andrews, N. Dak.	Clark	Frelinghuysen
Annunzio	Clausen, Don H.	Frenzel
Archer	Clawson, Del	Frey
Arends	Clay	Fulton, Pa.
Ashley	Cleveland	Fulton, Tenn.
Aspin	Collier	Fuqua
Aspinall	Collins, Ill.	Galifianakis
Badillo	Collins, Tex.	Gaydos
Baker	Colmer	Gettys
Baring	Conable	Gibbons
Barrett	Conte	Gonzalez
Begich	Corman	Goodling
Belcher	Cotter	Grasso
Bell	Coughlin	Gray
Bennett	Daniel, Va.	Green, Oreg.
Betts	Daniels, N.J.	Green, Pa.
Bevill	Davis, Ga.	Griffin
Biester	Davis, S.C.	Griffiths
Bingham	Davis, Wis.	Gross
Boggs	Dellenback	Grover
Boland	Dennis	Gubser
Bolling	Dent	Gude
Bow	Derwinski	Hagan
Brademas	Devine	Haley
Brasco	Dickinson	Hall
Bray	Diggs	Halpern
Brinkley	Dingell	Hamilton
Brooks	Dorn	Hammer-schmidt
Broomfield	Dow	Hanley
Brotzman	Dowdy	Hansen, Idaho
Brown, Mich.	Downing	Hansen, Wash.
Brown, Ohio	Drinan	Harrington
Broyhill, N.C.	Duncan	Harvey
Broyhill, Va.	du Pont	Hawkins
Buchanan	Dwyer	Hays
Burke, Fla.	Eckhardt	Hébert
Burke, Mass.	Edwards, Ala.	Hechler, W. Va.
Burleson, Tex.	Edwards, Calif.	Heckler, Mass.
Burlison, Mo.	Eilberg	Helstoski
Burton	Erlenborn	Henderson
Byrne, Pa.	Esch	Hicks, Mass.
Byrnes, Wis.	Eshleman	Hicks, Wash.
Byron	Evans, Colo.	Hillis
Cabell	Evins, Tenn.	Hogan
Caffery	Fascell	Horton
Camp	Findley	Howard
Carey, N.Y.	Fish	Hull
	Fisher	Hunt
	Flood	Hutchinson
Ichord	Mosher	Selberling
Jacobs	Moss	Shipley
Jarman	Murphy, Ill.	Shoup
Johnson, Calif.	Murphy, N.Y.	Shriver
Johnson, Pa.	Myers	Sikes
Jonas	Natcher	Sisk
Jones, N.C.	Nedzi	Skubitz
Jones, Tenn.	Nelsen	Slack
Karth	Nichols	Smith, Calif.
Kastenmeier	Obey	Smith, Iowa
Kazen	O'Hara	Snyder
Keating	O'Konski	Spence
Kee	O'Neill	Springer
Keith	Passman	Stafford
Kemp	Patman	Staggers
King	Patten	Stanton,
Kluczynski	Pelly	J. William
Koch	Perkins	Stanton,
Kuykendall	Pettis	James V.
Kyl	Peyser	Steed
Landgrebe	Pickle	Steele
Latta	Pike	Steiger, Ariz.
Leggett	Pirnie	Steiger, Wis.
Lennon	Poage	Stephens
Lent	Podell	Stokes
Link	Poff	Stratton
Lloyd	Powell	Stubblefield
Long, Md.	Preyer, N.C.	Stuckey
Lujan	Price, Ill.	Sullivan
McClory	Price, Tex.	Symington
McCloskey	Pryor, Ark.	Taylor
McClure	Pucinski	Teague, Calif.
McCollister	Purcell	Teague, Tex.
McDade	Quie	Terry
McDonald, Mich.	Quillen	Thompson, Ga.
McEwen	Railsback	Thompson, N.J.
McFall	Randall	Thomson, Wis.
McKay	Rangel	Thone
McKevitt	Rarick	Udall
McMillan	Rees	Ullman
Macdonald, Mass.	Reid, Ill.	Vander Jagt
Madden	Reid, N.Y.	Vanik
Mahon	Reuss	Veysey
Maillliard	Rhodes	Vigorito
Mann	Riegle	Waggonner
Martin	Roberts	Waldie
Mathias, Calif.	Robinson, Va.	Wampler
Mathis, Ga.	Rodino	Ware
Matsunaga	Roe	Watts
Mazzoli	Rogers	Whalen
Meeds	Roncalio	White
Melcher	Rooney, N.Y.	Whitehurst
Metcalfe	Rosenthal	Whitten
Michel	Rostenkowski	Widnall
Mikva	Roush	Wiggins
Miller, Calif.	Rousselot	Williams
Miller, Ohio	Roy	Wilson, Bob
Mills, Ark.	Roybal	Winn
Minish	Runnels	Wolff
Mink	Ryan	Wright
Minshall	St Germain	Wyatt
Mitchell	Sarbanes	Wydler
Mizell	Satterfield	Wylie
Mollohan	Saylor	Wyman
Monagan	Scherle	Yates
Montgomery	Scheuer	Young, Fla.
Moorhead	Schmitz	Young, Tex.
Morgan	Schneebeli	Zablocki
Morse	Schwengel	Zion
	Scott	Zwach
	Sebelius	

NAYS—0

NOT VOTING—54

Adams	Edwards, La.	Mayne
Alexander	Gallagher	Mills, Md.
Ashbrook	Garmatz	Nix
Bergland	Giaimo	Pepper
Biaggi	Goldwater	Robison, N.Y.
Blackburn	Hanna	Rooney, Pa.
Blanton	Harsha	Ruppe
Blatnik	Hastings	Ruth
Conyers	Hathaway	Sandman
Crane	Holifield	Smith, N.Y.
Culver	Hosmer	Talcott
Danielson	Hungate	Tiernan
de la Garza	Jones, Ala.	Van Deerlin
Delaney	Kyros	Whalley
Dellums	Landrum	Wilson, Charles H.
Denholm	Long, La.	Yatron
Donohue	McCormack	
Dulski	McCulloch	
Edmondson	McKinney	

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. Edmondson with Mr. Sandman.
Mr. Garmatz with Mr. Smith of New York.
Mr. Tiernan with Mr. Ruth.
Mr. Holifield with Mr. Goldwater.
Mr. Charles H. Wilson with Mr. Talcott.
Mr. Adams with Mr. Harsha.
Mr. Biaggi with Mr. Halpern.
Mr. Blanton with Mr. Ashbrook.
Mr. Blatnik with Mr. Ruppe.
Mr. Culver with Mr. McKinney.
Mr. Danielson with Mr. Hosmer.
Mr. Delaney with Mr. Robison of New York.
Mr. Rooney of Pennsylvania with Mr. Hastings.
Mr. Jones of Alabama with Mr. Blackburn.
Mr. Hanna with Mr. Whalley.
Mr. Alexander with Mr. Crane.
Mr. Donohue with Mr. Mayne.
Mr. Dulski with Mr. Long of Louisiana.
Mr. Giaimo with Mr. Mills of Maryland.
Mr. Hathaway with Mr. Edwards of Louisiana.
Mr. Van Deerlin with Mr. Conyers.
Mr. Bergland with Mr. Kyros.
Mr. Nix with Mr. Hungate.
Mr. Gallagher with Mr. Dellums.
Mr. Denholm with Mr. Pepper.
Mr. de la Garza with Mr. Yatron.
Mr. Landrum with Mr. McCormack.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL EXPLANATION

Mr. McCORMACK. Mr. Speaker, I was unavoidably detained today during rollcall No. 193 on the bill H.R. 9265. I ask unanimous consent that the RECORD show that if I had been present I would have voted for this bill, and I further ask unanimous consent that this personal explanation appear immediately after the recording of that rollcall.

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

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

ASSISTANCE FOR NEW STATE MEDICAL SCHOOLS, EXISTING MEDICAL SCHOOLS, AND OTHER HEALTH SERVICE INSTITUTIONS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 748) amending title 38 of the United States Code to authorize the Administrator of Veterans'

Affairs to provide certain assistance in the establishment of new State medical schools; the improvement of existing medical schools affiliated with the Veterans' Administration; and to develop cooperative arrangements between institutions of higher education, hospitals, and other public or nonprofit health service institutions, and the Veterans' Administration to develop and conduct educational and training programs for health care personnel, as amended.

The Clerk read as follows:

H.J. RES. 748

Whereas there is a great national shortage of physicians and allied health personnel;

Whereas it is now estimated that there is a shortage of approximately 48,000 doctors of medicine and over 250,000 allied health and other medical personnel;

Whereas the Veterans' Adminnistration operates the largest medical care system in the United States, if not the world;

Whereas the Department of Medicine and Surgery of the Veterans' Administration has an active and close affiliation with over eighty medical schools;

Whereas if the training of sufficient numbers of physicians, other health professionals allied health personnel, and other health personnel is to be accomplished, it is essential that the educational capacities of medical and health professions schools affiliated with the Veterans' Administration be expanded, that new medical and health professions schools affiliated with Veterans' Administration hospitals be established, and that education and training opportunities for the training of existing and future allied health and other health personnel be expanded and improved;

Whereas because of the size, diversity, and quality of its medical program, the Veterans' Administration's Department of Medicine and Surgery is uniquely qualified to assist in the expansion and improvement of existing affiliated medical schools and other health professions schools, in the establishment of new medical and health professions schools, and in the expansion and improvement of education and training opportunities for allied health and other health personnel; and

Whereas it is essential that an adequate number of physicians, health professionals, allied health personnel, and other health personnel be trained if the Congress is to discharge its responsibility to provide the best possible medical care for the Nation's veterans: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assemoled, That this Act may be cited as the "Veterans' Administration Medical School Assistance and Health Service Personnel Education and Training Act of 1971."

SEC. 2. (a) Part VI of title 38, United States Code, is amended by inserting immediately after chapter 81 the following new chapter—

"Chapter 82.—ASSISTANCE IN ESTABLISHING NEW STATE MEDICAL SCHOOLS; GRANTS TO AFFILIATED MEDICAL SCHOOLS; ASSISTANCE TO HEALTH MANPOWER TRAINING INSTITUTIONS.

"Sec.
"5070. Coordination with public health programs; administration.

"SUBCHAPTER I—PILOT PROGRAM FOR ASSISTANCE IN THE ESTABLISHMENT OF NEW STATE MEDICAL SCHOOLS

"5071. Declaration of purpose.
"5072. Authorization of appropriations.
"5073. Pilot program assistance.
"5074. Limitations.

"SUBCHAPTER II—MATCHING GRANTS TO AFFILIATED MEDICAL SCHOOLS

"5081. Declaration of purpose.
"5082. Authorization of appropriations.
"5083. Grants.
"5084. Payments.
"5085. Limitations.

"SUBCHAPTER III— ASSISTANCE TO PUBLIC AND NON-PROFIT INSTITUTIONS OF HIGHER LEARNING, HOSPITALS AND OTHER HEALTH SERVICE INSTITUTIONS AFFILIATED WITH THE VETERANS' ADMINISTRATION TO INCREASE THE PRODUCTION OF PROFESSIONAL AND TECHNICAL ALLIED HEALTH SERVICE PERSONNEL

"5091. Declaration of purpose.
"5092. Definitions.
"5093. Authorization of appropriations.
"5094. Grants.
"5095. Payments.
"5096. Limitations.

"§ 5070. Coordination with public health programs; administration

"(a) The Administrator and the Secretary of Health, Education, and Welfare shall, to the maximum extent practicable, coordinate the programs carried out under this chapter and the programs carried out under section 309 and titles VII, VIII, and IX of the Public Health Service Act.

"(b) The Administrator may not enter into any agreement under subchapter I of this chapter or make any grant or other assistance under subchapter II or III of this chapter after December 31, 1978.

"(c) The Administrator shall prescribe regulations covering the terms and conditions for entering into agreements and making grants under this chapter.

"SUBCHAPTER I—PILOT PROGRAM FOR ASSISTANCE IN THE ESTABLISHMENT OF NEW STATE MEDICAL SCHOOLS

"§ 5071. Declaration of purpose

"The purpose of this subchapter is to authorize the Administrator to implement a pilot program under which he may provide assistance in the establishment of new State medical schools if such schools are located in proximity to, and operated in conjunction with, Veterans' Administration medical facilities.

"§ 5072. Authorization of appropriations

"(a) There is hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1972, and a like sum for each of the six succeeding fiscal years. Sums appropriated pursuant to this section shall be used for making grants to States pursuant to section 5076(a)(3) of this title.

"(b) Sums appropriated pursuant to subsection (a) of this section shall remain available until the end of the second fiscal year following the fiscal year for which they are appropriated.

"§ 5073. Pilot program assistance

"(a) Subject to subsection (b) of this section the Administrator may enter into an agreement to provide to any State the following assistance to enable such State to establish a new medical school:

"(1) The leasing to the State under such terms and conditions as the Administrator deems appropriate, of such land, buildings, and structures under the control and jurisdiction of the Veterans' Administration as may be necessary for such school. The three-year limitation on the term of a lease in section 5012(a) of this title shall not apply with respect to any lease entered into pursuant to this paragraph.

"(2) The extension, alteration, remodeling, or repair of buildings and structures provided under paragraph (1) to the extent necessary to make suitable for use as medical school facilities.

"(3) The payment of grants to reimburse the State for the cost of the salaries of the faculty of such school during the initial twelve-month period of operation of the school and the next six such twelve-month periods, but payment under this paragraph may not exceed an amount equal to—

"(A) 90 per centum of the cost of faculty salaries during the first twelve-month period of operation,

"(B) 90 per centum of such cost during the second such period,

"(C) 90 per centum of such cost during the third such period,

"(D) 80 per centum of such cost during the fourth such period,

"(E) 70 per centum of such cost during the fifth such period,

"(F) 60 per centum of such cost during the sixth such period, and

"(G) 50 per centum of such cost during the seventh such period.

"(b)(1) The Administrator may not enter into any agreement under subsection (a) of this section unless he finds that—

"(A) there will be adequate State financial support for the proposed medical school;

"(B) the overall plans for the school meet such professional and other standards as the Administrator deems appropriate; and

"(C) the school will maintain such arrangements with the Veterans' Administration medical facility with which it is associated (including but not limited to such arrangements as may be made under subchapter IV of chapter 81 of this title) as will be mutually beneficial in the carrying out of the mission of the medical facility and the school.

"(2) Any agreement entered into by the Administrator under this subchapter shall contain such terms and conditions (in addition to those imposed pursuant to subsection (a)(1) of this section) as he deems necessary and appropriate to protect the interest of the United States.

"§ 5074. Limitations

"The Administrator may not use the authority under this subchapter to assist in the establishment of more than five new medical schools. Such schools shall be in geographically dispersed States.

"SUBCHAPTER II—MATCHING GRANTS TO AFFILIATED MEDICAL SCHOOLS

"§ 5081. Declaration of purpose

"The purpose of this subchapter is to authorize the Administrator to carry out a program of grants, on a matching basis, for medical schools which have maintained affiliation with the Veterans' Administration in order to assist such schools to improve and enlarge their facilities.

"§ 5082. Authorization of appropriations

"(a) There is hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1972, and a like sum for each of the six succeeding fiscal years. Sums appropriated pursuant to this section shall be used for making grants to medical schools pursuant to this subchapter.

"(b) Sums appropriated pursuant to subsection (a) of this section shall remain available until the end of the second fiscal year following the fiscal year for which they are appropriated.

"§ 5083. Grants

"(a) Any medical school which is affiliated with the Veterans' Administration under an agreement entered into pursuant to subchapter IV of chapter 81 of this title may apply to the Administrator for a grant under this subchapter to assist such school, in part, to carry out projects and programs for the improvement and enlargement of its facilities, *except that no grant shall be made for the construction of any building which will not be located on land under the jurisdiction of the Administrator.* Any such application shall

contain such information in such detail as the Administrator deems necessary and appropriate.

"(b) An application for a grant under this section may be approved by the Administrator only upon his determination that—

"(1) the proposed project and programs for which the grant will be made will make a significant contribution to strengthening the medical education program of the school and will result in a substantial increase in the number of medical students attending such school;

"(2) the application contains or is supported by adequate assurance that any Federal funds made available under this subchapter will be matched by funds or other resources available from other sources, whether public or private;

"(3) the application sets forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this subchapter; and

"(4) the application provides for making such reports, in such form and containing such information, as the Administrator may require to carry out his functions under this subchapter, and for keeping such records and for affording such access thereto as the Administrator may find necessary or assure the correctness and verification of such reports.

"§ 5084. Payments

"Payments pursuant to grants under this subchapter may be made in installments, and either in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Administrator may determine.

"§ 5085. Limitations

"A grant to any medical school under this subchapter with respect to any projects or programs approved by the Administrator may not exceed 50 per centum of the total costs, as determined by the Administrator, of such projects and programs.

"SUBCHAPTER III—ASSISTANCE TO PUBLIC AND NONPROFIT INSTITUTIONS OF HIGHER LEARNING, HOSPITALS AND OTHER HEALTH SERVICE INSTITUTIONS AFFILIATED WITH THE VETERANS' ADMINISTRATION TO INCREASE THE PRODUCTION OF PROFESSIONAL AND TECHNICAL ALLIED HEALTH SERVICE PERSONNEL

"§ 5091. Declaration of purpose

"The purpose of this subchapter is to authorize the Administrator to carry out a program of grants, on a matching basis, to provide assistance in the establishment of cooperative arrangements among universities, colleges, junior colleges, community colleges, schools of allied health professions, State and local systems of education, hospitals, and other nonprofit health service institutions, affiliated with the Veterans' Administration, to coordinate and expand the training of professional and technical allied health services personnel; to develop and evaluate new health careers; and to improve allied health manpower utilization.

"§ 5092. Definitions

"For the purpose of this subchapter, the term 'eligible institution' means any educational facility or other public or nonprofit institution, including universities, colleges, junior colleges, community colleges, schools of allied health professions, State and local systems of education, hospitals, and other nonprofit health service institutions for the training or education of allied health or other personnel affiliated with the Veterans' Administration for the conduct of or the providing of guidance for education and training programs for health manpower.

"§ 5093. Authorization of appropriations

"(a) There is hereby authorized to be appropriated $3,000,000 for the fiscal year ending June 30, 1972, and $4,000,000 for each of the six succeeding fiscal years. Sums appropriated pursuant to this section shall be used for making grants to educational institutions, hospitals, or training establishments pursuant to this subchapter.

"(b) Sums appropriated pursuant to subsection (a) of this section shall remain available until the end of the second fiscal year following the fiscal year for which they are appropriated.

"§ 5094. Grants

(a) Any eligible institution may apply to the Administrator for a grant under this subchapter to assist such institution to carry out, through the Veterans' Administration hospital with which it is, or will become affiliated educational and clinical projects and programs, matching the clinical requirements of the hospital to the allied health training potential of the eligible institution, for the expansion and improvement of such institution's capacity to train health manpower, including physician's assistants and other new types of health service personnel. Any such application shall contain a plan to carry out such projects and programs and such other information in such detail as the Administrator deems necessary and appropriate.

"(b) An application for a grant under this section may be approved by the Administrator only upon the Administrator's determination that—

"(1) the proposed projects and programs for which the grant will be made will make a significant contribution to improve the education (including continuing education) or training program of the eligible institution and will result in a substantial increase in the number of students trained at such institution;

"(2) the application sets forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this subchapter; and

"(3) the application provides for making such reports, in such form and containing such information, as the Administrator may require to carry out his functions under this subchapter, and for keeping such records and for affording such access thereto as the Administrator may find necessary to assure the correctness and verification of such reports.

"§ 5095. Payments

"Payments made pursuant to grants under this subchapter may be made in installments, and *either* in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Administrator may determine.

"§ 5096. Limitations

"A grant to any eligible institution under this subchapter with respect to any projects or programs approved by the Administrator may not exceed 50 per centum of the total costs, as determined by the Administrator, of such projects and programs."

(b) The table of chapters at the beginning of part VI of title 38, United States Code, is amended by adding

"82. Assistance in Establishing New State Medical schools; *Grants* to Affiliated Medical Schools; Assistance to Health Manpower Training Institutions 5070".

immediately below

"81. Acquisition and Operation of Hospital and Domiciliary Facilities; Procurement and Supply---------- 5001".

The SPEAKER. Is a second demanded?

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

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

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the background of this proposal can be summed up best by a paraphrasing of the various whereas clauses which set forth in cogent terms the medical health problem facing the Nation today and the present and potential role which the Veterans' Administration is so uniquely qualified to play in facing up to that problem.

The committee, accordingly, finds that first, there is a great national shortage of physicians and allied health personnel; second, it is now estimated that there is a shortage of approximately 48,000 doctors of medicine and over 250,000 allied health and other medical personnel; third, the Veterans' Administration operates the largest medical care system in the United States, if not the world; fourth, the Department of Medicine and Surgery of the Veterans' Administration has an active and close affiliation with over 80 medical schools; fifth, if the training of sufficient numbers of physicians, other health professionals, allied health personnel, and other health personnel is to be accomplished, it is essential that the educational capacities of medical and health professions schools affiliated with the Veterans' Administration be expanded, that new medical and health professions schools affiliated with Veterans' Administration hospitals be established, and that education and training opportunities for the training of existing and future allied health and other health personnel be expanded and improved; sixth, because of the size, diversity, and quality of its medical program, the Veterans' Administration's Department of Medicine and Surgery is uniquely qualified to assist in the expansion and improvement of existing affiliated medical schools and other health professions schools, in the establishment of new medical and health professions schools, and in the expansion and improvement of education and training opportunities for allied health and other health personnel; seventh, it is essential that an adequate number of physicians, health professionals, allied health personnel, and other health personnel be trained if the Congress is to discharge its responsibility to provide the best possible medical care for the Nation's veterans.

The resolution provides a new chapter to title 38, United States Code, entitled "Assistance in Establishing New State Medical Schools: Grants to Affiliated Medical Schools; Assistance to Health Manpower Training Institutions." This chapter is divided into three subchapters, each of which is designed to accomplish the following purpose:

Subchapter I.—This subchapter is designed to provide a pilot program for assistance in the establishment of new State medical schools in proximity to, and operated in conjunction with, VA medical facilities. The pilot program would be limited to not more than five new medical schools located in geographically dispersed States. The assistance authorized would include (a) leasing to the State of VA land, buildings, et cetera; (b) remodeling and repair of

VA structures to render them suitable for necessary school facilities; and (c) grants (on a reducing scale) to reimburse the State for faculty salaries. The resolution authorizes appropriations of $15 million for fiscal year 1972 and $15 million for each of the next 6 years for the purposes of this subchapter.

Subchapter II.—This subchapter authorizes the Administrator to carry out a program of grants, on a matching basis, for medical schools which have maintained affiliation with the Veterans' Administration in order to assist such schools to carry out projects and programs for the improvement and enlargement of its facilities. In order to control the extent of construction projects the committee has specifically provided that no grant shall be made for the construction of any building which will not be located on land under the jurisdiction of the Administrator. Applications for such grants may be approved by the Administrator only upon his determination that—

First, the proposed projects and programs for which the grant will be made will make a significant contribution to strengthening the medical education program of the school and will result in a substantial increase in the number of medical students attending such school;

Second, the application contains or is supported by adequate assurance that any Federal funds made available under this subchapter will be matched by funds or other resources available from other sources, whether public or private;

Third, the application sets forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this subchapter; and

Fourth, the application provides for making such reports, in such form and containing such information, as the Administrator may require to carry out his functions under this subchapter, and for keeping such records and for affording such access thereto as the Administrator may find necessary or assure the correctness and verification of such reports.

The resolution authorizes appropriations of $15 million for fiscal year 1972 and $15 million for each of the next 6 years for the purposes of this subchapter.

Subchapter III.—The purpose of this subchapter is to authorize the Administrator to carry out a program of grants, on a matching basis, to provide assistance in the establishment of cooperative arrangements among universities, colleges, junior colleges, community colleges, schools of allied health professions, State and local systems of education, hospitals, and other nonprofit health service institutions, affiliated with the Veterans' Administration, to coordinate and expand the training of professional and technical allied health services personnel; to develop and evaluate new health careers; and to improve allied health manpower utilization.

The grants contemplated by this subchapter are designed to assist an institution to carry out, through the Veterans' Administration hospital with which it is, or will become, affiliated, educational and clinical projects and programs, matching the clinical requirements of the hospital to the allied health training potential of the eligible institution, for the expansion and improvement of such institution's capacity to train health manpower, including physicians' assistants and other new types of health service personnel.

Applications for such grants may be approved by the Administrator only upon his determination that—

First, the proposed projects and programs for which the grant will be made will make a significant contribution to improving the education (including continuing education) or training program of the eligible institution and will result in a substantial increase in the number of students trained at such institution;

Second, the application sets forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this subchapter; and

Third, the application provides for making such reports, in such form and containing such information, as the Administrator may require to carry out his functions under this subchapter, and for keeping such records and for affording such access thereto as the Administrator may find necessary to assure the correctness and verification of such reports.

Payments made pursuant to grants under this subchapter may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Administrator may determine.

Appropriations authorized for grants under this subchapter would be in the amount of $3 million for fiscal year 1972 and $4 million for each of the 6 succeeding fiscal years.

Mr. Speaker, I yield 10 minutes to the gentleman from Virginia (Mr. SATTERFIELD), chairman of the subcommittee that handled the bill.

Mr. SATTERFIELD. Mr. Speaker, House Joint Resolution 748 represents a forward-looking effort to utilize the present and potential role which the Veterans' Administration is so uniquely qualified to play in facing up to the problem of meeting the great national shortage of medical and allied health personnel.

Briefly, this bill contemplates certain Federal assistance through the Veterans' Administration to State and nonprofit private medical facilities in three areas.

First, the bill would provide a pilot program for assistance in the establishment of new medical schools located in close proximity to and operated in conjunction with the VA medical facilities.

This pilot program would be limited to not more than five new medical schools located in geographically dispersed States.

It would authorize the VA Administrator to lease VA facilities for school purposes, to improve and remodel and repair VA facilities for school purposes, and would authorize grants to help defray the initial cost of faculties for these new schools, starting at 90 percent during the first 3 years and declining over the remaining 4 until the last year, when it would be 50 percent of the total faculty cost.

Second, the bill would authorize the Administrator to carry out a program of grants on a matching basis, not to exceed 50 percent, for existing medical schools which have maintained affiliation with the Veterans' Administration in order to assist those schools in carrying out projects and programs for the improvement and enlargement of their facilities.

Their primary objective is to strengthen the medical education program and to increase the number of students enrolled therein.

I might add at this point, there is a provision in the bill which would prohibit the use of any Federal funds for the construction of any facility on land not owned by the Veterans' Administration.

Third, the bill would authorize the administrator to carry out a program of grants on a matching basis, not to exceed 50 percent, to provide assistance in the establishment of cooperative arrangements among universities, colleges, junior colleges, community colleges, schools of allied health professions, and other health services affiliated with the Veterans' Administration, to coordinate and expand the training of professional and technical allied health services personnel, and to increase the number of students enrolled in those facilities.

In view of the pilot nature of this bill, in relation to each of these proposals, the committee has felt it wise to limit the authorization for appropriations to a total of $33 million for the first year and $34 million for each succeeding 6 years.

I urge adoption of this worthwhile bill of my colleagues.

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

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

Mr. SCHEUER. May I congratulate my colleague for what seems likely a highly intelligent and worthwhile bill. I would like to ask my colleague, in view of the existing shortage of health personnel and in view of the fact that the Defense Department abroad has used extensively paraprofessional personnel and has trained many thousands of medical corpsmen who have performed magnificently not only in various health stations but on the field of battle and have proved beyond any question of doubt that they have a major contribution to make in the delivery of the health services, would it be the intention of the Congress in passing this bill to see that the medical schools create medical roles for the kind of paraprofessional medical personnel who have performed so magnificently in the Defense Department overseas, and would it be our intention that the medical schools not only train the paraprofessional personnel but also to train professional personnel in how to work closely with and supervise the paraprofessional personnel?

Mr. SATTERFIELD. I would say to the gentleman from New York that this is precisely what the bill contemplates. The second subchapter of the bill deals with

the medical professionals and embraces the idea that they would learn to work with new allied health professions as the latter are developed.

I might point out to the gentleman also that a third portion of the bill deals with paramedics and others in the allied health professions, and I might add at this point that there is a program of physicians' assistants now underway in the VA.

Mr. SCHEUER. I am delighted to hear that. I congratulate the gentleman and the committee on what I think is a most significant and thoughtful advance in the rationalization of our health delivery services. New York State is the first and, at this time, the only State that has licensed the doctors' assistant, the new medical role of doctors' assistant. It was precisely for this purpose of accommodating some of the enormously talented people who have come out of the Defense Department and who have been very well trained in medical and health services as assistants to professionals that New York State did this. Would it be the intention of the Congress that the Veterans' Administration, in these new medical schools, would work closely with and encourage the States to provide new licensing procedures so that returning veterans who have been so well trained in our medical forces would find that they could continue their professions, perhaps with some additional training, in the various States where right now they find it difficult if not impossible to carry on the enormously useful skills that they have developed in the military?

Mr. SATTERFIELD. While there is no specific language in the bill dealing with the licensing provisions of any State, I think it goes without saying that if new types of medical personnel are to be trained and developed in VA facilities, that would be a factor to be reckoned with, and it might encourage new licensing procedures in many States.

Mr. SCHEUER. I thank my colleague very much.

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

Mr. SATTERFIELD. I yield to the gentleman from Florida.

Mr. ROGERS. As the gentleman knows, since I have discussed the matter with him before the debate here, I am concerned about the overlapping or the possible overlapping jurisdiction of this bill with the bill we have just passed and the Senate has already passed concerning the establishment of new medical colleges and medical manpower facilities, a bill in the amount of $2.7 billion. It is my understanding that this bill will restrict the new medical colleges to five. Is that correct?

Mr. SATTERFIELD. That is correct.

Mr. ROGERS. They would be built or have to be built on VA property or in a VA facility. Is that correct?

Mr. SATTERFIELD. I would say to the gentleman, this does not contemplate any particular school building. It does authorize the VA Administrator to make available certain space in VA facilities for initiating a State medical school.

Mr. ROGERS. I am somewhat concerned, although I do not want to disagree with the gentleman and his committee if we can get clear that we are not going to have a tremendous overlapping and duplicating of effort. I am particularly concerned about it, because the Veterans' Administration has filed a strong opposition to the bill, as well as the Office of Management and Budget. I think if we have it clear that it is to be directly on VA property—as I understand it, at Shreveport they modified the VA building and built a school there—I could see some reason for the enactment of this, but I think this ought to be made fairly clear in the legislation.

Mr. SATTERFIELD. I would like to point out to the gentleman that the first section of the bill makes quite clear that the VA Administrator and the Secretary of HEW must coordinate these programs, with titles VII, VIII, and IX of the Public Health Service Act, which are basically the provisions concerning the gentleman. I can understand why they would bother the gentleman, because at first they bothered me. I would point out however, that this is a pilot program provided in this bill, and that there are only very modest amounts available. Under its new medical schools provision, there is only $15 million available each year. I think from that standpoint alone one could see this would not be in competition with the comprehensive manpower bill the gentleman has referred to.

Mr. ROGERS. I think if the Secretary of HEW in the administration of that bill has the right to see that there is no conflict, if it is clear that the Secretary of HEW in administering those portions of the bill can see that there is no conflict, then I would be less concerned about the overlapping. Is that my understanding?

Mr. SATTERFIELD. I would say to the gentleman that under the Health Manpower Act, the Secretary of HEW would have certain authority delivered to him under that act, and this bill would in no way take that authority from him. This would be an additional input from the Veterans' Administration standpoint that might very well complement efforts by the Secretary of HEW, or in the alternative that would make available additional medical schools which in this time of shortage we all recognize, no one can seriously object to.

Mr. ROGERS. Is there any provision for any accreditation to make sure these schools meet certain standards? I did not see that in the provisions of the law.

Mr. SATTERFIELD. I call the gentleman's attention to language in the bill which makes it clear that this bill contemplates medical schools that are financed and supported by the States. One of the criteria that must be met to the satisfaction of the VA Administrator is that there are sufficient funds from the State to support the medical school in question. I would assume that would not be forthcoming unless accreditation was required.

Mr. ROGERS. Is there a limitation on the amount of money that could go to any one school?

Mr. SATTERFIELD. This is left to the discretion of the VA Administrator in connection with each individual project.

Mr. ROGERS. I thank the gentleman for yielding. I do have concern about this, because I have some fear we are duplicating existing authority. However, with the assurances of the gentleman that the Administrator will work closely with the Secretary of HEW and not duplicate what is being done there, I will not further my opposition.

Mr. SATTERFIELD. I think I can say that was the feeling of the committee. This was the reason the coordination provision was written into the legislation.

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

Mr. SATTERFIELD. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, one point that the gentleman from Florida raises which perhaps needs a little clarification is that it is not the intention of the committee nor the Veterans' Administration that new medical schools be built in a permanent way on properties owned by the Veterans' Administration.

It is only intended at the outset that we add needed impetus to the creation of new medical schools to provide more trained doctors by allowing them in the interim, while the schools are being established by the State, eventually to be supported by the State, to utilize to the maximum existing VA facilities.

The restriction written into the bill limits grants only to those interim buildings which will be in the interim used and must be built on Veterans' Administration property.

I might say that the demonstration project which was made in order and has allowed the pilot project to be proposed is being conducted in my congressional district at the Shreveport, La., Veterans' Administration Hospital. I can tell Members from experience, that school having been operated for 2 years, this program will work as it has in my district where they have shortened the time of establishing a medical school probably as much as 7 years, and probably have done for a few million dollars what it would have cost $50 million to do in providing for such a medical school. And we are already producing doctors.

The demonstration project as well as the pilot project does provide for cost sharing on the part of the Veterans' Administration in the State of Louisiana, utilizing existing facilities, but the end result is going to be that the State of Louisiana will have a new medical school separate and apart from the Veterans' Administration hospital ultimately utilizing the Veterans' Administration hospital as a university teaching facility, along with other facilities in the area.

The benefit will come to the veteran, among others, because the quality of medical care of the veteran is going to be improved. Of course, we will have available additional and needed doctors.

This is the best legislation we have had in years to provide more doctors cheaper and quicker.

Mr. TEAGUE of California. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Joint Resolution 748.

This measure will permit the Veterans' Administration to use its vast hospital facilities and staff in reducing the critical shortage of doctors, nurses, and allied health workers that exists in our Nation today.

The ranking member of the Hospital Subcommittee, the gentleman from Pennsylvania (Mr. SAYLOR) will discuss the bill in detail, but I want to commend both the gentleman from Pennsylvania and the subcommittee chairman, the gentleman from Virginia (Mr. SATTERFIELD) for developing the best thoughts of a number of expert medical witnesses and bringing to the floor this important measure.

Briefly, Mr. Speaker, the bill will permit the Veterans' Administration to assist in the establishment of five new State medical schools, geographically dispersed, utilizing surplus Veterans' Administration hospital buildings and land. Grants for faculty salaries will be available during the first 7 years of the schools' existence on a reducing basis with the Federal Government bearing 90 percent of the cost in the first year and terminating with 50 percent in the 7th year.

The bill also authorizes a 7-year program of matching fund grants for the expansion of existing medical schools that are affiliated with Veterans' Administration hospitals. One important condition for the receipt of such a grant is that it will result in a significant increase in the number of medical students enrolled in the school.

Finally, the bill authorizes matching fund grants to institutions engaged in training allied health workers. These are nurses, technicians, and other paramedical personnel needed to complete the delivery of comprehensive health services to the Nation. The same requirement is attached to the receipt of this grant. It must increase substantially the number of students being trained in the institution.

Mr. Speaker, on April 2, 1970, President Nixon said:

> Fuller reliance on the VA's system of 166 hospitals for medical education purposes would not only improve the VA's position—as a consumer of health services personnel—but would also help the entire nation meet its requirements in the health manpower area.

This measure will help to carry out the President's observation. I will vote for the bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. SAYLOR) the ranking minority member of the subcommittee which handled the bill.

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

Mr. SAYLOR. I yield to the gentleman from Arkansas (Mr. HAMMERSCHMIDT).

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of House Joint Resolution 748. I believe we are all aware of the medical health problem facing the Nation today. It is estimated that we are confronted with a shortage of approximately 50,000 doctors and 250,000 allied health workers—not to mention dentists and nurses. To overcome this I believe we should bring to bear upon it every resource available. This bill, if enacted, would make use of one such resource, the Veterans' Administration.

The Veterans' Administration operates very close to the largest medical care system in the world and is already affiliated with 80 medical schools and has been offering for many years hospital-based educational experience to these schools. More than 50,000 students participated in more than 60 categories of training in Veterans' Administration institutions during the last fiscal year.

The Veterans' Administration, accordingly, is already geared to implement this bill. In so doing the agency will not only be assisting the country in getting the best of its medical manpower shortage, but also will be insuring the highest type of medical care for veterans—a cause to which the Congress is dedicated.

In short, this bill expands the Veterans' Administration's present program in the training of medical manpower by assisting in the creation of five new medical schools which are needed badly; the expansion of existing medical schools already affiliated with the Veterans' Administration on a matching fund basis and, finally, under the same terms, money for institutions engaged in training allied health workers. In effect this bill is well rounded and tackles the overall problem from every angle.

I support this legislation because I believe it represents a workable, commonsense approach in working toward a program of adequate health care for all of our citizens but particularly for our veterans to whom we owe so much.

Mrs. HECKLER of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from Massachusetts, a member of the committee.

Mrs. HECKLER of Massachusetts. Mr. Speaker, a diagnosis of our Nation's health ills suggests that one of the most potent remedies is the approach contained in House Joint Resolution 748, which serves as a mechanism for enriching the flow and quality of medical services within Veterans' Administration facilities. This measure also enables enlarged support to present and newly established State medical schools associated with the Veterans' Administration.

Considering the present inadequacy and inaccessibility of needed health care to all Americans, and the fact that within this present decade, our population growth will number some additional 27 million, the urgency of strengthening our Nation's health manpower resources assumes new dimensions.

The impact of our presently inadequate health manpower resources is demonstrated graphically in these sobering facts:

While there are 228 physicians per 100,000 in New York, there are only 82 per 100,000 in Mississippi. Our physicians now practicing are overburdened.

The Joint Council of National Pediatric Societies has stated that at least three-quarters of the pediatric care provided by doctors could be done by a properly trained child health assistant. Similarly, it has been proven that a chairside assistant, utilized effectively, can increase a dentist's productivity by 50 percent.

According to the Public Health Service, our manpower shortage this year is nearly 500,000, including, doctors, dentists, nurses, optometrists, podiatrists, pharmacists, and allied health professionals.

House Joint Resolution 748 is an effective means of addressing ourselves to this critical need. This measure, in assuring the continuing quality of medical services within the Veterans' Administration facilities, will also serve effectively to bolster appreciably the capacity of State medical schools associated with the Veterans' Administration to perform with improved standards of effectiveness.

At a time when the crisis in health care is receiving attentive study throughout the Nation, this measures acts to underscore our realization of the crisis, and our commitment to successfully meeting it.

However advanced the techniques we perfect for the eradication of medical ills, these will prove of little worth if we fail to act now to strengthen the presently inadequate facilities offering the medical services needed. Medical technology itself without doctors and nurses and psychiatrists and paramedical assistants, in sufficient numbers, will accomplish little.

The approach contained in House Joint Resolution 748 is promising in its implications. It is a tangible expression of our readiness to meet the present crisis with meaningful and relevant responses. I support House Joint Resolution 748 wholeheartedly.

Mr. SAYLOR. Mr. Speaker, I rise in support of House Joint Resolution 748. This measure will permit the Veterans' Administration to utilize its vast medical facilities in helping to solve the Nation's critical shortage of doctors, nurses and paramedical personnel. This commendable purpose would be achieved by authorizing the Veterans' Administration to provide assistance in the establishment of new State medical schools and the improvement of existing medical schools that are affiliated with the Veterans' Administration.

Specifically, the measure authorizes the Veterans' Administration to establish a pilot program under which they would enter into agreements with not more than five States, geographically dispersed, to assist them in the establishment of new medical schools located near and operated in affiliation with Veterans' Administration medical facilities. The bill also authorizes the Veterans' Administration to provide grants on a matching fund basis for medical schools already affiliated with the Veterans' Administration for the expansion of such medical schools provided they can establish to the satisfaction of the Veterans' Administration that the project upon which the grant is based will result in a

substantial increase in the number of medical students attending such schools.

Finally, the measure authorizes the Veterans' Administration to provide matching funds to assist universities, colleges, junior colleges, community colleges, and other educational institutions to assist them in expanding the training of professional and technical allied health service personnel.

This legislation, Mr. Speaker, represents the end product of several weeks of public hearings before the Subcommittee on Hospitals, during which testimony was received from Government witnesses, deans of medical schools, representatives of national associations of professional medical and paramedical personnel, hospital administrators, and the Nation's major veterans' organizations. These hearings, Mr. Speaker, have been extensive; they have been thorough, and I am satisfied they are the most complete hearings on this subject that have been held for many years. As the ranking Republican member of the Hospital Subcommittee, I want to commend the chairman of that subcommittee, the gentleman from Virginia (Mr. SATTERFIELD) for his fairness with witnesses and the nonpartisan manner in which these hearings were conducted.

Witnesses were almost unanimous in their view that the Veterans' Administration hospital system for the past 25 years has demonstrated a unique capacity for providing significant portions of the medical education acquired by the Nation's medical and paramedical professions. These same witnesses, Mr. Speaker, have testified that it is downright wasteful to fail to utilize more fully and more directly this hospital system as a resource in alleviating the critical shortage of medical manpower that exists today.

One witness, Mr. Speaker, termed the Veterans' Administration hospital system as a "massive national resource" and I concur in that designation. Ninety-five of the existing 166 Veterans' Administration hospitals are currently affiliated with 81 of the Nation's medical schools. Additionally, Veterans' Administration hospitals are affiliated with 51 dental schools, 287 nursing schools, and a large number of universities and colleges. During the current fiscal year, more than 50,000 students will participate in some 60 categories of health education in Veterans' Administration institutions.

Almost 12,000 medical students are currently receiving training in Veterans' Administration facilities. Twenty percent of all postgraduate dental training takes place at Veterans' Administration hospitals. Basic nursing students from 22 percent of the Nation's nursing schools are training in Veterans' Administration hospitals. These statistics offer living testimony of the remarkable role the Veterans' Administration plays in training the Nation's doctors and allied health workers. All of this has been accomplished, Mr. Speaker, despite the fact that it has not been legally permissible for the Veterans' Administration to use its resources for the specific purpose of increasing the supply of physicians in the Nation.

Despite the great amount of Federal financial assistance that has been earmarked for medical education and the construction of medical facilities, I have not been impressed with the results. There still exists a critical shortage of 50,000 physicians, almost 18,000 dentists, 150,000 nurses, and 266,000 allied health workers. In the post World War II years, faculties of medical schools have increased in some instances by as much as 500 percent while the increase in medical students at these same institutions has been minimal. Some medical schools have been constructed, remodeled, and refurbished to the point that they make the palace at Versailles look like a mausoleum in comparison.

The bill before the House today, Mr. Speaker, would authorize the appropriation of $15 million a year for 7 years to assist in the establishment and operation of five medical schools in various parts of the Nation. Unused Veterans' Administration hospital buildings and land would be utilized while the funds would be used for remodeling and repair of Veterans' Administration structures to make them suitable for school facilities as well as grants on a diminishing scale to reimburse the State for faculty salaries.

The bill also authorizes the appropriation of an additional $15 million a year for 7 years for matching fund grants to medical schools already affiliated with the Veterans' Administration to assist such schools in improving and enlarging their facilities. To qualify for a grant, the medical school must assure the Veterans' Administration that Federal funds made available will be matched by funds or other resources from other sources. None of the funds can be utilized for the construction of buildings which will not be located on Veterans' Administration property. Finally, the grant will not be approved unless it will make a significant contribution to strengthen the medical education program of the school but, even more important, will result in a substantial increase in the number of medical students attending such school.

Sixteen medical schools, authorized in the period 1960 to 1966, projected the time from authorization of the schools to enrollment of their first students as extending from 3 to 9 years, with an average of 5½ years. The total cost of these 16 new schools has been estimated at close to $1 billion. Contrast that if you will with the State of Louisiana and Louisiana State University in establishing a medical school in Shreveport, La.

Early in 1967, arrangements were consummated whereby the medical school would be granted the use of surplus space in and on the compound of the Shreveport Veterans' Administration Hospital. Soon, thereafter, the core administrative staff and faculty moved into the hospital. In the fall of 1969, only 14 months later, 32 students were admitted to the first class and another 32 were admitted in 1970, while 40 will be admitted for the class of 1971. In commenting upon this project, Dr. Edgar Hull, dean of the medical school at LSU said:

> A decision had been reached to construct a permanent building on the grounds of the Confederate Memorial Medical Center, a large State owned general hospital, but it was realized that the lead time for completion of this project, what with planning of the architectural program, obtaining matching Federal funds, and construction, would be a minimum of eight years.

The actual cost to the school in terms of construction to date is estimated at $59,000 plus rent of some $50,000 at the rate of $12,000 per year. The total Veterans' Administration investment to date in providing one time space alteration has been $168,000 with some of this being returned in the form of rent. In evaluating the project, Dr. Hull said:

> While we could have begun the medical school in other quarters, and indeed considered some other locations, there was no other place which so clearly fitted our needs. And any other method would have been far more expensive.

Mr. Speaker, I believe this experience illustrates far more adequately than any words the wisdom of and need for this legislation. I urge that it be passed.

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

Mr. SAYLOR. I shall be happy to yield to the gentleman from South Carolina.

Mr. DORN. Mr. Speaker, again I want to say to my distinguished colleague, the gentleman from Pennsylvania (Mr. SAYLOR) that I have never heard a finer statement on the floor of this House. This is progress. This is a timely, realistic idea aimed at doing something about the shortage of doctors and medical technicians in this country. Participation by the Veterans' Administration in assisting medical schools associated with VA hospitals will in no way detract from any program now being conducted by HEW, for our bill is totally in keeping with the VA's primary mission of providing for the welfare of those who have served in our armed services.

But because of the outstanding facilities that have been established to provide adequate medical care to our veterans the VA is uniquely qualified to take an important role in solving one of the Nation's most critical problems, the shortage of medical doctors. The VA has medical facilities in many of our great cities and medical centers; the VA maintains the largest single medical system in the Nation, if not the world, with a staff of over 5,000 full-time doctors and a bed capacity of over 115,000 beds. These facilities give the VA a unique capability to render immediate assistance in starting new medical schools and in aiding existing medical schools.

Mr. Speaker, our Subcommittee on Hospitals, under the outstanding and tireless leadership of the gentleman from Virginia (Mr. SATTERFIELD) held exhaustive hearings on the subject of veterans medical care. One element that was constantly brought before the committee's attention was the critical national shortage of doctors, a shortage estimated now at about 50,000. Many counties in my own State and district are without a sufficient number of medical doctors. This is a dangerous and often tragic situation, Mr. Speaker, and

this bill is a step toward solving it. It was my pleasure to cosponsor this bill, a bill first introduced by our great chairman "Tiger" TEAGUE. I support this bill without reservation and hope it will receive speedy and overwhelming approval by the Congress.

Mr. TEAGUE of California. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. QUILLEN).

Mr. QUILLEN. Mr. Speaker, I rise in support of House Joint Resolution 748, which was authored by the distinguished gentleman from Texas (Mr. TEAGUE).

I am proud to be a cosponsor of this measure, as I consider passage of this legislation imperative if our country is to cope with the health crisis with which it is faced today.

I commend the members of the House Committee on Veterans' Affairs for their foresight in bringing this measure to the floor today.

For the past 9 years since first being elected to the Congress, I have been working on having a new State medical school constructed in Johnson City, Tenn., at East Tennessee State University.

For this reason, in addition to my deep concern over the critical shortage of doctors and medical personnel in the First District of Tennessee and throughout the country, I introduced an identical measure to House Joint Resolution 748.

It is encouraging that we, as Members of Congress, are in a position which will enable us to provide a solution to this widely acknowledged health crisis. There is a massive shortage of physicians, dentists, nurses, and all types of allied health personnel, and unless we take the initiative to expand the educational capacities of our health professions schools and provide for new schools, these serious shortages of health manpower will worsen.

We are at a time when scientific knowledge and technology are providing the means for improving the health of every member of our society. We are legislating more and more programs which place further and greater demands upon our present-day health care system. In a sense, we are putting the cart before the horse.

So it is very clear that we must truly commit ourselves and our leadership to overcoming this terrific health manpower crisis and thus provide for the fulfillment of our national purpose by promoting and assuring the highest level of health attainable for every person.

This joint resolution has two main parts: first, a pilot program of assistance in the establishment of five new State medical schools located in proximity to, and operated in conjunction with, a Veterans' Administration medical facility, and second, matching grants to medical schools now affiliated with the Veterans' Administration in order to assist such schools to improve and enlarge their facilities.

This legislation offers hope in our time of health crisis. It provides a method which will utilize, in multibeneficial ways, the knowledge, skills and facilities of one of the world's largest medical care systems—the Veterans' Administration. It will have the benefit of know-how from an active and close affiliation with 80 medical schools. It will provide a way of meeting the challenge of the great shortage of physicians and allied health personnel. And, it will provide more and better health care facilities.

This legislation meets the theme of the Carnegie Commission on Higher Education's October 1970 report on "Higher Education and the Nation's Health." This report states that to improve health care requires: First, more and better health manpower, second, more and better health care facilities, third, better financing arrangements for the health care of the population, and fourth, better planning for health manpower and health care delivery.

I am sure that each of you has seen other studies and reports and has been impressed with our tremendous need. However, one does not realize the full meaning or impact of this information until it is applied to a local situation. May I then apply this need to my State and district and parts of seven States.

It has been determined that there is a critical shortage of physicians in upper east Tennessee in comparison both with the Nation and with the rest of Tennessee, and this shortage is becoming increasingly more severe. The most practical long-range solution to meet this problem is the development of a medical school at East Tennessee State University.

A number of factors indicate that East Tennessee State University is the most logical and most economical site for development of a new medical school. The university is located in an area of great need.

The physician population ratio for the United States is 145 physicians per 100,000. In Tennessee the ratio is 119 per 100,000. In west Tennessee this ratio is 125 per 100,000; in middle Tennessee 97 per 100,000; in east Tennessee 95 per 100,000, and in upper east Tennessee 80 per 100,000.

Not only does upper east Tennessee compare poorly with the remainder of the State, but the situation is becoming progressively worse. A recent survey showed that during the period of 1960–68 the physician population of Tennessee increased by 15 percent, and the same ratio would apply to the 1968–70 period. Virtually every area of the State had a significant increase in the number of physicians; however, the upper east Tennessee region had a 1 percent loss of physicians while the population of the area increased by 6 percent.

The population of upper east Tennessee has steadily increased in recent years; however, this population has not been concentrated in a single city. For this reason medical facilities of highly specialized nature have not developed in the area. Establishment of a medical school in upper east Tennessee would stimulate the development of such facilities which are now available to the people only at distances of 100 miles or more. In contrast, the other metropolitan areas of the State including Memphis, Nashville, Chattanooga, and Knoxville have concentrated populations, resulting in the establishment of specialized medical facilities and internship and residency training programs for physicians.

Upper east Tennessee is located in one of the largest geographic regions of the Eastern United States without a medical school.

Population within a short distance of East Tennessee State University, embracing the Tri-Cities, is large enough to both support and to require a center of medical education in the area. An area of 50 miles radius around the university encompasses a population of a million or more. When this radius is extended to 100 miles, the population is close to 3 million.

In addition, certain regional features merit consideration. Although exact figures are not available, medical needs of mountainous areas of nearby States are at least as severe and in many cases probably more severe than those of upper east Tennessee. A State medical school at East Tennessee State University would tend to favorably influence the medical needs of the entire region. Within 50 miles of the proposed center lie portions of Virginia, North Carolina, and Kentucky, and within 100 miles are included several counties in South Carolina and West Virginia. In fact, there are 16 counties in the southern portion of West Virginia which are closer to East Tennessee State University than to West Virginia's own medical education center in Morgantown. In addition, parts of Georgia would benefit.

A number of characteristics of East Tennessee State University demonstrate that it is well-qualified to carry out a medical education program. The university has shown steady progress in both size and diversity of programs offered. Present enrollment is more than 10,000 of which nearly 75 percent are commuting students. Its size is comparable to or greater than 37 percent of universities in the United States having an associated school of medicine, including Vanderbilt, Duke, Tulane, Yale, and John-Hopkins Universities.

East Tennessee State University is unique because of its outstanding college of health. Within this college, programs are offered in health education, environmental health, human anatomy and physiology, microbiology, medical technology, associate degree nursing, baccalaureate nursing, health administration, speech pathology, audiology, special education, corrective therapy, and dental hygiene. The environmental health program at ETSU was the Nation's first fully accrediated baccalaureate degree program. These various programs in health sciences can very effectively support and supplement medical education.

As I mentioned earlier, the East Tennessee State University campus is adjacent to the Johnson City Veterans' Administration Center. The highly effective role of Veterans' Administration hospitals in medical education has been evidenced throughout the United States. The Johnson City VA Center includes a 500-bed general hospital and a 1,500-bed

domiciliary and can serve as a major teaching area for the medical school. Consideration has also been given by the Veterans' Administration here in Washington for a new 800-bed general hospital facility in Johnson City.

The appropriate use of the VA facilities would greatly reduce capital outlay and long-term operational cost of the medical school. This is another great advantage of House Joint Resolution 748. Surplus land can be made available at no cost to the State for any necessary new construction. Also, certain VA buildings can be used for conversion to laboratory and classroom space, and the hospital staff could serve the additional role of clinical faculty, thereby further reducing the operating cost of the medical school.

It is concluded that a medical education center at East Tennessee State University would: First, provide a long term solution to the critical shortage of physicians in upper East Tennessee, second, tend to favorably influence medical care in nearby areas of adjacent States, third, entail a lower initial cost than in many other areas, fourth, as well as cost less for long term operation than in most other locations.

Mr. Speaker, east Tennessee and parts of seven States have been plagued by a shortage of doctors and allied health personnel for many, many years, and as I pointed out, this shortage is becoming more and more severe. This joint resolution is ideal to alleviate this situation and I am hopeful it will meet with the approval of both the House and Senate.

I know of no better way to reverse the existing trend in my State, which currently ranks ninth in training doctors and medical personnel, but 43d in retaining them. Tennessee and this region cannot continue to suffer from this outmigration of allied health personnel—a State medical school must be constructed in Johnson City.

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

Mr. SCOTT. Mr. Speaker, let me add my endorsement to House Resolution 748. This measure was unanimously reported by our Committee on Veterans' Affairs, and I was one of the sponsors. It is a good bill which I hope the House will see fit to overwhelmingly approve.

The bill establishes a pilot program to assist in providing not more than five new medical schools near veterans hospitals. Existing Government-owned land and facilities can be made available to states for medical schools under the provisions of the bill. Matching grants are also authorized when it will result in an increase in the number of medical students attending school.

We all know that there is a national shortage of physicians and allied health personnel. In fact, it has been estimated that there is a shortage of 48,000 physicians and 250,000 in related medical fields. While this measure is aimed primarily at assisting veterans and is intended to make use at least temporarily of existing Government land and facilities for medical purposes, it should be helpful in relieving the overall shortage of medical personnel. Again, I urge its adoption.

Mr. TEAGUE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. Mr. Speaker, the Subcommittee on Public Health and Environment on which I serve recently produced a $2,700,000,000 bill in which we went into all areas of the public health manpower problems.

For years we have struggled to accelerate the production of more health manpower and, apparently, we have not done enough. In our bill we provided for startup grants for five new medical schools. With a price tag on the total bill of $2,700,000,000, I wonder how much of an appropriation will be needed to cover all of these things we pass in our legislative process.

But I may point out, it seems clear to me that there has not been enough coordination between the two committees involved in order that the best job be done.

In our bill, we have provided that there can be no new medical schools that are separate and apart from clinical facilities and hospitals.

It was our intention that veterans hospitals would fit into the picture as provided in our bill.

I just hope we are not diluting the possibility of the maximum end result by duplication. Certainly, at this time there needs to be a careful husbanding of finances in order that the dollar may do the best job.

I do believe there is duplication. I only regret that the two great committees here involved did not sit down together to see how we could best legislate.

It certainly is clear that the Health and Environment Subcommittee of the Interstate and Foreign Commerce Committee is charged with the responsibility of health manpower, hospitals, and medical schools, and that being the case we take interest of making our dollars go as far as possible.

With this in mind, good results can be achieved to meet the health needs of our Nation and insure proper and adequate medical care for our well-deserving veterans.

Mr. TEAGUE of Texas. Mr. Speaker, I yield to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, as I understand it, House Joint Resolution 748 would authorize the Veterans' Administration to lease VA properties to the States, to remodel such facilities, and to subsidize the cost of operating them as new medical schools. This would be limited to five medical schools only. Other provisions would provide matching grants to construct facilities for private medical schools, with certain limitations.

Clearly the Nation needs more physicians. Certainly we need more nurses and medical technicians, and facilities to train them in.

Yet I hope that programs carried out under this resolution would not duplicate existing programs. The VA already cooperates closely with the State medical schools, and makes every effort to locate its facilities with medical schools nearby, so that VA hospitals can serve as teaching facilities. In this way, both the hospital and the medical school benefits; the one from having teaching stations available, the other by having access to the expertise and guidance of the medical school facilities. I think that this is the ideal approach. I would not want the proposed lease and grant program to duplicate existing medical school programs nor hinder the development of programs that are already in existence. Given the acute shortage of medical personnel and training facilities and the strains on the facilities and resources available, we need to manage grant programs such as this one now proposed with the utmost of care, so that our resources are utilized to the best possible effect.

Mr. TEAGUE of Texas. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, in reply to the gentleman from Minnesota, I thing there has been a very close coordination between our civilian medical schools and the Veterans' Administration.

Today our VA hospitals are affiliated with 80 medical schools, 51 dental schools, 287 nursing schools, 274 universities and colleges, and 84 community and junior colleges.

I would like to say to the gentleman that this has happened in a very short time and there is very close coordination between our veteran hospital programs and civilian hospitals and civilian schools.

Mr. TEAGUE of Texas. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. PIKE).

Mr. PIKE. Mr. Speaker, I thank the gentleman for yielding. I have asked for this time just so that I could ask a sort of provincial question about this.

For a long time we have been hearing about on eastern Long Island there was to be a new veterans' hospital co-located with a State university in a place called Stony Brook out there.

Does this bill have any impact on the arrangement whereby new veterans' hospitals themselves should be co-located with medical schools?

Mr. TEAGUE of Texas. Seldom any place in the country today do we build a VA hospital that is not tied in directly with a medical school. We are at the moment building two new medical schools, one in California and one in Texas, and both of them are just across the street from a medical school.

We have had some problems up in New York in the schools the gentleman talks about. This bill could have some effect, but I doubt that it would.

Mr. PIKE. Frankly, I do not know enough about it to ask very intelligent questions, but what I would like to get the assurance of the gentleman on is the fact that it is still the policy, so far as possible, to co-locate the two kinds of facilities.

Mr. TEAGUE of Texas. Very much so.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POAGE).

Mr. POAGE. Mr. Speaker and Members of the House: Practically every Member of this House will agree that we need further facilities for the training of doctors. Other committees recognize this, and other legislation recognizes it.

We have supported other programs and I think properly. We need the medical schools. The only objection that has been given suggestion to this bill is the charge that it duplicates facilities which are included in other legislation. Even if it does, I would suggest that we need both this bill and the legislation from the other committee. Certainly 10 new medical schools in the United States is not the kind of duplication we fear. Actually it seems clear to me that this legislation should not present any problem to any Member. I do not see it as a duplication of what we already have. The legislation from the other committee is general in its scope and its purpose is general. It is intended to deal with the shortage of doctors all over the United States. This is a proper and laudable purpose. This bill relates solely to the establishment of medical schools in connection with Veterans' Administration facilities.

The doctors trained under its provisions would, of course, be an addition to the sum total of doctors needed in the United States. But they would in large part fill the needs of the veterans' facilities. In other words, this is a veterans' bill—not a general welfare bill.

Our veteran facilities are going to be greatly taxed in the next few years to care for the treatment of our returned servicemen. I have been privileged to represent areas in which three of these veterans facilities are located. One of the greatest problems in each of these facilities has been, and is, the finding of qualified doctors to staff these hospitals. If we are to rely merely on civilian medical schools, I am afraid we will never get the staff that we need in our veterans facilities. That is what this bill provides. Even though a doctor trained in one of the schools envisioned by this bill may ultimately go into private practice—and many of them will, there is, nevertheless, a much greater probability that he will stay with the work with which he is familiar. He is going to be familiar with the Veterans' Administration by virtue of his physical location. He will have received his schooling on the grounds of some veterans facility. He will have done much of his clinical work in the veterans institution. It is therefore but natural that he will more than likely remain to serve the veterans of the Nation.

Each of us can envision opportunities under this legislation of great service to the Veterans' Administration and to the Nation. For many years I have pointed out the importance of using the medical facilities that exist in Temple, Tex., for the improvement of both the VA facilities and to meet the civilian needs.

There are approximately 3,000 veteran beds within a radius of 30 miles of the veteran facility at Temple. Clinical material is there, the need for medical students is there, and the need for trained doctors is there in these veterans hospitals. Less than a mile away from the veterans facility at Temple is the Scott and White Clinic and Hospital—the outstanding institution of its kind in the whole South. Certainly not everyone on the staff at Scott and White would want to teach, but there are more than 100 doctors certified by American Specialty Boards who probably want to teach. I know of no community without a medical school with as generous supply of highly qualified medical men as has Temple and I know of no veterans facility of like size—including Temple, Waco, and Marlin—which does not now have a medical school in connection with the hospital.

Let me, therefore, Mr. Speaker, take this opportunity to direct the attention of the Veterans Administrator to the facilities at Temple and to direct the attention of the Members of this House to the specific and special need for the training of doctors in connection with the work of the Veterans' Administration.

Mr. Speaker, I yield back the remainder of my time.

Mr. TEAGUE of California. Mr. Speaker, I yield to the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Speaker, I rise in support of House Joint Resolution 748, VA Medical School Assistance Act. This resolution is another very important proposal which the Congress has considered this session to meet the critical health manpower shortage in the country. I believe it underscores the recognition of the urgent need to utilize existing institutional capabilities and innovate new means in which we can provide the American people the best medical care possible.

The VA medical care system is the largest and best equipped system in the country and is in a unique position to contribute to a solution to our health problems by helping to expand and improve the manpower pool of the Nation. House Joint Resolution 748 provides for financial assistance for the establishment of new State medical schools to be located near and operated in conjunction with VA medical facilities. The resolution also enables the VA Administrator to make grants to affiliated schools to undertake projects which will serve to expand instructional capabilities and establish cooperative arrangements to increase professional and technical allied health services personnel.

The resolution will help create the kind of cooperative effort between the Veterans' Administration and medical schools that will maximize their capabilities to improve the Nation's health care and alleviate the health manpower shortage.

Mr. HILLIS. Mr. Speaker, I am proud to have the opportunity today to speak in support of legislation which will be of great help to thousands upon thousands of our Nation's veterans.

Early in this session of Congress I introduced this legislation which is designed to solve two major problems.

One problem is the lack of suitable facilities to meet the medical needs of our Nation's veterans.

The other is the lack of competent medical personnel to man the hospitals of this country and the shortage of qualified physicians.

This bill we are voting on today is a far-reaching proposal, aimed at helping solve both of these problems. This proposal would permit the establishment, on a pilot basis, of five new medical schools in conjunction with the Veterans' Administration.

This proposal is an effort to increase the number of doctors and trained medical personnel necessary to run the hospital and medical systems of this country and will also be a step forward in providing better medical care not only for veterans but for the entire population.

Objectives of this bill are—

First. Better care for the veterans of this Nation.

Second. Improve the training facilities for doctors, dentists, nurses, and paramedical personnel.

Third. To provide a greater supply of personnel not only for the Veterans' Administration but for all hospitals of the Nation.

Fourth. To reduce the estimated shortage of 50,000 doctors which we find in the country today.

Fifth. To provide an increase in the turnover ratio of patients not only in VA hospitals, but in all other hospitals affiliated in this program, thus reducing the cost of medical care and returning patients to their homes more promptly.

Sixth. To give improved individual attention to veterans providing a better quality of care than he has today.

Mr. Speaker, I urge all Members present today to support this bill.

Mr. PUCINSKI. Mr. Speaker, as a member of the Veterans' Affairs Committee, I am pleased to be a sponsor of House Joint Resolution 748 to expand the role of the Veterans' Administration in meeting the medical health problem of our country.

Presently, the Veterans' Administration operates the largest medical care system in the country. VA hospitals are affiliated with 81 medical schools, 51 dental schools, 287 nursing schools, 274 universities and colleges, and 84 community and junior colleges. Over 50,000 students have participated in various training programs in VA institutions during the past year.

Mr. Speaker, as all are aware, this country has a tremendous shortage of medical personnel. The shortage is estimated at about 50,000 doctors and over 250,000 allied health and other medical personnel.

The conclusion drawn by the Veterans' Affairs Committee after reviewing these facts is, in the words of the resolution:

"The Veterans' Administration Department of Medicine and Surgery is uniquely qualified to assist in the expansion and improvement of existing affiliated medical schools and other health professions schools, in the establishment of new medical and health professions schools, and in the expansion and improvement of education and training opportunities for allied health and other health personnel.

The resolution, authorizing $33 million for the fiscal year ending June 30, 1972, has three basic purposes:

First, to provide a pilot program for assistance in the establishment of not more than 5 new State medical schools in proximity to, and operated to conjunction with VA medical facilities located in geographically dispersed States;

Second, to provide grants, on a match-

ing basis, to medical schools which have maintained affiliation with the Veterans' Administration in order to assist such schools to carry out programs for the improvement and enlargement of its facilities. Applications will be approved only if the program will result in a substantial increase in the number of medical students attending such schools, and

Third, to provide grants, again on a matching basis, in order to provide assistance in the establishment of cooperative arrangements among universities, colleges, and schools of allied health professions, State and local educational agencies, hospitals and other nonprofit health service institutions affiliated with the Veterans' Administration to coordinate and expand the training of professional and technical allied health services personnel.

Mr. Speaker, this resolution will help to solve one of the great problems of our country—the urgent need for additional numbers of trained medical personnel.

Mr. DERWINSKI. Mr. Speaker, it is a pleasure for me to support this bill, a version of which I cosponsored. I believe it is essential that medical skills and institutions developing technicians in all phases of health services be expanded.

In previous sessions I have supported such legislation and feel that full appropriations should be authorized and supported by Congress, and reemphasize my support of this concept.

Mr. SISK. Mr. Speaker, I would like to say that I think House Joint Resolution 748 is a step in the right direction as it provides for assistance for five new pilot medical schools associated with Veterans' Administration hospitals and for the improvement of existing medical schools affiliated with the Veterans' Administration.

I have introduced a bill H.R. 5896, currently before the House Veterans' Affairs Committee, which would by law provide some of the same assistance for veterans of central California. It would set up a medical school in Fresno, Calif., in cooperation with the State of California, and in conjunction with the Fresno Veterans' Administration Hospital.

This latter hospital was one of the last authorized where no medical school was planned to coordinate the health care of veterans with education of physicians and medical personnel.

The need for better health care, more extensive health care facilities and the delivery of health care hits every segment of our society, including veterans. By relieving the problem for veterans we indirectly help the rest of society.

The number of bills now before Congress, which their backers all say have as the aim the improvement of health care for all citizens, attests to the earnest desire for better health care.

There may be disputes about which bill is the better one, which proposal would come nearest to providing good health care for all consistent with existing plans and facilities, but there is no dispute about the overall goal.

The same is true of the aims of this resolution, which has a double-barreled approach. In addition to improving health care for veterans it would also provide more health care and medical training. The resolution recognizes the shortage of trained physicians and other medical personnel.

The same is true of my bill, which also would provide other benefits to the veteran which I think are also to the benefit of society. But these are in addition to direct health care, the training of additional medical personnel, and the coordination of health care services, all worthy and sufficient goals in themselves, so I will not dwell on them.

We have heard the cry for better health care from citizens, from the medical profession, from medical insurance companies, from hospital associations, from Congress, and from the administration.

These are mighty forces alined behind better health care. I am proud to join those who are pushing for better health care.

To the present problems of health care for veterans, lack of facilities and doctors, and other problems, will be added another one soon. These are illnesses related to or aggravated because of drug addiction which some veterans have fallen victim to in Vietnam. Whether or not veterans are treated in Veterans' Administration hospitals for drug addiction, the fact remains that addiction will aggravate service-connected illnesses throwing an additional burden on medical personnel and facilities of the Veterans' Administration.

Medical education and other education is suffering in some areas in the United States because of a general cutback in funds for education by State governments trying to save money. This is true in California. You might argue that this is a shortsighted policy. I would say it is. It does not change the fact that the people have determined and Congress in the past has legislated this concern into law recognizing that the country has an extraordinary responsibility to provide for the health of its veterans.

We long ago have determined that veterans must have quality medical care.

House Joint Resolution 748, and my bill H.R. 5896, are in no way in conflict nor would they in any way duplicate facilities or cause overlapping in the training of medical personnel, or would there be duplication of medical care for veterans.

The pilot medical schools provided under the joint resolution introduced by our distinguished colleague, the gentleman from Texas (Mr. TEAGUE), would be in five geographical areas of the United States far separated from each other. I would hope that one of these locations chosen for the five pilot medical schools would be Fresno, Calif., thus accomplishing the aims of the joint resolution and the partial aims of my bill.

There is a Veterans' Administration hospital in Fresno now. There is no medical school. But the State of California, citizens of the district, and veterans throughout central California desire a medical school in Fresno, to provide a cadre of medically trained professionals in the area, and to also better veterans' health care.

As I mentioned before, the people, Congress, the administration, the medical profession, medical insurance groups, hospital associations, and others are all demanding action. The grave error lies not in the overlapping of some medical care but in leaving some, especially veterans, without adequate medical care.

I recommend that my colleagues very seriously consider this resolution, which I think, will be to the general benefit of health care for society. After all, what directly benefits the veteran in health care, indirectly benefits the citizen because it removes the veteran from the already overburdened general health care facilities. The medical education aspect of this legislation provides a way to help relieve the shortage of doctors and nurses and other medical personnel and also provide more trained medical personnel in society at large.

Thank you, Mr. Speaker.

Mr. RANDALL. Mr. Speaker, House Joint Resolution 748 deserves the support of all the Members of this House. At first it may appear to be somewhat confusing why we are asked to act upon a House joint resolution rather than a House bill. A moment's reflection will indicate that by means of a joint resolution the authors are thus permitted to recite in the preamble reasons for the need and the benefits to be derived from this resolution which could not be included within the confines of a title to a bill.

In these recitations appear perhaps the strongest justifications for enactment of this resolution. There it is pointed out the present shortage of approximately 48,000 doctors of medicine and over 250,000 allied health and other medical personnel. This bill is a brand new effort in that it authorizes a pilot program for five new medical schools, geographically dispersed, and also for assistance for already existing medical schools together with a small authorization for other members of a medical team besides the doctors, meaning health manpower so sorely needed in what is called the allied health professions.

Mr. Speaker, this is a very modest proposal authorized for only 7 years and then subject to review. Let us all hope that it works successfully and that it can be extended at the end of those 7 years.

Who is there in this House who has a VA hospital within the boundaries of his own congressional district who has not observed with approval the good relationship between the VA hospital and some neighboring medical school. All the time since World War II, there has been an increasing affiliation between our VA hospitals and medical schools and their teaching hospitals which are located within a convenient distance for interns to travel back and forth. This mutual training program has proven successful. This bill authorizes its continuance and extension. There is no reason why this resolution should not receive the unanimous support of all the Members of the House.

Mr. ZWACH. Mr. Speaker, I believe we are all aware of the health crises which our Nation faces today. It primarily stems from a shortage of health person-

nel which needs to be overcome. I support the legislation we have before us which would use the resources of one of our largest medical care systems in training needed medical personnel.

The Veterans' Administration is already affiliated with 80 medical schools. This bill would expand the VA's present program in the training of medical manpower by assisting in the establishment of five new medical schools along with assisting in the expansion of existing medical schools already affiliated with the VA. The bill also authorizes matching fund grants to institutions engaged in training allied health workers. These are nurses, technicians, and other paramedical personnel needed to provide complete health care.

Enactment of this legislation would also help toward continuing quality medical care to our veterans.

Of all the measures proposed to help ease the shortage of medical personnel, this use of Veterans' Administration facilities is the most promising and could result in new medical schools being established in a relatively short time.

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

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

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the joint resolution House Joint Resolution 748, as amended.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 371, nays 2, not voting—62, as follows:

[Roll No. 194]

YEAS—371

Abbitt	Brooks	Colmer
Abernethy	Broomfield	Conable
Abourezk	Brotzman	Conte
Abzug	Brown, Mich.	Corman
Addabbo	Brown, Ohio	Cotter
Anderson, Calif.	Broyhill, N.C.	Coughlin
	Broyhill, Va.	Crane
Anderson, Ill.	Buchanan	Daniel, Va.
Andrews, Ala.	Burke, Fla.	Daniels, N.J.
Andrews, N. Dak.	Burke, Mass.	Davis, Ga.
	Burleson, Tex.	Davis, S.C.
Annunzio	Burlison, Mo.	Davis, Wis.
Archer	Burton	Delaney
Ashley	Byrne, Pa.	Dennis
Aspin	Byrnes, Wis.	Dent
Aspinall	Byron	Derwinski
Baker	Cabell	Devine
Baring	Caffery	Dickinson
Barrett	Camp	Diggs
Begich	Carney	Dingell
Bell	Carter	Dorn
Bennett	Casey, Tex.	Dow
Betts	Cederberg	Dowdy
Bevill	Celler	Downing
Biester	Chamberlain	Drinan
Bingham	Chappell	Dulski
Blackburn	Chisholm	Duncan
Blatnik	Clancy	du Pont
Boggs	Clark	Dwyer
Boland	Clausen, Don H.	Eckhardt
Bolling		Edwards, Ala.
Bow	Clawson, Del	Edwards, Calif.
Brademas	Cleveland	Eilberg
Brasco	Collier	Erlenborn
Bray	Collins, Ill.	Esch
Brinkley	Collins, Tex.	Eshleman
Evans, Colo.	Lujan	Rogers
Fascell	McClory	Roncalio
Findley	McCloskey	Rooney, N.Y.
Fish	McClure	Rosenthal
Fisher	McCollister	Rostenkowski
Flood	McCormack	Roush
Flowers	McDade	Rousselot
Flynt	McDonald, Mich.	Roy
Foley		Roybal
Ford, Gerald R.	McEwen	Runnels
Ford, William D.	McFall	Ryan
	McKay	St Germain
Forsythe	McKevitt	Sarbanes
Fountain	McMillan	Satterfield
Fraser	Macdonald, Mass.	Saylor
Frelinghuysen		Scherle
Frenzel	Madden	Scheuer
Frey	Mahon	Schneebeli
Fulton, Pa.	Mailliard	Schwengel
Fulton, Tenn.	Mann	Scott
Fuqua	Martin	Sebelius
Galifianakis	Mathias, Calif.	Seiberling
Gaydos	Mathis, Ga.	Shipley
Gettys	Matsunaga	Shoup
Gibbons	Mazzoli	Shriver
Goldwater	Meeds	Sikes
Gonzalez	Melcher	Sisk
Goodling	Metcalfe	Skubitz
Grasso	Michel	Slack
Gray	Mikva	Smith, Calif.
Green, Oreg.	Miller, Calif.	Smith, Iowa
Green, Pa.	Miller, Ohio	Snyder
Griffin	Mills, Ark.	Spence
Griffiths	Minish	Springer
Gross	Mink	Stafford
Grover	Minshall	Staggers
Gubser	Mizell	Stanton, J. William
Gude	Mollohan	
Hagan	Monagan	Stanton, James V.
Haley	Montgomery	
Hall	Moorhead	Steed
Halpern	Morgan	Steele
Hamilton	Morse	Steiger, Ariz.
Hammer-schmidt	Mosher	Steiger, Wis.
	Moss	Stephens
Hanley	Murphy, Ill.	Stokes
Hansen, Idaho	Murphy, N.Y.	Stratton
Harrington	Myers	Stubblefield
Harvey	Natcher	Stuckey
Hawkins	Nedzi	Sullivan
Hays	Nelsen	Symington
Hechler, W. Va.	Nichols	Taylor
Heckler, Mass.	Obey	Teague, Calif.
Helstoski	O'Hara	Teague, Tex.
Henderson	O'Konski	Thompson, Ga.
Hicks, Mass.	O'Neill	Thompson, N.J.
Hicks, Wash.	Passman	Thomson, Wis.
Howard	Patman	Thone
Hillis	Patten	Tiernan
Hogan	Pelly	Udall
Horton	Perkins	Ullman
Hull	Pettis	Vander Jagt
Hunt	Peyser	Vanik
Hutchinson	Pickle	Veysey
Ichord	Pike	Vigorito
Jacobs	Pirnie	Waggonner
Jarman	Poage	Waldie
Johnson, Calif.	Podell	Wampler
Johnson, Pa.	Poff	Watts
Jones, N.C.	Powell	Whalen
Jones, Tenn.	Preyer, N.C.	White
Karth	Price, Ill.	Whitehurst
Kastenmeier	Price, Tex.	Whitten
Kazen	Pryor, Ark.	Widnall
Keating	Pucinski	Wiggins
Kee	Purcell	Williams
Keith	Quillen	Wilson, Bob
Kemp	Railsback	Winn
King	Randall	Wolff
Kluczynski	Rangel	Wright
Koch	Rarick	Wyatt
Kuykendall	Reid, Ill.	Wydler
Kyl	Reid, N.Y.	Wylie
Landgrebe	Reuss	Wyman
Latta	Rhodes	Yates
Leggett	Riegle	Young, Fla.
Lennon	Roberts	Young, Tex.
Lent	Robinson, Va.	Zablocki
Link	Robison, N.Y.	Zion
Lloyd	Rodino	Zwach
Long, Md.	Roe	

NAYS—2

Dellenback	Schmitz

NOT VOTING—62

Adams	Biaggi	Denholm
Alexander	Blanton	Donohue
Anderson, Tenn.	Carey, N.Y.	Edmondson
	Clay	Edwards, La.
Arends	Conyers	Evins, Tenn.
Ashbrook	Culver	Gallagher
Badillo	Danielson	Garmatz
Belcher	de la Garza	Giaimo
Bergland	Dellums	Hanna
Hansen, Wash.	Long, La.	Ruth
Harsha	McCulloch	Sandman
Hastings	McKinney	Smith, N.Y.
Hathaway	Mayne	Talcott
Hébert	Mills, Md.	Terry
Holifield	Mitchell	Van Deerlin
Hosmer	Nix	Ware
Hungate	Pepper	Whalley
Jonas	Quie	Wilson, Charles H.
Jones, Ala.	Rees	
Kyros	Rooney, Pa.	Yatron
Landrum	Ruppe	

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

The Clerk announced the following pairs:

Mr. Edmondson with Mr. Arends.
Mr. Garmatz with Mr. Harsha.
Mr. Holifield with Mr. Hosmer.
Mr. Charles H. Wilson with Mr. Quie.
Mr. Adams with Mr. McKinney.
Mr. Danielson with Mr. Mayne.
Mr. Hanna with Mr. Ruppe.
Mr. Alexander with Mr. Ashbrook.
Mr. Donohue with Mr. Hastings.
Mr. Van Deerlin with Mr. Mills of Maryland.
Mr. Hébert with Mr. Ruth.
Mr. Anderson of Tennessee with Mr. Smith of New York.
Mr. Biaggi with Mr. Sandman.
Mr. Blanton with Mr. Belcher.
Mr. Carey of New York with Mr. Talcott.
Mr. Rooney of Pennsylvania with Mr. Terry.
Mr. Giaimo with Mr. Ware.
Mr. Culver with Mr. Whalley.
Mr. Evins of Tennessee with Mr. Jonas.
Mr. Denholm with Mr. Conyers.
Mr. Hathaway with Mr. Clay.
Mr. Nix with Mr. Rees.
Mr. Gallagher with Mr. Dellums.
Mr. Yatron with Mr. Mitchell.
Mr. Jones of Alabama with Mrs. Hansen of Washington.
Mr. Bergland with Mr. Edwards of Louisiana.
Mr. Pepper with Mr. Landrum.
Mr. de la Garza with Mr. Hungate.
Mr. Kyros with Mr. Badillo.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the joint resolution just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

VETERANS' ADMINISTRATION PROGRAM OF EXCHANGE OF MEDICAL INFORMATION

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4762) to amend section 5055 of title 38, United States Code, in order to extend the authority of the Administrator of Veterans' Affairs to establish and carry out a program of exchange of medical information.

The Clerk read as follows:

H.R. 4762

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That section 5055 of title 38, United States Code, is amended by deleting in the first sentence of subsection (c)(1) "of the first four fiscal years following the fiscal year in which this subchapter is enacted" and inserting in lieu thereof the following: "fiscal year 1968 through 1971, and such sums as may be necessary for each fiscal year 1972 through 1975,".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, the authority of the Administrator of Veterans' Affairs to enter into agreements with medical schools, hospitals, medical centers, and individual members of the medical profession for the free exchange of medical information and techniques was enacted by Public Law 89–785, approved November 7, 1966, as one part of a comprehensive program for the sharing of medical facilities, equipment, and information—subchapter IV of chapter 81 of title 38, United States Code. The same law provided for the establishment of an Advisory Subcommittee on Programs of Exchange of Medical Information of the Special Medical Advisory Group to advise the Administrator of Veterans' Affairs on matters regarding the administration of this program and to coordinate these functions with other research and education programs in the Department of Medicine and Surgery.

The appropriation provided, not to exceed $3 million annually for each of the first 4 years following the fiscal year of enactment, was authorized for the purpose of assisting medical schools, hospitals, and research centers in planning and carrying out agreements under which medical information and techniques are freely exchanged and the medical information services of all parties to the agreement are available for use by any party to the agreement under conditions specified in the agreement. The grants made under this authority are for the employment of personnel, the construction of facilities, the purchasing of equipment when necessary to implement such programs, and for such other purposes that facilitate the administration of the program.

The committee is informed that in its meeting on December 8, 1969, the Advisory Subcommittee on Programs for Exchange of Medical Information recommended that this program be continued in its entirety. (Under current law the authority for grants to medical schools to carry out projects under this program is scheduled to expire June 30, 1971). This bill would accomplish this recommendation by extending the authorization in the sums necessary for the next 4 fiscal years following expiration of the initial period.

The exchange of medical information program has become part and parcel of the development of ongoing programs for patient care, research, and education in medicine. The specific exchange of information activities authorized by current law has aided the Veterans' Administration medical care system through pilot programs, exchange of information agreements, and grants. These new aspects of change of medical information activities exist to strengthen programs at hospitals not affiliated with medical schools and located remote from medical teaching centers, as well as to foster the widest possible cooperation and consultation among all members of the medical profession whether within or outside of the Veterans' Administration.

The committee believes that the exchange of medical information programs has proved highly beneficial not only to the Veterans' Administration hospitals but to the surrounding medical and scientific communities, particularly those located in remote areas. It is felt that there is adequate justification for extending this authority for 4 additional years.

The bill would authorize an appropriation of such sums as may be necessary for each fiscal year 1972 through 1975. The Veterans' Administration advises that, if funded, the total cost of the enactment of the bill would depend, to some extent, on the degree to which medical schools, hospitals, and research centers seek grants under section 5055 of title 38, United States Code. For fiscal year 1972, the cost is estimated at $2 million.

Mr. Speaker, the important Veterans' medical legislation which we are considering today stemmed from an extensive series of hearings conducted before the subcommittee on hospitals headed by the gentleman from Virginia (Mr. SATTERFIELD). Those hearings extended from May 11 through May 27, 1971. I would be remiss if I did not at this time extend a word of sincere thanks for a job well done in recommending these important measures which were unanimously approved by the Committee on Veterans' Affairs. My thanks go not only to the distinguished chairman of the subcommittee but also to his able colleagues, the gentleman from Florida (Mr. HALEY), the gentleman from Nevada (Mr. BARING), the gentleman from New York (Mr. DULSKI), the gentleman from Texas (Mr. ROBERTS), the gentleman from South Carolina (Mr. DORN), the gentleman from Illinois (Mr. PUCINSKI), the gentleman from Mississippi (Mr. MONTGOMERY), the gentleman from California (Mr. EDWARDS), the gentleman from Ohio (Mr. CARNEY), the gentleman from California (Mr. DANIELSON), the gentlewoman from Massachusetts (Mrs. HICKS) the gentlewoman from Connecticut (Mrs. GRASSO), the gentleman from New York (Mr. WOLFF), the gentleman from Pennsylvania (Mr. SAYLOR), the gentleman from Arkansas (Mr. HAMMERSCHMIDT), the gentleman from Virginia (Mr. SCOTT), the gentlewoman from Massachusetts (Mrs. HECKLER), the gentleman from Minnesota (Mr. ZWACH), the gentleman from Ohio (Mr. WYLIE), the gentleman from Kansas (Mr. WINN), the gentleman from North Carolina (Mr. RUTH), and the gentleman from Indiana (Mr. HILLIS).

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

Mr. TEAGUE of California. Mr. Speaker, I rise in support of H.R. 4762.

This bill, if enacted into law, will merely extend for 4 additional years an authority which the Congress gave to the Administrator of Veterans' Affairs more than 4 years ago with the enactment of Public Law 89–785.

The legislation authorized the Veterans' Administration to enter into agreements with medical schools, hospitals, medical centers, and individual members of the medical profession for the free exchange of medical information and techniques. In hearings conducted by the Hospital Subcommittee of the Committee on Veterans' Affairs, Veterans' Administration witnesses testified that the exchange of medical information program has become part and parcel of the development of ongoing programs for patient care, research, and education in medicine. The program has been particularly beneficial in strengthening and improving the delivery of health services at hospitals not affiliated with medical schools and located remote from medical teaching centers. The program has fostered the widest possible cooperation and consultation among all members of the medical profession, whether within or outside of the Veterans' Administration.

Unfortunately, the program authorized by Public Law 89–785 expired at the end of the last fiscal year, June 30, 1971. If this extremely beneficial program is to continue, it is essential that H.R. 4762 be approved. It is good legislation and I strongly support it.

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

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 4762. This bill, if enacted into law, will extend for 4 additional years the authority of the Administrator of Veterans' Affairs to enter into agreements with medical schools, hospitals, and individual members of the medical profession for the free exchange of medical information and techniques.

The Administrator's authority in this regard was first authorized by Public Law 89–785. That authority expired on June 30 of this year.

At the time this legislation was first enacted, it was indicated that the Veterans' Administration would utilize electronic equipment to provide a close educational, scientific, and professional link between Veterans' Administration hospitals and major medical centers. It was anticipated that this communication would result in reciprocal improvements in hospital care, medical treatment, and research capabilities.

The purposes of the program are being accomplished, according to the Veterans' Administration, through the exchange of the most advanced medical and scientific information and techniques between the Veterans' Administration hospitals and medical schools. These activities utilize a wide range of methods of transmitting information, including closed-circuit television and other advanced media. The program has increased medical knowledge and consequently, improved medi-

cal care, particularly in remote areas of the country, not only to veterans but to the general population at large.

Because of its salutary effects, it is the committee's view that the program should be extended for 4 additional years. H.R. 4762 will accomplish that worthy purpose. I urge that it be passed.

Mr. SATTERFIELD. Mr. Speaker, this is the third bill from the Veterans' Affairs Committee which we have considered today, each of which were considered in hearings by the Hospital Subcommittee, which I have the honor of chairing.

I would like to take this opportunity to express my personal appreciation to the ranking minority member of the subcommittee, the Honorable JOHN SAYLOR of Pennsylvania, for the cooperation and assistance which he extended. I would also like to express my appreciation to all the members of the subcommittee for their diligence and cooperation, the Honorable JAMES A. HALEY of Florida, the Honorable WALTER S. BARING of Nevada, the Honorable THADDEUS J. DULSKI of New York, the Honorable RAY ROBERTS of Texas, the Honorable W. J. BRYAN DORN of South Carolina, the Honorable ROMAN C. PUCINSKI of Illinois, the Honorable G. W. MONTGOMERY of Mississippi, the Honorable DON EDWARDS of California, the Honorable CHARLES J. CARNEY of Ohio, the Honorable GEORGE E. DANIELSON of California, the Honorable LOUISE DAY HICKS of Massachusetts, the Honorable ELLA T. GRASSO of Connecticut, the Honorable LESTER L. WOLFF of New York, the Honorable JOHN PAUL HAMMERSCHMIDT of Arkansas, the Honorable WILLIAM LLOYD SCOTT of Virginia, the Honorable MARGARET M. HECKLER of Massachusetts, the Honorable JOHN M. ZWACH of Minnesota, the Honorable CHALMER P. WYLIE of Ohio, the Honorable LARRY WINN, JR., of Kansas, the Honorable EARL B. RUTH of North Carolina, and the Honorable ELWOOD HILLIS of Indiana.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the bill H.R. 4762.

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. TEAGUE of Texas. My Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill H.R. 4762, and to include extraneous matter.

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

There was no objection.

MARY McLEOD BETHUNE MEMORIAL AUTHORIZATION EXTENSION

Mr. NEDZI. Mr. Speaker, I move to suspend the rules and pass the Senate Joint Resolution (S.J. Res. 111) extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune.

The Clerk read as follows:

S.J. RES. 111

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective June 1, 1971, the last sentence of the joint resolution entitled "Joint Resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune", approved June 1, 1960, as amended (74 Stat. 154, 79 Stat. 822, 84 Stat. 303), is amended by striking out "within eleven years" and inserting in lieu thereof "within thirteen years".

The SPEAKER pro tempore (Mr. BOGGS). Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, this joint resolution, Senate Joint Resolution 111, would extend for 2 years the existing authority for the erection in the District of Columbia of a memorial to the Negro educator Mary McLeod Bethune.

I might add at this point that this resolution was sponsored by Senator JORDAN on the Senate side and Representative SHIRLEY CHISHOLM on our side.

Mary McLeod Bethune died in 1955. She was perhaps best known as the founder of the Bethune-Cookman College for Negroes at Daytona Beach, Fla. In 1930 President Hoover invited her to participate in a White House Conference on Child Health and Protection. She served in the administration of President Franklin D. Roosevelt as the head of the Negro Division of the National Youth Administration. In 1945 President Roosevelt invited her to be a U.S. Delegate to the San Francisco Conference of the United Nations, at which the United Nations was conceived.

So in view of Mary McLeod Bethune's distinguished service to her country, the National Council of Negro Women has endeavored to erect a fitting memorial to this great American.

In 1960 the Congress approved this undertaking. At that time the Congress directed that the site of the memorial be approved by the Secretary of the Interior, the Commission of Fine Arts, and the National Capital Planning Commission, and that the erection of the memorial be commenced within 5 years. The United States was to be put to no expense by the erection of this memorial, all costs being borne by the National Council of Negro Women. While the location of this memorial in Lincoln Park, 10 blocks east of the Capitol, has been approved by the appropriate authorities, the funds necessary to begin construction have not yet been obtained by the National Council.

Accordingly, the joint resolution would in effect amend the original legislation to extend the building authority for a total of 11 years, to June 1 of this year.

At this time, thanks to a substantial contribution to this project from the United Methodist Church, the National Council of Negro Women are very close to their goal, and we have been assured that construction can begin within the 2-year extension authorized by this legislation.

This project has already been approved by the Senate and has consistently received the enthusiastic approval of the Congress during the past 11 years.

I am persuaded that this tribute to a distinguished American deserves our continued support, and I urge final approval of this joint resolution.

Mr. Speaker, I yield to the gentleman from Iowa (Mr. SCHWENGEL).

Mr. SCHWENGEL. Mr. Speaker, Senate Joint Resolution 111 would extend for 2 additional years, through May 31, 1973, the authority to erect a memorial to Mary McLeod Bethune.

Mr. Speaker, at the hearing we requested testimony of the chairman of the commitee. I want to stress the importance of this type of thing in Washington, D.C., where many of the things that make so much difference happen and which is an appropriate place for this sort of thing to happen. Lincoln Park, of course, is an appropriate place for this.

Since the time of the hearing, I have investigated the competency of those who will do the art work, and I have been told on good authority these people are competent and we will have a fine monument as a result of their activity.

Mr. Speaker, the original resolution authorizing the memorial to be erected was enacted in 1960 and the authority has been extended periodically since that time to allow sufficient time to complete the project. The resolution provides that the Secretary of the Interior may grant authority to the National Council of Negro Women to erect on public grounds in the District of Columbia a memorial to honor Mary McLeod Bethune, and to commemorate the 100th anniversary of the signing of the Emancipation Proclamation.

Mary McLeod Bethune was a prominent Negro educator. She is a founder of the Bethune-Cookman College for Negroes at Daytona Beach, Fla.

There is no cost to the Government for this memorial. Funds to pay for the statue are being raised by the National Council of Negro Women. It is to be placed in Lincoln Park in the District of Columbia.

This resolution was reported unanimously by the House Administration Committee and I would recommend its adoption.

Mr. Speaker, I hope the legislation will pass unanimously. I think it will be in the public interest.

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

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana (Mr. RARICK).

Mr. RARICK. Mr. Speaker, this resolution, Senate Joint Resolution 111, extends for 2 years the authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune. Mrs. Bethune has compiled a long and distinguished record in the field of edu-

cation, and, of course, I think before the Members are called upon to vote up or down this extension, they should be made aware of all of the activities in the field of education which Mary McLeod Bethune has participated in, some of which may not be known to the Members. From the public files, records, and publications of the Committee on Un-American Activities of the House of Representatives comes a six-page documented listing of various affiliations of Mary McLeod Bethune:

Reading from the report, we find these revealing associations and activities:

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, U.S. HOUSE OF REPRESENTATIVES

Subject: Mary McLeod Bethune.

The public files, records and publications of the Committee on Un-American Activities reveal the following information concerning Mary McLeod Bethune:

The name of Mary McLeod Bethune appeared on the honor roll of Elizabeth Gurley Flynn, as published in the Sunday "Worker" of March 9, 1947 (page 7); Elizabeth Gurley Flynn is one of the few outstanding women leaders of the Communist Party in this country.

A pamphlet entitled "7½ Million . . ." (page 34), released by the American League for Peace and Democracy, lists the name of Mrs. Bethune as a member of the National Committee of that organization; a letterhead of the organization, dated July 12, 1939, furnishes the same information. "Fight" magazine for March 1939 (page 3), and a letterhead of the League dated March 24, 1939, both name Mrs. Bethune as Vice-Chairman of the League.

The American League for Peace and Democracy was cited as "the largest of the Communist 'front' movements in the United States . . . The League contends publicly that it is not a Communist-front movement, yet at the very beginning Communists dominated it. Earl Browder was its vice-president" (Special Committee on Un-American Activities in reports of January 3, 1939; March 29, 1944; January 3, 1940; January 3, 1941; January 2, 1943; and June 25, 1942). Attorney General Riddle cited the organization as having been established in the United States in 1937 as successor to the American League Against War and Fascism "in an effort to create public sentiment on behalf of a foreign policy adapted to the interests of the Soviet Union." (See: Congressional Record, September 24, 1942, pages 7683 and 7684.) Attorney General Tom Clark cited the organization as subversive and Communist (press releases of June 1 and September 21, 1948).

Mrs. Bethune was a sponsor of the Win-the-Peace Conference, as shown on a letterhead of that group dated February 28, 1946, the "Daily Worker" of March 5, 1946, and "A Call to a Win-the-Peace Conference" in the National Press Building, Washington, D.C., April 5–7, 1946; she was vice-chairman of the National Committee, New York Committee to Win the Peace, according to a letterhead of that group dated June 1, 1946, and the New York Committee Call to Win-the-Peace Conference, June 28–29, 1946.

The National Committee to Win the Peace was organized at the Win-the-Peace Conference in Washington, D.C., April 5–7, 1946, and was cited as subversive and Communist by Attorney General Tom Clark in letters furnished the Loyalty Review Board (press releases of December 4, 1947 and September 21, 1948).

Letterheads of the Civil Rights Congress, dated March 4, 1948 and May 7, 1948, list the name of Mrs. Bethune as Vice-Chairman of the Congress; she signed the call to the National Conference which was held in Chicago, as shown in the "Daily Worker" of October 21, 1947 (page 5); and was one of the sponsors of a meeting of the group, according to the "Daily Worker" of January 19, 1949 (page 10), in which source she was identified as president, National Council of Negro Women.

The Civil Rights Congress was a merger of two other Communist-front organizations, the International Labor Defense and the National Federation for Constitutional Liberties. It was "dedicated not to the broader issues of civil liberties, but especially to the defense of individual Communists and the Communist Party" and "controlled by individuals who are either members of the Communist Party or openly loyal to it" (Congressional Committee on Un-American Activities in its report released September 2, 1947). Attorney General Tom Clark cited the organization as subversive and Communist (press releases of December 4, 1947 and September 21, 1948).

In a Report on the American Slav Congress, released by this Committee on April 26, 1950, the organization was cited as "a Moscow inspired and directed federation of Communist-dominated organizations seeking by methods of propaganda and pressure to subvert the 10,000,000 people in this country of Slavic birth or descent." Mrs. Bethune was one of the sponsors of a Testimonial Dinner which was held in New York City, October 12, 1947, under the auspices of the American Slav Congress; the dinner was arranged in honor of * * * (Invitation issued by the Congress; and the printed program, page 2). Attorney General Clark also cited the group as subversive and Communist in letters furnished the Loyalty Review Board (press releases of June 1 and September 21, 1948).

The "People's Daily World" of April 20, 1944 (page 3), reported that Mrs. Bethune was one of the sponsors of the American Youth for Democracy club; on a program of the dinner celebrating the first anniversary of the American Youth for Democracy, October 16, 1944, Mrs. Bethune was also named as a sponsor of the group (see program, "Salute to Young America Committee").

The American Youth for Democracy was the new name under which the Young Communist League operated and which also largely absorbed the American Youth Congress, according to the Special Committee on Un-American Activities (Report 1311 of March 29, 1944); Attorney General Clark cited the organization as subversive and Communist (press releases of December 4, 1947 and September 21, 1948). In citing the group in 1947, the Committee on Un-American Activities revealed that its "high-sounding slogans" cover "a determined effort to disaffect our youth and to turn them against religion, the American home, against the college authorities, and against the American government itself . . ." (Report 271 dated April 17, 1947).

Mrs. Bethune signed the call to the Congress of Youth which was the fifth national gathering of the American Youth Congress, held in New York City, July 1–5, 1939 (from the Proceedings of the Congress, page 2).

The American Youth Congress was launched in August 1934 at a gathering held at New York University, New York City, and "has been controlled by Communists and manipulated by them to influence the thought of American youth" (Attorney General Riddle, Congressional Record, September 24, 1942; also cited in re Harry Bridges, May 28, 1942, page 10); Attorney General Clark cited the group as subversive and Communist (press releases of December 4, 1947 and September 21, 1948). The Special Committee on Un-American Activities called the group "one of the principal fronts of the Communist Party" and "prominently identified with the White House picket line * * * under the immediate auspices of the American Peace Mobilization" (Report of June 25, 1942; also cited in reports of January 3, 1939; January 3, 1941; and March 29, 1944).

Mrs. Bethune was a member of the Advisory Board of the Southern Negro Youth Congress (letterheads of the organization dated June 12, 1947 and August 11, 1947; and a page from a leaflet published by the organization). The Southern Negro Youth Congress has been cited as a Communist-front organization by the Special Committee on Un-American Activities in its report of January 3, 1940 (page 9); and as "surreptitiously controlled" by the Young Communist League (Congressional Committee on Un-American Activities, Report 271 released April 17, 1947, page 14). Attorney General Tom Clark cited the organization as subversive and among the affiliates and committees of the Communist Party, U.S.A., in a letter released to the press on December 4, 1947.

Mrs. Bethune was a member of the Council on African Affairs, Inc. (from a pamphlet of the organization entitled "Seeing is Believing" which was published in 1947); she participated in a conference of the Council, according to the pamphlet, "For a New Africa" (page 36), also published by the organization. She sent greetings to the National Negro Congress, October 1937, as shown in the proceedings of the Congress; she also participated in the Conference on Africa, held in New York City, April 14, 1944 (pamphlet of the proceedings of the Conference which was held under the joint auspices of the Council on African Affairs and the National Negro Congress).

The Council on African Affairs was cited as subversive and Communist by Attorney General Tom Clark (press releases of December 4, 1947 and September 21, 1948). "The Communist-front movement in the United States among Negroes is known as the National Negro Congress . . . The officers of the National Negro Congress are outspoken Communist sympathizers and a majority of those on the executive board are outright Communists" (Special Committee on Un-American Activities, Report dated January 3, 1939; also cited in reports of January 3, 1940; June 25, 1942; March 29, 1944). Attorney General Francis Biddle said that "from the record of its (National Negro Congress) activities and the composition of its governing bodies, there can be litle doubt that it has served as what James W. Ford, Communist Vice Presidential candidate elected to the executive committee in 1937, predicted: 'An important sector of the democratic front,' sponsored and supported by the Communist Party" (Congressional Record, September 24, 1942, pages 7687 and 7688). Attorney General Tom Clark cited the Congress as subversive and Communist (press releases of December 4, 1947 and September 21, 1948).

The "Daily Worker" of February 8, 1939 (page 2), published an appeal to the Negro People's Committee to Aid Spanish Democracy to lift the embargo on arms to Loyalist Spain; Mrs. Bethune was shown as one of those who signed the appeal. The Special Committee on Un-American Activities officially cited the Negro People's Committee . . . as a Communist-front organization in Report 1311 of March 29, 1944. Mrs. Bethune issued an individual statement which was printed in the booklet, "These Americans Say:" which was compiled and published by the Coordinating Committee to Lift the (Spanish) Embargo, urging that in the name of true neutrality, in the cause of world peace and democracy, lift the embargo (on the sale of arms to Spain)"; she sponsored the Spanish Refugee Relief Campaign, as was shown in the pamphlet, "Children in Concentration Camps." The Coordinating Committee to Lift the (Spanish) Embargo was cited as one of a number of front organizations, set up during the Spanish Civil War by the Communist Party in the United States and through which the Party carried on a great deal of agitation (Special Committee on Un-

American Activities, Report 1311 of March 29, 1944, pages 137–138). The Spanish Refugee Relief Campaign was cited at a Communist-front organization by the Special Committee . . . in a report released January 3, 1940.

Mrs. Bethune was a sponsor of the National Emergency Conference (letterhead of the organization dated May 19, 1939); and a member of the Board of Sponsors of the National Emergency Conference for Democratic Rights (press release of the group dated February 23, 1940). She signed the 1943 message of the National Federation for Constitutional Liberties, addressed to the United States House of Representatives, as shown on a leaflet attached to an undated letterhead of that organization. Mrs. Bethune was a sponsor of the Washington Committee for Democratic Action, as shown on the "Call to a Conference on Civil Rights, April 20–21, 1940" (page 4), and on a letterhead of the group dated April 26, 1940.

"It will be remembered that during the days of the infamous Soviet-Nazi pact, the Communists built protective organizations known as the National Emergency Conference, the National Emergency Conference for Democratic Rights, which culminated in the National Federation for Constitutional Liberties" (Report 1115 of the Committee on Un-American Activities, released September 2, 1947); the three organizations were also cited by the Special Committee on Un-American Activities in Report 1311 of March 29, 1944. Attorney General Francis Biddle cited the National Federation . . . as "part of what Lenin called the solar system of organizations, ostensibly having no connection with the Communist Party, by which Communists attempt to create sympathizers and supporters of their program. * * * (It) was established as a result of a conference on constitutional liberties held in Washington, D.C., June 7–9, 1940" (Congressional Record, September 24, 1942, page 7687). Attorney General Clark cited the National Federation . . . as subversive and Communist in letters furnished the Loyalty Review Board (press releases of December 4, 1947 and September 21, 1948).

The Washington Committee for Democratic Action was cited as an affiliate or local chapter of the National Federation . . . "The program of the Washington Committee followed that of the National Federation. National Communist leaders have addressed its meetings, and conferences sponsored by it have been attended by representatives of prominent Communist-front organizations" (Attorney General Biddle, Congressional Record, September 24, 1942, pages 7688 and 7689); Attorney General Clark cited the group as subversive and Communist (press releases of December 4, 1947 and September 21, 1948); the Special Committee on Un-American Activities found that "when the American League for Peace and Democracy was dissolved in February 1940, its successor in Washington was the Washington Committee for Democratic Action. The latter was affiliated with the National Federation for Constitutional Liberties" (Reports of June 25, 1942 and March 29, 1944).

Mrs. Bethune was one of the sponsors of the Congress of American Soviet Friendship, as shown in "Soviet Russia Today," for December 1942 (page 42); she participated in a meeting paying tribute to women of the U.S.A. and the U.S.S.R. held in Carnegie Hall, New York City, March 6, 1944, under the auspicies of the Committee of Women, National Committee of American-Soviet Friendship ("Soviet Russia Today," March 1944, page 35; and "New Masses" for February 29, 1944, page 29); she was named as a sponsor and a member of the Committee of Women of the National Council . . . . on the "Call to a Conference of Women of the U.S.A. and the U.S.S.R. in th Post-War World" on November 19, 1944, in the Commodore Hotel, New York City; a letterhead of the Committee of Women, National Council . . . dated March 1, 1948, contains the name of Mrs. Bethune in the list of members; she was a member of the Board of Directors of the National Council, as shown on letterheads of that organization dated February 8, 1946 and March 13, 1946.

In its report of March 29, 1944, the Special Committee . . . cited the National Council of American-Soviet Friendship as having been "in recent months the Communist Party's principal front for all things Russian." Attorney General Clark cited the group as subversive and Communist (press releases of December 4, 1947 and September 21, 1948).

A letter of the American Committee for Protection of Foreign Born, opposing alien registration, carried the signature of Mary McCleod Bethune, as shown in the "Daily Worker" of November 23, 1939 (page 3, columns 7–8); she was one of the sponsors of the Fourth Annual Conference of the organization which was held in Washington, D.C., March 2–3, 1940 (as shown on a letterhead of the Conference); a booklet entitled "The Registration of Aliens" which was prepared and published by the American Committee . . . . lists Mrs. Bethune as one of the sponsors of that organization.

The American Committee for Protection of Foreign Born has been officially cited as "one of the oldest auxiliaries of the Communist Party in the United States" (Special Committee on Un-Amercian Activities, Report 1311, March 29, 1944; also cited in Committee report on June 25, 1942). Attorney General Tom Clark cited the group as subversive and Communist (press releases of June 1, and September 21, 1948).

Mrs. Bethune was one of the sponsors of the League of Young Southerners which is the youth division of the Southern Conference for Human Welfare, as shown on a letterhead dated August 13, 1940; she was named in "The Southern Partiot" for December 1946, as a member of the Board of Representatives (1947–1948) of the Southern Conference; she was a member of the Executive Board, as shown on a leaftlet of the Conference entitled "The South is Closer Than You Think" (received about February 1947).

The Southern Conference for Human Welfare was cited as a Communist-front organization which seeks to attract southern liberals on the basis of its seeming interest in the problems of the South" although its "professed interest in southern welfare is simply an expedient for larger aims serving the Soviet Union and its subservient Communist Party in the United States" (Congressional Committee on Un-American Activities in Report 592 dated June 12, 1947). The Special Committee . . . also cited the group as a Communist-front which received money from the Robert Marshall Foundation, one of the principal sources of the funds by which many Communist fronts operate (Report of March 29, 1944).

Mrs. Bethune received the New Masses award for greater inter-racial understanding at a dinner in her honor at the Hotel Commodore, New York City, January 14, 1946 ("Daily Worker," January 7, 1946, page 11, columns 1–2); she received a similar award "for contribution made to promote democracy and inter-racial unity" at the New Masses Second Annual Awards Dinner, as shown, in "New Masses" for November 18, 1947 (p. 7).

"New Masses" was cited as a "nationally circulated weekly journal of the Communist Party . . . whose ownership was vested in the American Fund for Public Service (Special Committee . . . Report of March 29, 1944; also cited in Committee reports of January 3, 1939 and June 25, 1942). It was also cited as a "Communist periodical" by Attorney General Francis Biddle (Congressional Record, September 24, 1942, page 7688).

The Washington (D.C.) "Star" on February 3, 1949 (page A21), reported that Mrs. Bethune had withdrawn from a Civil Rights Rally scheduled to be held in Washington on February 11 and 12, 1949.

The "Daily Worker" of February 12, 1951 (page 4), reported that Mrs. Bethune was a sponsor of a testimonial on February 23, at Essex House to honor W. E. B. DuBois on his 83rd birthday. W. E. B. DuBois was one of the five officers of the Peace Information Center who were indicted by a Federal grand jury on February 9, 1951, for failure to register under the Foreign Agents Registration Act. The Peace Information Center was also cited as an organization which was described in the Worker of June 11, 1950, by the Communist Party's Peace Committee as one that was making available the Stockholm peace petition. (Congressional Committee on Un-American Activities, Statement issued on the March of Treason, February 19, 1951; and House Report No. 378, on the Communist "Peace" Offensive, April 25, 1951, original date, April 1, 1951, page 42.)

Mr. NEDZI. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BURTON).

Mr. BURTON. Mr. Speaker, it was my pleasure to know this beautiful woman.

I might add, parenthetically, I was unaware she owned any stock in a bus company.

Mary McLeod Bethune—and history is very clear on this count—was undoubtedly one of the great Americans in the history of this country. She was not only a great American, she was a great human being, always concerned with improving the conditions of American society and trying to bring the American practices into consonance with our preachments.

This truly remarkable giant among the many thousands of Americans who, throughout the course of our history, fought for a better America, worked for a better America, pleaded and argued for a better America, this magnificent woman, who does not need the defense of any single Member of this body, because by her words and her deeds throughout her long and productive life she has written on the pages of freedom a story that could not be sullied from any quarter.

Mr. NEDZI. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. CHISHOLM).

Mrs. CHISHOLM. Mr. Speaker, first of all I should like it to be quite clear that there are two other Bethunes who have possibly been connected with some of the information that has been shared here with you this afternoon.

You know, in this House after awhile, one begins to recognize that certain things do run true to form. It is not surprising that this issue has been raised here this afternoon in the manner in which it has been.

For many years the black women of this Nation have been attempting to erect this statue to this particular woman, Mary McLeod Bethune, and have actually made collections of pennies, nickels, dimes, and dollars in order to be able to build a statue that means something to black women, that is, an image for black women in this Nation.

This statue is not being provided for by Federal funds of any sort in the way certain other statues from the days of the Confederacy have been maintained

and built in Washington, D.C. This has been a movement on the part of a deprived, disillusioned ethnic minority in this country in terms of seeking for themselves an image to which they can relate.

I think those of us who know anything about Mary McLeod Bethune know that in terms of her background, that in terms of being able to lift herself from the depths of degradation and poverty, that she has made her mark on the American scene. I think the very fact that she was a counselor and an adviser to President Roosevelt and to Mrs. Roosevelt for many, many years also indicates the depth of feeling and confidence that these leaders had for her. I think we also have to say parenthetically that in this Nation, when there are those who dare to dissent or to cry out in the only way they know how that they are labeled very quickly. Parenthetically, again I may say that I, too, am labeled as many things besides being just a child of God.

I feel very keenly about this because now we are getting to the point where, for the first time, we have been able to receive just recently an additional $100,000 from the United Methodist Church in order to be able to help the black citizens of this Nation realize this particular goal which they have been trying to bring to fruition for so many years with the pennies, the nickels, and the dimes that they saved because they could not get help from the Federal Government for the erection of a black statue in Washington, D.C. To have this kind of thing done here this afternoon can only mean one thing, to my way of thinking.

The SPEAKER. The time of the gentlewoman has expired.

Mr. NEDZI. Mr. Speaker, I yield the gentlewoman 3 additional minutes.

Mr. GROSS. Mr. Speaker, will the gentlewoman yield to me?

Mrs. CHISHOLM. Yes. I yield to the gentleman.

Mr. GROSS. I am somewhat perplexed by the first remarks of the gentlewoman from New York. Did the gentlewoman from New York say that this is not the Mary McLeod Bethune as stated in the documentation from what was formerly the House Un-American Activities Committee?

Mrs. CHISHOLM. No, I am not saying that.

Mr. GROSS. I see. Then, this Mary McLeod Bethune is one and the same person referred to by the gentleman from Louisiana (Mr. RARICK), in the material he submitted to the House?

Mrs. CHISHOLM. Not all of the information that has been indicated here this afternoon is correct. I will have something for the record a little bit later.

Mr. GROSS. I thank the gentlewoman for yielding.

Mrs. CHISHOLM. I just want to say that those of us who are cognizant of the contribution of this woman to her country should join this afternoon and help to pass this resolution. I think we must make it quite clear in terms of the history of our Nation that this is the first time a group of people in this country who happen to be black have put their pennies, their nickels, their dimes, and their dollars together in order that they, too, can have an image to relate to when people come to the Capital of the United States of America.

For quite some time these people have been attempting to secure help. The Federal Government has not extended help. However, the people were determined, in terms of what this woman has meant to them, that they would go forward and attempt to secure this money themselves. The architect, the sculptor, everyone is now just about ready to see that the realization of this particular dream will come true for black people and not only for black people but for all people in this Nation when they come to the U.S. Capital and look at the statue of this black woman who said, "I leave you love; I leave you hope."

Let us pass this resolution this afternoon and bring about the completion of this dream, this image for black citizens, all over the United States of America.

Mr. NEDZI. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. ABZUG).

Mrs. ABZUG. Mr. Speaker, Mary McLeod Bethune was a natural leader of not only black women but people all over this world. It was not for nothing that she was appointed one of our first delegates, for example, to the United Nations in San Francisco. I think what has been read by Mr. RARICK is totally irrelevant. This is the kind of character assassination which has been used many times before against people who have sought social change. None of these charges has been proven in any way. They do not in any way diminish the desire of those people who wish to bring into being and to dedicate a memorial to this woman in the form of a park for children.

Congress has passed favorably upon this project several times before today, and I think it does this body ill to listen to this kind of character assassination, to hear charges which are utterly unproven and unsubstantiated.

Mr. Speaker, when we analyze objectively the kinds of activities that Mary Bethune had the courage to lead in this country, I think that we will go forward without regard to this kind of nonsense, especially in view of the type of people, young and old, which she sought for so long to help.

Mr. GROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. RARICK).

Mr. RARICK. I would like to remind the Members of the House that the records from which I have read applied only to those organizations which had been cited by the Attorney General of the United States as subversive and Communist. What method was used to adduce this proof or to make the citation, I do not know—I was not present. But, certainly, I do not think that bringing this information to the attention of the Members of this House is in any respect un-American. However, I think it is the Members' responsibility to know who they are being called upon to memorialize as a leader for children of future generations.

If, knowing the full facts, you want to vote for it, vote for it, but if you do not, at least, I have carried my duty forward to advise you as to what this record of Mary McLeod Bethune shows relative to her activities in education and their relationship to the security of the people of the United States.

Mr. NEDZI. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON of New Jersey. Mr. Speaker, I have been acquainted with the proposal for this memorial for a number of years. There have been some vague assertions in the past as to the activities of this late great woman, most of them adduced during the time of former Attorney General Thomas Clark, who is a former Justice of the Supreme Court.

I might say, in historical context, that these assertions were made during a time when anyone who could read without moving his lips was suspect. None of the accusations have been proven. They are not citations. They are not indictments. They are mere political differences adduced in large measure by the activities of a woman struggling for the equality which her people have so long deserved.

Notwithstanding whatever is in the file, I would like the gentleman from Louisiana (Mr. RARICK) to produce for us that which apparently he can get but none of the rest of us can get, and that is the files of the former House Committee on Un-American Activities, now the Committee on Internal Security. Let Mr. RARICK put the whole dossier of this woman in the RECORD and make it for the first time public to your 434 colleagues. No doubt the dossier will show what a great woman Mary McLeod Bethune was, and how deserving of a memorial she was.

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

Mr. THOMPSON of New Jersey. I refuse to yield.

Make this information public to the other 434 of us, so that we may see this dossier that apparently you have been privileged to see; make it available for the rest of us.

I think that this woman's record speaks for itself, and we should support this resolution.

Mr. NEDZI. Mr. Speaker, I would just like to point out to our colleagues here that this resolution was passed in the Committee on House Administration in 1960, 1965, and 1970. The original resolution was brought out under the chairmanship of Congressman Paul Jones and Congressman BURLESON of Texas, who was chairman of the full committee at that time.

The resolution was also passed in 1970 in identical form to that of today, and that this information which the gentleman from Louisiana presents to us today is something that no one had heard anything about, at a time when the allegations were certainly much more current than they are today.

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

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

Mr. SCHMITZ. Would it have made any difference in the committee had this

information been known at the time the resolution was originally passed?

Mr. NEDZI. I cannot answer the gentleman. My suspicion is that it would not have made any difference.

Mr. SCHMITZ. I would like to take this opportunity to thank the gentleman from Louisiana for bringing this information to the House so that we can have a better basis for making a decision than the committee had. I agree with the gentleman from Louisiana that the resolution should be defeated.

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

Mr. GROSS. I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. NEDZI) that the House suspend the rules and pass the Senate joint resolution (S.J. Res. 111).

The question was taken.

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 289, nays 89, not voting 55, as follows:

[Roll No. 195]

YEAS—289

Abourezk	Conyers	Gude
Abzug	Corman	Halpern
Addabbo	Cotter	Hamilton
Anderson, Calif.	Coughlin	Hammer-schmidt
Anderson, Ill.	Culver	Hanley
Andrews, N. Dak.	Daniels, N.J.	Hansen, Idaho
Annunzio	Davis, Ga.	Hansen, Wash.
Arends	Davis, Wis.	Harrington
Ashley	Delaney	Harvey
Aspin	Dellenback	Hawkins
Aspinall	Dennis	Hays
Barrett	Dent	Hébert
Begich	Derwinski	Hechler, W. Va.
Bell	Diggs	Heckler, Mass.
Bennett	Dingell	Helstoski
Biester	Dorn	Hicks, Mass.
Bingham	Dow	Hicks, Wash.
Blatnik	Drinan	Hillis
Boggs	Dulski	Howard
Boland	du Pont	Hutchinson
Bolling	Dwyer	Jacobs
Bow	Eckhardt	Johnson, Calif.
Brademas	Edwards, Ala.	Karth
Brasco	Edwards, Calif.	Kastenmeier
Bray	Eilberg	Kazen
Brooks	Erlenborn	Keating
Broomfield	Esch	Kee
Brotzman	Eshleman	Keith
Brown, Mich.	Evans, Colo.	Kemp
Brown, Ohio	Fascell	Kluczynski
Broyhill, N.C.	Findley	Koch
Burke, Mass.	Fish	Kuykendall
Burlison, Mo.	Flood	Kyl
Burton	Foley	Leggett
Byrne, Pa.	Ford, Gerald R.	Lent
Byrnes, Wis.	Ford, William D.	Link
Cabell	Forsythe	Lloyd
Caffery	Fraser	Long, Md.
Carey, N.Y.	Frelinghuysen	Lujan
Carney	Frenzel	McClory
Carter	Frey	McCloskey
Casey, Tex.	Fulton, Pa.	McClure
Cederberg	Fulton, Tenn.	McCollister
Celler	Gaydos	McCormack
Chamberlain	Gibbons	McDade
Chappell	Gonzalez	McDonald, Mich.
Chisholm	Goodling	McFall
Clark	Grasso	McKay
Cleveland	Gray	McKevitt
Collier	Green, Oreg.	Macdonald, Mass.
Collins, Ill.	Green, Pa.	Madden
Conable	Griffiths	Mahon
Conte	Grover	Mailliard
	Gubser	
Martin	Price, Ill.	Smith, Calif.
Mathias, Calif.	Pryor, Ark.	Smith, Iowa
Matsunaga	Pucinski	Springer
Mazzoli	Purcell	Stafford
Meeds	Quie	Staggers
Melcher	Railsback	Stanton,
Metcalfe	Randall	J. William
Michel	Rangel	Stanton,
Mikva	Rees	James V.
Miller, Calif.	Reid, Ill.	Steele
Miller, Ohio	Reid, N.Y.	Steiger, Wis.
Mills, Ark.	Reuss	Stokes
Minish	Rhodes	Stratton
Mink	Riegle	Sullivan
Minshall	Roberts	Symington
Mollohan	Robison, N.Y.	Taylor
Moorhead	Rodino	Teague, Calif.
Morgan	Roe	Thompson, N.J.
Morse	Rogers	Thomson, Wis.
Mosher	Roncalio	Thone
Moss	Rooney, N.Y.	Tiernan
Murphy, Ill.	Rosenthal	Udall
Murphy, N.Y.	Rostenkowski	Ullman
Nedzi	Roush	Vander Jagt
Nelsen	Roy	Vanik
Nix	Roybal	Vigorito
Obey	Runnels	Waldie
O'Hara	Ryan	Wampler
O'Konski	St Germain	Ware
O'Neill	Sandman	Watts
Patman	Sarbanes	Whalen
Patten	Saylor	White
Pelly	Scheuer	Whitehurst
Perkins	Schneebeli	Widnall
Pettis	Schwengel	Williams
Peyser	Scott	Wilson, Bob
Pickle	Sebelius	Wolff
Pike	Selberling	Wright
Pirnie	Shipley	Wyatt
Poage	Shoup	Wydler
Podell	Shriver	Wylie
Poff	Sikes	Yates
Powell	Sisk	Zablocki
Preyer, N.C.	Slack	Zwach

NAYS—89

Abbitt	Fisher	Mathis, Ga.
Abernethy	Flowers	Mizell
Andrews, Ala.	Flynt	Montgomery
Archer	Fountain	Myers
Baker	Fuqua	Natcher
Baring	Galifianakis	Nichols
Belcher	Gettys	Passman
Betts	Goldwater	Price, Tex.
Bevill	Griffin	Quillen
Brinkley	Gross	Rarick
Broyhill, Va.	Hagan	Robinson, Va.
Buchanan	Haley	Satterfield
Burke, Fla.	Hall	Scherle
Burleson, Tex.	Henderson	Schmitz
Byron	Hogan	Skubitz
Camp	Hull	Snyder
Clancy	Ichord	Spence
Clausen, Don H.	Jarman	Steiger, Ariz.
Clawson, Del	Johnson, Pa.	Stephens
Collins, Tex.	Jonas	Stubblefield
Colmer	Jones, N.C.	Stuckey
Crane	Jones, Tenn.	Thompson, Ga.
Daniel, Va.	King	Veysey
Davis, S.C.	Kyl	Waggonner
Devine	Landgrebe	Whitten
Dickinson	Latta	Winn
Dowdy	Lennon	Wyman
Downing	McEwen	Young, Fla.
Duncan	McMillan	Young, Tex.
	Mann	Zion

NOT VOTING—55

Adams	Gallagher	Mills, Md.
Alexander	Garmatz	Mitchell
Anderson, Tenn.	Giaimo	Monagan
Ashbrook	Hanna	Pepper
Badillo	Harsha	Rooney, Pa.
Bergland	Hastings	Rousselot
Biaggi	Hathaway	Ruppe
Blackburn	Holifield	Ruth
Blanton	Horton	Smith, N.Y.
Clay	Hosmer	Steed
Danielson	Hungate	Talcott
de la Garza	Hunt	Teague, Tex.
Dellums	Jones, Ala.	Terry
Denholm	Kyros	Van Deerlin
Donohue	Landrum	Whalley
Edmondson	Long, La.	Wiggins
Edwards, La.	McCulloch	Wilson, Charles H.
Evins, Tenn.	McKinney	Yatron
	Mayne	

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

The Clerk announced the following pairs:

Mr. Edmondson with Mr. Ruppe.
Mr. Garmatz with Mr. Hruska.
Mr. Holifield with Mr. Hosmer.
Mr. Charles H. Wilson, with Mr. McKinney.
Mr. Adams with Mr. Mayne.
Mr. Danielson with Mr. Mills of Maryland.
Mr. Hanna with Mr. Rousselot.
Mr. Alexander with Mr. Ashbrook.
Mr. Donohue with Mr. Ruth.
Mr. Van Deerlin with Mr. Smith of New York.
Mr. Biaggi with Mr. Hastings.
Mr. Rooney of Pennsylvania with Mr. Talcott.
Mr. Giaimo with Mr. Horton.
Mr. Teague of Texas with Mr. Hunt.
Mr. Denholm with Mr. Terry.
Mr. Hathaway with Mr. Whalley.
Mr. Blanton with Mr. Wiggins.
Mr. Gallagher with Mr. Edwards of Louisiana.
Mr. Yatron with Mr. Mitchell.
Mr. Jones of Alabama with Mr. Blackburn.
Mr. Bergland with Mr. Clay.
Mr. Pepper with Mr. Long of Louisiana.
Mr. Anderson of Tennessee with Mr. Steed.
Mr. Hungate with Mr. Badillo.
Mr. de la Garza with Mr. Dellums.
Mr. Evins of Tennessee with Mr. Monagan.
Mr. Landrum with Mr. Kyros.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 8629, HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE AMENDMENTS OF 1971

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8629) to amend title VII of the Public Health Service Act to provide increased manpower for the health professions, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees. Messrs. STAGGERS, ROGERS, SATTERFIELD, SPRINGER, and NELSEN.

APPOINTMENT OF CONFEREES ON H.R. 8630, NURSE TRAINING AMENDMENTS OF 1971

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8630) to amend title VIII of the Public Health Service Act to provide for training increased numbers of nurses, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees. Messrs. STAGGERS, ROGERS, SATTERFIELD, SPRINGER, and NELSEN.

DISPOSITION OF JUDGMENT FUNDS OF THE PEMBINA BAND OF CHIPPEWA INDIANS

Mr. HALEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6072) to provide for the disposition of funds appropriated to pay a judgment in favor of the Pembina Band of Chippewa Indians in Indian Claims Commission dockets Nos. 18–A, 113, and 191, and for other purposes, 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 3, line 17, after "Secretary;" insert ": *And provided further*, That the Pembina descendents within the Turtle Mountain Band shall be authorized to establish pursuant to regulations set by the Secretary the Pembina Descendants Committee and that the tribal governing body shall be required to work in concert with such committee for the purpose of making recommendations to the Secretary".

(Mr. HALEY asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. HALEY. Mr. Speaker, the bill divides an Indian Claims Commission judgment in favor of the Pembina Band among the three tribes that include the descendants of that band today. Inasmuch as the Pembina descendants are a minority of the Indians on the Turtle Mountain Reservation, the Senate amendment permits the Pembina descendants on the reservation to form a committee, and requires the Turtle Mountain governing body to work in concert with that committee when planning the use of the judgment money. The amendment is a desirable addition to the bill.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MARITIME LIEN BILL

Mr. DOWNING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6239) to amend the maritime lien provisions of the Ship Mortgage Act of 1920, as amended.

The Clerk read as follows:

H.R. 6239

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Ship Mortgage Act, 1920 (46 U.S.C. 911–984) is amended as follows: By striking from subsection R thereof (46 U.S.C. 973) the semicolon, substituting a period therefor and deleting all thereafter.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, I rise to urge passage of H.R. 6239, a bill that would amend subsection R of the Ship Mortgage Act in order to protect American terminal operators, ship chandlers, ship repairers, stevedores and other suppliers, commonly known as materialmen, who in good faith furnish supplies and services to ships calling at our ports.

At the present time, a "prohibition of lien" clause in a charter party and subsection R of the Ship Mortgage Act prevent such an American supplier from acquiring a lien on a vessel for so-called necessaries furnished to that vessel.

The "prohibition of lien" clause is inserted in a charter party by the owner of a vessel to prohibit the charterer from incurring liens on the vessel. This is a standard clause in charter parties today. Subsection R of the Ship Mortgage Act contains a provision that effectively denies a lien to the American materialmen when there is a "no lien provision" in a charter party.

As a practical matter the American materialmen do not have time to check whether a vessel is subject to a "no lien provision," and have to assume the risk that his bill will be paid. This has worked a hardship on American materialmen furnishing necessaries to a vessel.

The Committee on Merchant Marine and Fisheries heard testimony of losses by American materialmen and of companies that had been forced into bankruptcy because of the existing situation. We were informed that in the San Francisco Bay area alone there were losses of over $2 million.

The testimony tended to establish that the principal difficulty was connected with foreign-flag vessels, particularly those which might be making only very infrequent calls at U.S. ports. By and large, American charterers are reliable and pay their bills.

The bill, H.R. 6239, would assist such American materialmen in collecting their just debts by deleting this provision from subsection R of the Ship Mortgage Act so that they could acquire a lien on a vessel for necessaries furnished to that vessel.

After full and careful consideration of the record, the bill was unanimously reported with certain minor technical amendments.

I strongly urge the House to support H.R. 6239.

Mr. MAILLIARD. Mr. Speaker, I rise to support the bill (H.R. 6239) amending the Ship Mortgage Act of 1920, and to fully associate myself with the very able remarks of my colleague on the committee, the gentleman from Virginia (Mr. DOWNING).

Testimony before your committee fully supported and substantiated the need for this legislation. Your committee has made one technical amendment to the bill on lines 3 and 4 to correct an erroneously printed U.S. Code citation.

Present law, as embodied in the Ship Mortgage Act of 1920, and as interpreted by the Supreme Court in the case of *Dannebrog* v. *Signal Oil and Gas Company*, 310 U.S. 268 (1940), requires the materialman—in this case, our stevedoring companies—to inquire into the authority of the person ordering services before he provides supplies or makes repairs to a vessel. If the materialman fails to do so and his contractor in fact lacks authority from the vessel owner, the materialman can acquire no maritime lien on the vessel. Thus, the placement of an obscure "no lien" clause by the vessel owner in his charter contract effectively precludes any recovery by our domestic stevedores for service rendered but not paid.

The problem in regard to the present law is aptly illustrated by the case of *The Port of Tacoma, Washington* v. *S. D. Duval*, 364 F.2d 615 (CCA 9th 1968) wherein the Port of Tacoma sought to assert a lien for wharfage or dockage, and the court held that because there was a "no lien" clause buried in the charter party agreement under which the *Duval* was being operated that the port had no right to a lien.

This bill, if enacted, would correct a difficult situation which has been growing in intensity and complexity since 1910, and has now caused a great deal of concern and loss of money throughout the country as a result of vessels falling back on this "no lien" provision to escape payment for services rendered by our ports and stevedores.

Stevedores in the San Francisco Bay area have sustained losses over the years in excess of $2 million. In the Willamette-Columbia River area, in the last 5 years, losses in excess of $45,000 have been documented along with reports of companies being forced into bankruptcy because of such losses. Undoubtedly, the same situation is present along the remainder of the west, east, and gulf coasts.

Passage of this legislation is needed, warranted, and justified. I urge my colleagues to support its passage and enactment.

Mr. Speaker, to set the record straight, I notice on reading the committee report on the bottom of page 3, there is a paragraph and particularly one sentence which lends itself to misinterpretation I feel, where it says:

H.R. 6239 change in maritime lien law, the priority of maritime liens, or in the accepted definition of necessaries.

Mr. Speaker, I think in fact that is not a true statement and I hope that that would not be the interpretation because clearly in providing material men with a lien remedy which under existing law they do not have, I think that is a confusing statement to have in the report.

I just want to point this out for the record and for the legislative history.

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

Mr. MAILLIARD. I yield to the gentleman from Oregon.

Mr. WYATT. Mr. Speaker, I rise in support of this bill.

During my days in the practice of law, I had more than a passing familiarity with admiralty law. This bill, I think, would go a long way toward curing what has been an almost impossible situation facing the material men and ships chandlers and suppliers, where in many cases they have had little or no way of knowing the facts in regard to a

ship's charter and under the existing law they could not protect themselves unless they got a credit report on the persons who were chartering the ship, and relied upon the credit of the charterer.

I think this is needed legislation. The equities of the situation justify its enactment promptly.

Mr. DOWNING. Mr. Speaker, I yield whatever time he may consume to the gentleman from California (Mr. LEGGETT), one of the prime sponsors of the bill.

Mr. LEGGETT. I thank the gentleman from Virginia very much for yielding.

Mr. Speaker, I rise in strong support of H.R. 6239. The bill would delete from subsection R of the Ship Mortgage Act the provision that now denies an American materialman a lien on a vessel for necessaries furnished that vessel when it is subject to a "no lien provision" in a charter party.

The current practice of inserting a "no lien provision" clause in a charter party has worked a serious hardship on American materialmen. Subsection R of the Ship Mortgage Act requires that the American materialmen check each vessel for this "no lien provision" before supplying it. As a practical matter, the materialman does not have time to do this. Vessels today are operated on a fast turn around basis.

Every vessel is under severe economic pressure to get in and get out as fast as possible. This does not allow the American materialman sufficient time to perform the investigation required by the statute and, as a result, he often ends up assuming the risk that his bill will be paid.

Enactment of H.R. 6239 should have no adverse effect on responsible vessel charterers and should prove to be of great assistance to American materialmen in collecting amounts owed on necessaries furnished a vessel.

I strongly urge the House to support this bill.

There is no reason why the lien rules as applied to ships should be any different from planes or trains.

We also should encourage the repair of merchant ships to safeguard against ecological disaster.

Mr. Speaker, I include with my remarks the statement of Mr. Robert B. Duncan, a former Member of this House, who helped draft this legislation:

STATEMENT OF ROBERT B. DUNCAN APPEARING ON BEHALF OF MASTER CONTRACTING STEVEDORE ASSOCIATION OF THE PACIFIC COAST, INC., IN SUPPORT OF S. 1275, H.R. 6239 AND H.R. 5286, BILLS TO AMEND THE MARITIME LIEN PROVISIONS OF THE SHIP MORTGAGE ACT

Mr. Chairman, members of the Committee, I appreciate the opportunity to appear on behalf of my client in support of the above bills. The bills, if enacted into law, would solve a constant and nagging problem that has plagued the industry for years, namely, the usually foreign vessel or foreign charterer, who contracts for necessaries to be furnished to the ship and then sails without paying for them, protected under the section of the Code these bills seek to amend, because of a "no lien provision" in the charter party.

The purpose of the Maritime Lien Act was to expedite the movement of international commerce. By giving suppliers a lien for their charges, the law encouraged the prompt furnishing of necessaries to ships so that they could speedily be turned around and put to sea. This avoided the delays attendant upon credit checks of foreign vessels and assured American suppliers of prompt payment of their just bills. The "no lien provision" frustrates these objectives.

Under long established principles of maritime law, suppliers of necessaries to vessels have been accorded the right to impose a lien or arrest the vessel in support of their right to collect their proper charges for such necessaries. Over the years priorities between such suppliers have been established with the seaman's rights to his wages at the head of the list. Over the years the question of what services and supplies constitute "necessaries to the ship" have likewise become fairly well defined.

In 1910 there came into the Federal Maritime Law what is now 46 USCA 973. This section takes away these lien rights "when the furnisher (of necessaries) knew, or by the exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessaries was without authority to bind the vessel therefor."

This section of the code was relied upon recently in the case of *The Port of Tacoma v. S.S. Duval,* 364 F2d 615 (CCA 9th 1968) wherein the Port of Tacoma sought to assert a lien for wharfage or dockage and the court held that because there was a "no lien clause" in the charter party under which the Duval was being operated that the port had no right to a lien.

Stevedores, ship chandlers, ship repairers, as well as ports and marine terminal operators have likewise run into this problem primarily with foreign flag vessels chartered to foreign operators. Stevedores alone in the San Francisco Bay Area have sustained losses over the years in excess of two million dollars. In the Willamette-Columbia River Area in the last five years, losses in excess of $45,000 have been documented, along with a report of at least one company forced into bankruptcy because of such a loss. The losses to ports, ship chandlers and ship repairers doubtless would run into very substantial sums. All of these people report that their problems are not with domestic owners or charterers who for the most part are responsible.

It is difficult for these American businessmen to understand why our law should permit a contract to be made in Athens, for example, between an owner and a charterer, and to which no American supplier is a party, which effectively denies a right to a lien which they would otherwise have in the absence of such a contract provision.

Senator MAGNUSON, at the request of the National Association of Port Authorities, introduced S. 2817 in the 91st Congress. The bill would have given some, but not complete, relief to marine terminal operators, but none to stevedores, ship chandlers, ship repairers or other persons. The bill died in Committee at the end of the session.

Interestingly enough Senator Magnuson's remarks at the time he introduced his bill (Congressional Record, August 19, 1969) suggested that—

"The simplest amendment to that (lien) law might be said to be deletion of everything in Section 973 after the semicolon in the fourth line. This would permit the imposition of liens by all persons covered in Section 971, a much broader class than Marine Terminal Operators."

The Senator was absolutely correct and the proposed bill proceeds along that very "most practical legislative" road. The proposed bill makes no changes in the definition of necessaries, it makes no changes in the priorities of liens, it simply prohibits a clause in a contract to which the supplier was not a party and of which, in a practical sense, he has no knowledge, from being deprived of a lien for his services to which he would otherwise be entitled. It does not give anyone tortiously or wrongfully in charge of a vessel the right to incur or permit any such lien to attach.

The theory behind the present law apparently is that the owner, or perhaps the mortgagee, should not have his property or his security arrested without his consent or knowledge. But this is not the law on land. There is not a piece of property sold or mortgaged where in the documentation thereof, there is not a prohibition against the purchaser for credit, or the mortgagor suffering or permitting liens to attach. Yet this provision in the contract of sale or mortgage does not deny to the plumber, the carpenter or other artisan a lien for his services should they be furnished and not paid for. Nor should it with respect to a vessel.

While a supplier of necessaries might be said to be able to demand and inspect the charter party and refuse to supply necessaries in the face of such a "no lien clause" this is not a practical answer. The vessel is in the harbor, it must be unloaded, serviced or repaired by members of highly competitive industries. Except for such an obscure clause in an involved document they are entitled to a lien. As a practical matter they have no opportunity to advise themselves and protect themselves.

If the owner, or mortgagee, is to be considered an innocent party, certainly so is the supplier of necessaries. And there is a well-established principle of law that where one of two innocent parties must suffer a loss, that loss must fall on the one who by his affirmative act makes it possible, or creates the condition under which another suffers the loss. The owner, or mortgagee, by chartering or surrendering possession of the vessel, clothes the master thereof with at least apparent authority to bind the vessel. If a loss must be suffered the owner, or mortgagee, should suffer it.

And the fact of the matter is that the owner, or mortgagee, can much more easily protect himself contractually, by bonds, or otherwise, at the time he charters or advances money on the vessel than can the supplier of necessaries to a vessel under great economic pressure to get back to sea.

This no lien provision which the proposed bills seek to remove is really an anomaly of the law. It is difficult to see how this amendment would cause any hardship to legitimate responsible owners or charterers and particularly American owners or charterers. In the first place, they pay their bills and their ships are not liened. In the second place, the credit of American owners and charterers is easily and quickly checked. In the third place, American owners and charterers are amenable to a conventional action for debt with writs of attachment or garnishment available on other assets in this country.

The passage of these bills will remove this anomaly and restore traditional lien rights to American suppliers of necessaries, thus expediting the movement of international commerce and guaranteeing to the suppliers prompt payment of their bills.

It is a good bill and should be passed.

Mr. DOWNING. Mr. Speaker, I yield whatever time he may consume to the gentleman from Pennsylvania (Mr. BYRNE).

Mr. BYRNE of Pennsylvania. Mr. Speaker, I rise in strong support of H.R. 6239. This bill would amend subsection

R of the Ship Mortgage Act so that an American materialman can acquire a lien on a vessel subject to a charter containing a "no lien provision."

The primary purpose of this bill is to assist American materialmen to collect for necessaries furnished foreign-flag vessels.

However, the bill has another purpose that would be beneficial to the foreign commerce of the United States. By permitting the materialman a lien for his services, the prompt furnishing of necessaries to vessels will be encouraged. This will speed up the turn around time of vessels in our ports. This is especially significant today when the emphasis on vessel performance is reduced port time and increased speed.

I strongly urge the House to support H.R. 6239, as it will benefit the foreign commerce of the United States.

Mr. DOWNING. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. JAMES V. STANTON).

Mr. JAMES V. STANTON. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Virginia.

Mr. MAILLIARD. Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. PELLY).

Mr. PELLY. Mr. Speaker, as a sponsor of this bill I rise to support the passage of H.R. 6239, a bill which amends the maritime lien provisions of the Ship Mortgage Act of 1920.

The purpose of this bill is simple. It amends the Ship Mortgage Act of 1920 so as to provide that owners and charterers of vessels, primarily foreign-flag vessels, by contract between themselves and other third parties, will not be able to deny to U.S. terminal operators, ship chandlers, ship repairers, stevedores, and other domestic concerns who are supplying necessaries to the vessel, the lien rights which these concerns would have had in the absence of such a contract.

The bill makes no changes in the definition of "necessaries" and makes no changes in the priorities of liens. It simply prohibits a "no lien" clause in a contract between the vessel owner and the chartering party to which the supplier is and was not a party and of which, in a practical sense, he has no knowledge.

One section of the Ship Mortgage Act of 1920 gives anyone furnishing repairs, services, or supplies a maritime lien on the vessel being serviced. Such lien may be enforced in a suit in rem in which the vessel is attached in order to guarantee payment for services rendered in the case of a failure to pay.

Subsection R of that act, however, provides that no lien rights shall attach, under the terms of a charter, when the body of such charter agreement contains provisions which do not authorize the charter party the right to contract for and bind the vessel for such supplies, services, or repairs. An affirmative duty is placed on the servicer of the vessel to investigate, prior to performing services, to ascertain whether or not the charter agreement does, in fact, contain this "no lien" provision.

Under today's operating and servicing conditions in the Nation's ports and harbors, it is extremely impractical, in this highly competitive industry, to require inspection of each and every charter agreement by a competent maritime attorney to ascertain the presence of a "no lien" provision prior to actually performing any services for the vessel in question. It must be remembered that the present law was enacted in 1920—a year when turnaround time for vessels was considerably longer than at present—when domestic and foreign-flag vessels enter and depart our ports and harbors within a matter of days instead of weeks.

The situation which has prompted the introduction, consideration and, hopefully, passage of this bill has been caused primarily by vessels of foreign registry. In 1930, most of the vessels calling at U.S. ports were U.S.-flag carriers on a berth term basis. Today, stevedores do about 90 percent of their business with non-U.S.-flag vessels. Under certain circumstances, such a vessel, under present law, has the ability to move into a U.S. port, secure servicing, and then depart beyond the practical jurisdiction of the United States, prior to the time that the servicing concern at dockside is able to determine that the charter has "no lien" clause in his contract between himself and the owner, which effectively prohibits the imposition of an in rem action. Thus, Americans are denied the only tangible piece of property which they could look to in order to secure payment for cost servicing outlays—despite the fact that the vessel has received the benefit of the stevedoring services.

The net effect of this provision, under today's competitive market conditions, is that many local stevedoring concerns have declared bankruptcy due to an inability to collect for services rendered from such runaway vessels. Thus, many thousands of dollars worth of services, supplies, and goods given these vessels are lost and never recompensated for.

Mr. Speaker, passage of this bill today, and eventual enactment into law, will effectively curtail this loss of moneys and insure that foreign-flag operators calling on our ports and harbors conduct themselves in a businesslike and ethical manner.

Mr. DINGELL. Mr. Speaker, I rise in strong support of H.R. 6239 that would assist American materialmen to acquire a lien on a vessel for necessaries furnished to that vessel. As my colleagues have stated, this bill is required in order to protect the various marine service industries in our ports when furnishing necessaries to foreign-flag vessels.

I would like to emphasize that the bill makes no change in maritime lien law. It makes no change in the priority of maritime liens. And it makes no change in the accepted definition of what is a "necessary" to a vessel.

The practical effect of the bill is to negate the operation of a "no lien provision" in a charter to which the American materialman was not a party, and of which he has no knowledge, so that he will not be precluded from acquiring a lien for his services to which he would otherwise be entitled.

Enactment of the bill should have no adverse effect on responsible charterers and should prove to be of great assistance to American materialmen in collecting amounts owned on necessaries furnished a vessel.

I strongly urge the House to support H.R. 6239.

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

The SPEAKER. The question is on the motion of the gentleman from Virginia that the House suspend the rules and pass the bill H.R. 6239, 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.

PROMOTING MEMBERS OF THE UNIFORMED SERVICES WHO ARE IN A MISSING STATUS

Mr. FISHER. Mr. Speaker, during the time that the Consent Calendar was called earlier today, the bill H.R. 8656 was called, Consent Calendar No. 32. At that time the gentleman from Colorado objected to consideration of that bill. Subsequently, the gentleman from Colorado advised me that he was in error and that he desired to withdraw his opposition. I have checked with the objectors on the minority side and I am given similar information, that there is no objection. Under these circumstances, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 32, the bill (H.R. 8656) to amend titles 37 and 38, United States Code, relating to promotion of members of the uniformed services who are in a missing status.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 8656

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 552(2) of title 37, United States Code, is amended by adding the following sentence: "Notwithstanding section 1523 of title 10 or any other provision of law, the promotion of a member while he is in a missing status is fully effective for all purposes, even though the Secretary concerned determines under section 556(b) of this title that the member died before the promotion was made."

SEC. 2. Section 402(a) of title 38, United States Code, is amended by inserting immediately before the period at the end the following: "or as of the date of a promotion after death while in a missing status".

SEC. 3. For the purposes of chapter 13 of title 38, United States Code, this Act becomes effective upon the date of enactment. For all other purposes this Act becomes effective as of February 28, 1961.

With the following committee amendment.

On line 3, strike "(2)" and in lieu thereof substitute "(a)".

The committee amendment was agreed to.

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

TO PROVIDE INCREASED SUBSISTENCE ALLOWANCES FOR SENIOR RESERVE OFFICERS' TRAINING CORPS MEMBERS

Mr. FISHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6724) to amend section 209 (a) and (b) of title 37, United States Code, to provide increased subsistence allowances for Senior Reserve Officers' Training Corps members, as amended.

The Clerk read as follows:

H.R. 6724

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 209 of title 37, United States Code, is amended as follows:

(1) By striking out "subsistence allowance at the rate of not less than $40 per month or more than $50 per month" in the first sentence of subsection (a) and inserting in place thereof "a subsistence allowance of $100 a month".

(2) By amending subsection (b) to read as follows:

"Except when on active duty, a cadet or midshipman appointed under section 2107 of title 10 is entitled to a monthly subsistence allowance in the amount provided in subsection (a) of this section. A member enrolled in the first two years of a four-year program is entitled to receive subsistence for a maximum of twenty months. A member enrolled in the advanced course is entitled to subsistence as prescribed for a member enrolled under section 2104 of title 10 as prescribed in subsection (a) of this section."

SEC. 2. The amendments made by this Act shall become effective on July 1, 1971.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, H.R. 6724 is a bill to amend section 209 (a) and (b) of title 37, United States Code, to provide increased subsistence allowances for Senior Reserve Officers' Training Corps members.

The bill as introduced would have increased ROTC subsistence benefits beginning in fiscal year 1972 from $50 to $100 per month and, further, provided that the allowance be increased each time there is a 3-percent increase in the Consumer Price Index.

The bill that the committee is reporting today provides for an increase from $50 to $100 per month but does not provide for the cost-of-living adjustment as recommended by the administration. We believe that Congress will have greater control if the departments are required to come back and ask for increases if the cost of living continues to spiral.

The $50 per month subsistence rate was established in 1946 as a part of the Holloway Act, the original Naval Reserve Officers' Training Corps scholarship program, and has not been adjusted since then. This $50 to $100 per month increase merely covers the cost-of-living increases since 1946. The committee did amend the bill which would limit the payment of subsistence to the first and second year ROTC students who are receiving scholarships to a maximum period of 20 months. It is our belief that there is no justification for paying a student subsistence during the summers that he was not required to attend a military camp.

This action in limiting the payments to 20 months will in itself save $930,000 a year, and we have further reduced the administration proposal by approximately $1.5 million annually by not providing the number of scholarships requested by limiting such increase to 1,000 each for the Army and Air Force and 500 for the Navy. Thus, the cost of this increased subsistence program rather than being $22.6 million as contained in the President's budget, is now estimated to cost $20,170,000 or a total savings of $2,430,000

Gentlemen, we looked at the cost of lodging of the schools having a naval ROTC program and in no instance was the $50 per month sufficient to cover the cost of room and board.

I am sure that you will agree that this is an equitable bill and one which merely recognizes the fact that the cost of living has increased since this original amount was provided in 1946.

I urge your support of this legislation.

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

Mr. Speaker, I rise today in support of H.R. 6724. This legislation will increase subsistence rates for ROTC cadets in the senior program and make certain other minor changes in the computation of these rates.

The primary purpose of this legislation is to increase ROTC subsistence payments from $50 to $100 per month. The $50 rate was established in 1946 as part of the Holloway Act, the original naval ROTC scholarship program. However, there has been no change in the rate since its origination in 1946. The original intent of subsistence payment was to help defray the cost of a student's food, lodging, and incidental expenses. A study made by the Navy showed that the subsistence payments of $50 per month covered the cost of food and lodging at 85 percent of Naval ROTC institutions in 1946. A recent Navy survey has disclosed that the $50 per month allowance does not cover room and board expenses at any of the schools where they have ROTC units. The consumer price index has doubled since the $50 subsistence rate was established in 1946. Using this as a guide, the proposed increase from $50 to $100 per month should cover the cost of living increases since that time.

The increased amounts involved in this legislation are not extravagant but I can assure you that to our ROTC students, very dollar counts. In many cases, these same young men must work in order to remain in college. It is they who suffer most that need this money. Our intent is not to alter the method of payment but rather to increase the amount to a more realistic figure based on the higher cost of living.

It is a fact that ROTC enrollment has dropped alarmingly during the past 3 years. Last fall participation in ROTC was down 50 percent for the Army, 45 percent for the Air Force and 25 percent for the Navy from 1969. Under these circumstances, it is not difficult to understand that unless other motivating devices are employed, we will not get the number of officers we need from the ROTC program. If the current trend continues, the services will have to rely heavily on other officer commissioning programs which are neither as economical nor give us the candidate with a college degree. The Army and the Air Force, which depend heavily upon ROTC for officer procurement, will ultimately be forced to accept men of lesser quality. It is my hope that this measure can be expeditiously moved through the legislative processes so that it can be implemented this fall to help stem the declining ROTC enrollment.

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

Mr. ROBINSON of Virginia. Mr. Speaker, I am pleased to have the opportunity to rise in support of H.R. 6724, as it is in form similar to my bill, H.R. 7902, intended to provide an appropriate adjustment in the subsistence allowance for cadets in the Senior Reserve Officers' Training Corps program.

In view of cost-of-living increases over a substantial period of time since the existing subsistence rate was established, this adjustment is long overdue.

As we strive for greater emphasis on the volunteer concept in supplying manpower for our defense forces, it is important, I believe, that we give particular attention to the allowances intended to encourage enrollment in ROTC components, and completion of the training.

I should have preferred to have seen the committee retain the cost-of-living escalator feature to facilitate future adjustments, as recommended by the administration, but I am confident the Congress will respond again to the needs of the ROTC cadets if the inflationary forces are not brought under rein.

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

The SPEAKER. The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the bill, H.R. 6724, 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.

PROVIDING ADDITIONAL RESERVE OFFICERS' TRAINING CORPS SCHOLARSHIPS FOR THE ARMY, NAVY, AND AIR FORCE

Mr. FISHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4729) to amend section 2107 of title 10, United States Code, to provide additional Reserve Officers' Training Corps scholarships for the Army, Navy, and Air Force, as amended.

The Clerk read as follows:

H.R. 4729

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2107 of title 10, United States Code, is amended as follows:

(1) By amending the second sentence of subsection (a) to read as follows: "Not more than 20 percent of the persons appointed as cadets or midshipmen by the Secretary in any year may be appointed from persons in the two-year Senior Reserve Officers' Training Corps course."

(2) By adding a second sentence to subsection (c) to read as follows: "At least 50 percent of the cadets and midshipmen appointed under this section must qualify for in-State tuition rates at their respective institutions and will receive tuition benefits at that rate."

(3) By striking out "5500" whenever it appears in subsections (d) and (f).

(4) By striking out "5500" whenever it appears in subsection (h) and inserting "6500" after "Army program", "6000" after "Navy program", and "6500" after "Air Force program".

SEC. 2. This Act is effective July 1, 1971.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

Mr. FISHER. Mr. Speaker, I yield myself such time as I may require.

H.R. 4728 is a bill to amend section 2107 of title 10, United States Code, to provide additional Reserve Officers' Training Corps scholarships for the Army, Navy, and Air Force.

To place this subject in the proper perspective, I think some background on the status of ROTC is essential.

Army and Air Force ROTC enrollments have dropped substantially over the past 3 years. In the beginning of academic year 1968–69, there were 218,466 students enrolled in the program; in academic year 1969–70, 161,507; and in 1970–71, 114,950. The reduction is due largely to two factors. One is that many students have taken a wait-and-see attitude with respect to their status under the selective service draft, anticipating that they may avoid military service altogether. The other factor is a decline in the number of schools which require all physically able male students to participate in the first 2 years of ROTC.

The overall decline in enrollment between fiscal year 1969 and 1971 is 51 percent for the Army and 45 percent for the Air Force. Navy enrollments have not suffered the same decline mainly because the Navy program is smaller and the percentage of scholarships higher than with the Army and Air Force. Navy nonscholarship enrollment shows a decline of approximately 27 percent.

The final measure of success insofar as numbers are concerned is, of course, whether the number of ROTC graduates meets the objectives set by the services.

The Navy forecasts that its ROTC graduation objectives for fiscal year 1971 and 1972 will be met. The Air Force anticipates a minor short fall in graduating cadets in fiscal year 1971 and is concerned about the fiscal year 1972 production short fall which will be in excess of 400 officers. The Army's ROTC graduates will decline, but it will meet its graduation objectives for 1972. However, in projecting the current freshman and sophomore enrollments through to their graduations, both Army and Air Force anticipate a short fall. It is difficult to project the magnitude at this time because of changes in the Selective Service System. A large number of ROTC enrollees are draft induced.

The bill, H.R. 4729, as proposed by the administration and introduced would have accomplished two objectives: First, it would increase the number of ROTC scholarships from 5,500 for each service, the current statutory ceiling, to an amount equal to 10 percent of the authorized strength of a military department in commissioned officers on active duty as prescribed by the Secretary of Defense for the fourth fiscal year after the current fiscal year. This would increase the number of authorized scholarships from 16,500 to 33,400 by fiscal year 1976. Second, it also would have authorized that up to 50 percent of the scholarships could be used in 2-year programs for juniors and seniors at the discretion of the military department. The existing law restricts scholarships to students enrolled in the 4-year program.

The justification for these requests were the declining enrollment necessitated some additional inducements in order to attract sufficiently qualified students to meet the ROTC portion of officer needs. Insofar as the scholarship program for the 2-year ROTC student, the department suggested that by 1980, more than half of the students enrolled in higher educational institutions will be in junior colleges and they wanted to be able to attract the bright young graduates of junior college programs into ROTC.

The committee rejected the formula contained in the administration bill because it would be basing its requirement upon a secret number as the 5-year manpower plan is secret, and suggested that the department provide a finite number of ROTC students for each of the services.

As each of you are aware, a scholarship provides tuition, books, and fees plus a subsistence allowance from the time the student entered school until they receive their baccalaureate degree. For this, they receive a commitment to serve 4 years on active duty.

We learned that there were more students taking the course who do not have scholarships than those who do, and questions were raised concerning whether the entire system was fair to give others. We asked the services to inaugurate a study to determine whether some better system might be devised to give a greater equality to all ROTC students.

The services and DOD representatives agreed to immediately inaugurate an in-depth inquiry to determine whether the scholarship program was the most effective means of meeting the service needs. So, the bill that we have before us represents only an interim solution to the problem, and we expect to have the results of the DOD-sponsored study before the committee sometime early next year.

For this interim period, however, we have devised a bill which would do several things. First, it would increase the scholarships for the Army and Air Force by 1,000, thus making each of the services having a total of 6,500 scholarships. For the Navy, we increased the number by 500, thus making the Navy have a 6,000 scholarship program.

Second, we will permit 20 percent of those receiving scholarships to be appointed in the 2-year Senior Reserve Officers' Training Corps program.

Third, we discovered that we were frequently permitting young men to attend out-of-State colleges when there was a ROTC unit for that particular service within-State. In California, for instance, we learned that the out-of-State tuition per semester at the University of California is $1,500 as compared to $500 tuition per semester for an in-State student. Therefore, we added language which would place a ceiling on the services requiring them to award no more than 50 percent of their grants to students charged out-of-State tuition. The service representatives said they could live with this limitation.

The action of the committee on this particular bill is estimated to reduce the first-year cost of this bill from $6.3 million to $3.16 million.

We believe the bill you have before you is a good one—although it does not meet long-term requirements—but it does present an interim solution to the problem of officer procurement.

I urge your support.

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

Mr. Speaker, I rise today in support of H.R. 4729, a measure vital to the survival of the ROTC program. This legislation will increase the number of ROTC scholarships and make some of them available to students in the 2-year ROTC curriculum.

The purpose of the bill is to increase the number of ROTC scholarships available to the Army, Navy, and Air Force from the current level of 5,500 each to 6,500 for the Army and Air Force and 6,000 for the Navy. Additionally, the legislation would permit each service to allocate 20 percent of their scholarships to students in the 2-year ROTC program.

Provisions of this proposal are intended to remedy future officer production shortages in each of the military departments. This situation has been caused not only by student attitudes but also by the number of schools which have placed ROTC on an elective rather than a compulsory basis. The net effect has been a substantial decline in ROTC enrollments during the past 2 years—51 percent for the Army, 45 percent for the Air Force, and 37 percent for the Navy. The Navy and Air Force will incur a shortage of officers from their ROTC sources beginning this year. The Army has a special problem since the size of its ROTC program is the largest. Based on the rapidly diminishing size of the Army, and the length of the ROTC curriculum, it is unable to make adjustments rapidly enough to compensate for requirements. However, even the Army has projected a deficiency in officer production from ROTC commencing in 1973.

The legislation will allow modest in-

creases in the ROTC scholarship program. The Department of Defense has assured us that it will conduct a thorough study of officer production and its sources. But the problem is more immediate and unless we do something about the forecasted shortage now, the military departments will find it necessary to resort to other sources for their officers. These are neither as economical nor as satisfactory. The additional proposed scholarships are essential in continuing to attract enough good students to meet the requirements of the ROTC source.

Making scholarships available for students in the 2-year ROTC program will enable junior college graduates to compete in the tuition assistance program by enrolling in ROTC. By 1980, more than half of the students enrolled in institutions of higher learning will be in junior colleges. An increasing number of universities are finding that their junior and senior classes are burgeoning. This is particularly true in California, Pennsylvania, and Florida which have a large number of junior colleges which feed students into the State university system, but it is true of many other States too. If we are to obtain the bright young graduates of the junior colleges we must be able to attract them and I believe that these scholarships will.

There is no doubt that a strong ROTC program will become increasingly important in a zero draft environment. It is essential that the quality and vitality of the ROTC be maintained and strengthened. While the program has been under attack, even siege, on some campuses, it has managed to weather the storm. But it does need help. I believe that this measure will, in part, provide the necessary aid and heartily urge its approval.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. FISHER) that the House suspend the rules and pass the bill—H.R. 4729—as amended.

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

The title was amended so as to read:

To amend Section 2107 of Title 10, United States Code, to provide additional Reserve Officers' Training Corps scholarships for the Army, Navy, and Air Force, and for other purposes.

A motion to reconsider was laid on the table.

INCENTIVES FOR MILITARY LAWYERS RETENTION

Mr. FISHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4606) to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces.

The Clerk read as follows:

H.R. 4606

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 5 of title 37, United States Code, is amended as follows:

(1) By inserting the following new sections:

"§ 302a. Special pay: judge advocates and law specialists

"(a) In addition to any other basic pay, special pay incentive pay, or allowances to which he is entitled, each judge advocate of the Army, Navy, Air Force, or Marine Corps, or law specialist of the Coast Guard, as defined in section 801 of title 10, other than one ordered to active duty for less than one year, is entitled to special pay at the rates set forth below while he is performing judge advocate duties—

"(1) $50 a month for each month of active duty, if he is in pay grade O–1, O–2, or O–3;

"(2) $150 a month for each month of active duty, if he is in pay grade O–4 or O–5; or

"(3) $200 a month for each month of active duty, if he is in a pay grade above O–5.

"(b) The amounts set forth in subsection (a) of this section may not be included in computing the amount of an increase in pay authorized by any other provision of this title or in computing retired pay or severance pay."

"§ 311a. Special pay: continuation pay for judge advocates and law specialists who extend their service on active duty

"(a) Under regulations to be prescribed by the Secretary concerned, a judge advocate of the Army, Navy, Air Force, or Marine Corps, or a law specialist of the Coast Guard, who—

"(1) is entitled to special pay under section 302a of this title;

"(2) has completed his initial active duty service commitment as a judge advocate or law specialist and not more than 10 years of active service; and

"(3) executes a written agreement to remain on active duty for a period of at least three, but not more than six, additional years;

may be paid not more than two months' basic pay at the rate applicable to him when he executes that agreement for each additional year that he agrees to remain on active duty. Pay under this section shall be paid in equal annual or semiannual installments, as determined by the Secretary of the military department concerned in the case of a judge advocate or by the Secretary of the Department of Transportation in the case of a law specialist of the Coast Guard, in each additional year covered by a written agreement to remain on active duty. However, in meritorious cases the pay may be paid in fewer installments if the Secretary concerned determines it to be in the best interest of the judge advocate or law specialist.

"(b) An officer who does not serve on active duty for the entire period for which he was paid under this section shall refund that percentage of the payment that the unserved part of the period is of the total period for which the payment was made."

The SPEAKER. Is a second demanded?

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

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

There was no objection.

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

H.R. 4606 is a bill to insure the retention of an adequate number of experienced lawyers in the uniformed services. This purpose would be effected by providing military personnel performing as a judge advocate or law specialist with an increase in monetary compensation. This proposed increase involves two items. The first is a regular monthly payment of special pay, and the second is the payment of a so-called continuation pay bonus. The special pay, payable each month, would provide $50 per month for O-1's through O-3's—second lieutenants to captains—$150 per month for grades O–4 and O–5—majors and lieutenant colonels—and $200 per month for grades O–6 and above, O–6 being a colonel.

The purpose of this monthly special pay to JAG officers would be to provide them with a regular monthly income more nearly commensurate with that enjoyed by their civilian contemporaries in the Federal Government, industry, and also private practice.

The second part of this bill would provide for a variable continuation pay bonus for military lawyers at the rate of 2 months' basic pay for each year for which the judge advocate agrees to remain in an active duty status beyond any then outstanding active duty obligation or service commitment. The bill provides that such a contract for extension of services would require a minimum obligation of 3 additional years of service and a maximum obligation of 6 years. Let me give you an example of how this would work:

A major with over 6 years of service signs an agreement to serve an additional 6 years. His continuation bonus then would be figured on a formula as follows: 6 times 2 months' basic pay. This would amount to $11,167.20. The continuation pay bonus would, under the terms of the bill, be payable only once and at the point at which the young JAG officer with less than 10 years of commissioned service had completed his obligated period of service and would normally be required to make a decision to continue as a career officer in the military service or to return to civilian life.

The forceful testimony presented before our committee indicated an alarming problem of retaining senior lawyers in the military services. New requirements imposed by the Military Justice Act of 1968 will aggravate the imbalance. If the administrative discharge legislation which is being considered by subcommittee No. 3 at the present time is enacted, further increased demands would be made on uniformed lawyers. Additionally, the departmental program, currently in the pilot test stage, to expand existing military legal assistance programs to the use of military attorneys to increase the scope of legal services available to military personnel and their dependents who are unable to pay a fee for civilian lawyers will, if continued beyond the pilot phase, further increase requirements for and demands on experienced uniformed lawyers and further aggravate the imbalance.

Events of the past few months have focused worldwide attention on our system of military justice and those charged with its administration. Yet unacceptable personnel losses have continued and unless prompt action is taken to curb the drain of the career manpower pool, the ability of the JAG Corps to carry out its mandated responsibilities will be lost.

We now pay additional compensation to military physicians and dentists. We also pay veterinarians special pay. H.R. 6531 which is now pending on the Senate floor, would provide incentive pay for optometrists.

This bill merely recognizes that there is a severity in the area of military lawyers and attempts to provide a solution to their critical shortage.

We passed a similar bill last year only to have no action taken by the Senate—but this year the prospects seem better in the other body.

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

Mr. Speaker, I rise in support of H.R. 4606. This bill is intended to provide the Armed Forces with certain financial incentives needed to attract and retain judge advocates and law specialist officers.

The bill would provide extra monthly pay for uniformed lawyers of the Armed Forces. Also, the bill would provide for payment of a bonus to uniformed lawyers who extend their service on active duty upon completion of their initial active service commitment as a military attorney, and who agree to remain on active duty for a period of at least 3 years, but not more than 6 additional years.

H.R. 4606 seeks to alleviate a critical, chronic retention problem which exists with respect to military lawyers. Unacceptable losses are occurring and failure to curb the current outflow of experienced lawyers could, within a few years, drastically impair the ability of those remaining military lawyers to provide necessary legal services within the Armed Forces.

A DOD study of military lawyer procurement, utilization, and retention, completed in October 1968, found that the military services experience no major problems in the initial procurement of junior military lawyers since the pressure from the draft produces an adequate number of applicants to fill vacancies.

On the other hand, major problems were found with respect to retaining seasoned military lawyers beyond the period of their initial obligation into the career force. The facts found by the study group remain basically valid, except that the shortages have worsened in the career force.

In general, the initial obligated tour for lawyers is 4 years. Accordingly, the career force may generally be regarded as consisting of those lawyers who have voluntarily remained on active duty into their fifth year and beyond. It should be noted, however, that many obligated tour captains who extend into their fifth year are motivated by some opportunity for which they are required to extend their tour, for example, assignment to Europe, and are not really career lawyers simply because they enter their fifth year.

To maintain a career force of the desired level an adequate number of junior officers must be first attracted into the career force each year and then retained.

During the period covering fiscal years 1968, 1969, and 1970, the DOD was able to attract into the career force, that is, the fifth year, only about 42 percent of the total number of junior officers considered necessary for retention in order to sustain an effective and adequately manned career force. It is appropriate to note here that although the services have been able to achieve and maintain overall authorized strength by drawing upon the reservoir of applicants who are seeking commissioned service as an alternative to the draft, achievement of our zero draft goals will reduce or eliminate this source of both initial procurement and retainable officer-lawyers for the career force.

Career force requirements are based on the number of experienced military lawyers—career force—in the total authorized lawyer force that are needed to render legal services of proper quality. Today the total authorized JAG force DOD-wide is 3,951; the total career force lawyers needed from that total is 2,153—or 54 percent—the total number of career lawyers actually on board is 1,311—or 33 percent—842 short of the total needed.

It is generally correct that as overall strengths are reduced, the total authorized JAG force, and consequently the total authorized career force, will be reduced. However, it is not correct to assume that such reductions will eliminate the critical shortage problem.

Although the total authorized JAG force DOD-wide today is smaller by some 424 than it was in July 1969, thereby reducing the authorized size of the career force today by some 122, the already short number of career force lawyers actually on board has, though losses, simultaneously decreased during the period by some 129, thereby enlarging the existing shortage.

These figures show that the retention problem does not stop at the entry point into the career force. It extends deep into the career force itself, and the extent of the problem varies in each of the military services.

In general, the percentages of experienced lawyers in relation to the total authorized force in each of the services are at the following levels: Army has 29 percent as compared with a needed percentage of 47 percent; Navy has 39.7 percent and needs 63 percent; Marine Corps has 20.8 percent and needs 55.4 percent; Air Force has 29 percent and needs 59 percent. It is believed that this is not a safe balance between experienced and inexperienced lawyers and the trends show the imbalance to be getting worse. Numerically, the military services are operating with the following career force shortages: Army, 291; Navy, 183; Marine Corps, 130; Air Force, 238.

Although the extent of the retention problem varies within the military services, the greatest number and percentage shortages of officer lawyers is uniformly in the 8- to 15-year service category; that is, the middle management group. Projections for the years ahead show that if present trends continue, and continuing losses indicate they will, there will be a very small number of experienced lawyers to provide legal services or to supervise young military attorneys fresh out of school.

New requirements imposed by the Military Justice Act of 1968 will aggravate the imbalance. Administrative discharge legislation, reintroduced in the House as H.R. 523, would, if enacted, further increase demands on uniformed lawyers. Additionally, a departmental program, currently in pilot test stage, to expand existing military legal assistance programs through the use of military attorneys to increase the scope of legal services available to military personnel and their dependents who are unable to pay a fee for a civilian lawyer will, if continued beyond the pilot phase, further increase requirements for and demands on experienced uniformed lawyers and further aggravate the imbalance.

In the interest of improving lawyer retention and alleviating this critical retention problem, actual financial incentives appear necessary. These financial incentives will also be necessary to initially attract the individuals who would otherwise be lost as a source of manpower due to reduced pressure from the draft.

In considering the needs for financial incentives to improve career retention of military lawyers, it is relevant to note that military physicians and dentists receive additional compensation ranging from $100 to $350 per month. Veterinarians receive special pay of $100 per month. The Congress has enacted a continuation bonus for certain nuclear-trained submarine officers. Physicians and dentists also receive longevity pay for their advanced education acquired at their own expense.

In addition, military physicians receive continuation bonuses for agreeing to remain in the service for varying periods of time. H.R. 6531, now pending in conference, would provide incentive pay for optometrists. Such legislation has, in each instance, been justified by the necessity to retain officers with those professional skills in the service. Similarly, retention incentives authorized by law for enlisted personnel include special—proficiency—pay which may range up to $150 per month per recipient. Variable reenlistment bonuses are also authorized. These generally vary from approximately $1,500 to a maximum of $10,000, depending upon the criticalness of the specialty. The existence of these special pays demonstrates that the military service requires special forms of pay for various professions and occupations to alleviate critical retention problems. At present none of the above career retention incentives are afforded to military lawyers.

In summary, the committee recognizes the chronic, critical nature of the military lawyer retention problem and the fact that incentives of the kind proposed in this legislation have been effective in relieving problems in other groups.

The 10-year ceiling on eligibility for the continuation bonus is consistent with the underlying rationale and purpose of the bonus. That purpose is to induce officer-lawyers to enter and remain in the career force. The critical decision period

for this purpose is between the fifth and 10th year of active service. However, for a career decision to stick, the financial rewards past the 10-year point must be competitive and must offer sufficient inducements if we are to retain the needed number of experienced officers in the middle and upper management groups. The monthly extra pay of O–4's—majors—and above should provide the necessary incentive to keep those who make a career decision and accept the one-time bonus prior to completion of their 10th year.

The estimated first-year cost for the proposed legislation will not exceed $7 million. Subsequent year costs would not be expected to exceed this amount.

Funds for these additional costs are included in the fiscal year 1972 budget estimates of the Department of Defense.

This is, in the opinion of the committee, a most important bill and essential if the military is to continue to provide adequate legal services.

I urge the support of each Member of this House.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. PIRNIE), a member of the committee.

Mr. PIRNIE. Mr. Speaker, I thank the gentleman for yielding. I rise in support of this measure which is so critically needed for the reasons very simply set forth in the report.

Mr. Speaker, on December 2, 1969, this body considered the legislation before us today and passed it unanimously. It is in exactly the same form as those approved. Simply, the legislation is designed to solve a most critical problem facing the armed services of the Nation, namely, the serious shortage of senior military lawyers. Unfortunately, the other body failed to act prior to the close of the 91st Congress. The serious nature of this problem was recognized a year and a half ago and has even greater criticality today.

This measure would provide career incentives to our judge advocates and law specialists in the services through professional pay allowances ranging from $50.00 to $200.00 per month, graded by rank, with a continuation bonus payable to those who extend their service beyond their initial obligation. Since the critical career decision occurs between the fifth and 10th year of active service, eligibility for the continuation bonus would be limited to within this 10-year period. During this interval the JAG officer could sign up for 3 to 6 additional years and would receive 2 months' basic pay for each such year for which he contracts.

The Department of Defense placed this bill on its priority list for the 91st Congress and urged its passage. Again, that Department—with the concurrence of all the services—has rated it as one of the real priority items in its legislative program for the 92d Congress.

Events of the past months have focused worldwide attention on our system of military justice and those charged with its administration. The added responsibility of the military lawyer, resulting from intensified social problems, places further demands on him as he is required to act on these complex and sensitive matters. In addition to administering military justice, the JAG officer has legal responsibilities in areas such as drug abuse, civil rights, labor-management problems, civilian personnel grievances, personal legal counseling, administrative discharge proceedings, and important governmental procurement contracts amounting to billions of dollars annually. Clearly, the need for experienced, seasoned military attorneys to man the largest law firm in the world, is apparent. A review of the personnel situation of all of our services reveals startling facts. The retention rate of the career force has persisted in deterioration. Although the figures vary with the several services, each faces a dire shortage of experienced lawyers. Each rank is approximately 50 percent of needed strength. Projections indicate an even further decline unless immediate action is taken to remedy the situation. The bill before us was reported out of the Armed Services Committee unanimously, both last year and this. It passed the House unanimously last year. I trust the other body will respond promptly following passage again today.

Mr. MATSUNAGA. Mr. Speaker, I offer my strong support for H.R. 4606, a bill sponsored by the distinguished gentleman from New York (Mr. PIRNIE), to provide recruitment and retention incentives for military lawyers.

This is not a new problem, Mr. Speaker. In 1969, during hearings on a similar bill, I pointed out that there existed at the time a shortage of 737 experienced lawyers throughout the Department of Defense. Since that time, despite substantial personnel reductions, that shortage has grown to 842. The Army needs 291 more experienced lawyers; the Navy, 183; the Marine Corps, 130; and the Air Force, 238.

And there is every indication, Mr. Speaker, that the problem will get worse in the future.

For one thing, young lawyers are finding that beginning salaries for civilian legal positions are up sharply in the last few years and promise to go higher.

Second, as we move toward a "zero draft" or volunteer armed force, the threat of induction will decrease and exert less influence on law school graduates to choose a military legal career initially.

Third, I believe it is safe to predict that as reforms of the military justice system are enacted and implemented, the need for military lawyers will rise to unprecedented proportions.

This shortage, described by the Department of Defense as a "critical, chronic retention problem," is a situation that would be substantially alleviated, if not eleminated, by the enactment of H.R. 4606.

The pending bill, which is identical to my own bill, H.R. 3979, would provide two different incentives: a monthly special pay ranging from $50 to $200 a month; and a one-time continuation pay bonus for those who agree to extend their active duty for a period of from 3 to 6 years.

An important side benefit of this legislation, Mr. Speaker, will be the improvement of the less-than-equal status of military lawyers among other professionals in the service. Military physicians, dentists and veterinarians all receive special pay. Optometrists will receive it upon enactment of H.R. 6531, the draft bill, now in conference. Other skills are similarly recognized. We cannot, nor should we, continue to treat the military lawyer as a second-class professional.

There is widespread agreement on the need for this legislation. The Department of Defense acknowledges that immediate steps to retain more experienced lawyers are required. The American Bar Association, the Federal Bar Association, and the Judge Advocates Association have all given this bill their strong backing.

H.R. 4606 is identical to a bill which the House passed in December 1969, but which, unfortunately, died in the Senate. I urge my colleagues to speedily approve this measure, so that it might be passed by the Senate and enacted into law.

Mr. WHALEN. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from New York (Mr. PIRNIE), and I commend him for the leadership which he has taken in bringing this meaningful legislation before the House. The reforms which he seeks to improve the compensation for judge advocates in our Armed Forces are urgently needed, and I am pleased to join him in supporting the passage of H.R. 4606.

The bill would create a "special pay" category for judge advocates and law specialists. This category would provide an additional $50 per month for second lieutenants through captains, $150 per month for majors and lieutenant colonels, and $200 per month for colonels and above.

Also incorporated in the measure is a "continuation pay" plan under which judge advocates who agree to remain on active duty would be entitled to receive 2 months' basic pay for every year served beyond any then outstanding obligation or commitment. Such a contract for extension of service would require a minimum obligation of 3 additional years of service and a maximum obligation of 6 years.

Mr. Speaker, for 22 years officers in the medical and dental corps have received special pay, which is often referred to as "professional pay." Since 1967, this group also has been granted "continuation pay." The enactment of these provisions for medical officers was prompted by the need to increase their retention rates to meet service personnel requirements.

The critical situation which prompted the excessive revision of medical pay policies during the last two decades now confronts the judge advocate division of every branch of the Armed Forces. As J. Fred Buzhardt, General Counsel of the Department of Defense, stated in his report on this legislation:

Unacceptable losses are occurring and failure to curb the current outflow of experi-

enced lawyers could, within a few years, drastically impair the ability of those remaining military lawyers to provide necessary legal services within the armed forces.

Mr. Buzhardt then pointed out that the legal career force is operating under shortages amounting to 330 in the Army, 172 in the Navy, 131 in the Marine Corps, and 231 in the Air Force. Should the present trend continue, by 1975 the services will be operating their judicial systems with an inordinate number of lawyers who are recent law school graduates.

In closing, I would like to emphasize that the necessity for enacting this legislation is heightened by the increasing public scrutiny of military justice, as well as the numerous proposals pending before Congress to improve the military judicial system. These urgently needed reforms, even if approved by Congress, cannot effectively be implemented without the required qualified officers which this bill seeks to provide.

Mr. Speaker, H.R. 4606 of itself may not entirely resolve the retention problem. Nevertheless, it can be the first step toward retaining the lawyers required to insure a strong legal service within our Armed Forces. I respectfully urge that it be reported favorably by the subcommittee.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. FISHER) that the House suspend the rules and pass the bill H.R. 4606.

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.

SUBSISTENCE ALLOWANCES FOR MEMBERS OF MARINE CORPS OFFICER CANDIDATE PROGRAMS

Mr. FISHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6723) to provide subsistence allowances for members of the Marine Corps officer candidate programs, as amended.

The Clerk read as follows:

H.R. 6723

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until June 30, 1976, except when on active duty, a member enrolled in a Marine Corps officer candidate program which requires a baccalaureate degree as a prerequisite to being commissioned as a regular or reserve officer, and who is not enrolled in a program or an academy established under chapter 103, 403, 603, or 903 of title 10, United States Code, may be paid a subsistence allowance at the same rate as that prescribed by section 209 (a) of title 37, United States Code.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, H.R. 6723 is a bill to provide subsistence allowances for members of the Marine Corps officer candidate program. This proposal was suggested by the administration as a part of its move toward an all-volunter force.

The platoon leaders class program was organized in 1935 and is the oldest Marine Corps sponsored officer procurement program for civilian college students. Formal training is accomplished at the Officer Candidates School in two 6-week courses for those candidates approved while enrolled as college freshmen or sophomores. For those who enroll as juniors, a single 10-week training course is given. Thus, there are two types of programs, one consisting of two 6-week training periods and the other, of a single 10-week training program. Through the years, the platoon leaders class program has provided a dependable "base" for officer accessions, although often augmented by other short-term programs when officer requirements increased. Marine Corps reliance on the platoon leaders class program is illustrated by the following recent statistics of officers commissioned through civilian source Marine male officer programs.

	Percent PLC-source officers	Percent all others
Fiscal year:		
1968	40	60
1969	37	63
1970	33	67

During the many years the platoon leaders class program has been in existence, it has remained virtually unchanged in basic concept. The college undergraduate enlists as a class III inactive reservists, completes two periods of active duty for training during the summer vacation, is commissioned upon receipt of a baccalaureate degree, and is subsequently ordered to active duty unless further delayed for an advanced degree. Each member of the platoon leaders class program accrues longevity from the date of enlistment. He receives pay and allowances only for the period of active duty for training. He has never received financial assistance of any type during the academic year except such as may have occurred as a result of his being eligible for pay by virtue of injuries incurred during training.

The platoon leaders class program has recently experienced increasing shortages of new candidates:

Platoon Leaders Class quota attained:

	Percent
Fiscal year 1968	97
Fiscal year 1969	77
Fiscal year 1970	72

It is estimated that if this present trend continues, next year the Marines will get only 400 of the 1,200 officers needed from this type of program.

In order to continue the necessary input of platoon leaders class candidates, service-connected incentives are required. It is considered that monetary subsidization of platoon leaders class applicants would greatly increase the enrollment incentive.

The present platoon leaders class program poses a financial problem to those students who are not financially well to do. The student is required to devote a portion of his summers to training which reduces his earning power to assist in paying for his education. Accordingly, considering the high cost of a college education, many qualified and desirable officer candidates are lost. If the proposed legislation were passed, the financial assistance provided in the platoon leaders class program would offset the loss of earning power and, therefore, make the program more attractive to qualified undergraduates.

It is envisioned that under normal circumstance, financial assistance would be provided to a selected Platoon Leaders Class candidate only during the school year—9 months—and then only if he satisfactorily completes the required military training during the previous summer. There would be no additional clothing, training, or travel expenses beyond those currently existing in the present Platoon Leaders Class. A stipend equal to that paid to members of the Senior Reserve Officers' Training Corps is considered an appropriate amount to provide partial assistance in defraying educational costs, though not so much as to be the main attraction for enrollment. In return for acceptance of financial aid, individual candidates would become liable for a minimum of 2 years enlisted service should they fail to complete the program by acceptance of a commission, with an increasing service obligation of 6 months for each academic year during which he received subsidy, commencing with a 2½-year obligation for those who complete the program without drawing any subsidy.

The program as envisioned would be phased into operation to reach a maximum goal of 3,000 officer candidates drawing a stipend at any one time. Authority for the program is provided only for 5 years, with extension to be the subject of future study and recommendations.

Gentlemen, as you will note, the bill is tied to the subsistence allowance given to an ROTC cadet. We have on our agenda today, H.R. 6724, a bill which increases the subsistence for ROTC cadets from $50 to $100 per month. Thus, if H.R. 6724 passes, the subsistence allowance would be $100 per month for Marine Corps cadets.

You will also note that we have stricken from this bill, and also from H.R. 6724, the provision of the bill which provides for a cost-of-living adjustment based on the Consumer Price Index published by the Bureau of Labor Statistics. We believe the cost is more controllable if, when increases are found to be required, the Department is required to secure Congressional authorization.

Some would compare the ROTC program and the PLC program, and could point out differences between them but, really, the concepts of the two programs are so entirely different that a comparison is impossible. For instance, an ROTC cadet may be on a full scholarship while this is never true for a Marine. The time of active duty required as a result of this financial subsistence is different.

The Marine Corps cadet becomes a

member of the Marine Corps Reserve upon entering into the program and, thus, is subject to the Uniform Code of Military Justice whereas this is not true for an ROTC cadet except when he is in the summer training program until he is commissioned. The Marine Corps cadet thus receives longevity for his service while the ROTC cadet does not. The training for the ROTC cadet is primarily during the academic year supplemented by a one-time summer training camp. Ordinarily the Marines will have two summer training camps. The Marine Corps cadet is subject to call to active duty, while this is not true for the ROTC cadet.

We are convinced of the compelling need for this legislation in order to provide a sufficient input into the Marine Corps Officer program, and are also impressed with its urgency.

I urge your support.

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

Mr. Speaker, I rise in support of H.R. 6723. I feel it is essential if we are to successfully recruit college students into the Marine Corps Officer Candidate programs.

The able chairman of Subcommittee No. 2, the Honorable O. C. FISHER, has presented to you the basic facts concerning this bill so in the interest of brevity, I will not attempt to repeat them. But I would emphasize to you that if we are to have a successful Marine Corps in the future, it is necessary that we initiate this program to provide some sort of subsistence so that we can successfully recruit students into this program.

The present platoon leaders' class program poses a financial problem to those students who are not financially well to do. The student is required to devote a portion of his summers to training which reduces his earning power to assist in paying for his education. Accordingly, considering the high cost of a college education, many qualified and desirable officer candidates are lost.

If this legislation passes, the financial assistance provided in the platoon leaders' class program would offset the loss of earning power and, therefore, make the program more attractive to qualified undergraduates. In talking recently to some of the young people who are a part of this program, they told me that they could earn approximately $1,100 during a summer when they do not attend summer camp. Yet, in this program, they are required to attend two summer camps which really precludes them from obtaining any summer job.

I think that the type of young men who enter this program should be given sufficient inducement to continue with the program but under today's situation, we are making it impossible for all but the wealthy young men to enter this type of program.

Gentlemen, let us correct this inequity and initiate this program. It is not an expensive one. The first year costs are estimated to be only $900,000 with the fifth year cost rising to no more than $2,700,000.

I urge your support.

The SPEAKER. The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the bill H.R. 6723, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FISHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the bills from the Committee on Armed Services which have just passed.

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

There was no objection.

INTERNATIONAL CENTRE FOR THE STUDY OF THE PRESERVATION AND RESTORATION OF CULTURAL PROPERTY

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

Mr. HANLEY. Mr. Speaker, the United States has been called the "melting pot." That is a curious expression, but in this country we know what it means. It means that we are the heirs of a great cultural tradition of rich diversity. We ourselves, our institutions, our habits of life, and the shape of the things we daily see around us are the products of multiple historic sources—from this continent and from others. Here we bring together, in a way unparalleled in prior history, the best demonstration and the best hope of unity grown out of diversity.

Mr. Speaker, as we look around us today, in our own country and elsewhere, we are faced with the problems of a changing environment and changing cultural values. And we are reminded of the strength that comes from a sense of identity with great traditions and achievements; we are reminded of a sense of continuity and direction that comes from the past. At the same time, Mr. Speaker, we are made more consciously aware of the indispensable requisite of cooperation, within our national life and internationally, if we are to have before us the bright prospect of a harmonious future.

The American experience, with its multiple cultural inheritance, has provided an unusual, even unique, basis for the kind of international cooperation that a viable future will demand. And that viable future, we know, will require adequate consideration of those aspects of life that go beyond basic physical needs to appeal to the higher instincts of mankind and brotherhood. I am referring to the rich and varied cultural inheritance of all of us on this planet. The opportunity before us in this regard is promising and deserving of our best support.

Earlier this year I had the honor to be a member of the first U.S. delegation to the General Assembly of the International Centre for the Study of the Preservation and Restoration of Cultural Property. The Centre undertakes the scientific study of problems in the conservation of historic monuments and objects of worldwide interest. Its purpose is to make it possible to preserve and thus to have and to know those monuments and objects in the future.

It was extremely encouraging to witness the spirit of international cooperation that animates the work of the Centre, which addresses itself to the cultural inheritance of all of us everywhere. The study of cultural and artistic matters has a strong cohesive effect. In these matters we can see one of the most promising answers for enlarging the sphere of mutual trust and international cooperation. Since the United States has only recently become a member of the International Centre, I take this opportunity to commend it to you and to lay before you a further explanation of its purpose and function.

PURPOSE AND ORGANIZATION OF THE CENTRE

The Congress of the United States authorized the membership in the International Centre for the Study of the Preservation and Restoration of Cultural Property, Rome, Italy, on May 9, 1970, by amendment—Public Law 91-234—to the National Historic Preservation Act of 1966—80 Stat. 915. The formal adhesion of the United States to the Centre became effective January 20, 1971. This Government was first officially represented at the Centre by its delegation to the Sixth General Assembly held in Rome, Italy, April 26-29, 1971.

The beginnings of the international agency date back to 1953. In that year, at its ninth session, the General Conference of the United Nations Educational, Scientific, and Cultural Organization decided to establish an International Centre for the Study of the Preservation and Restoration of Cultural Property. Toward that purpose the Director-General of UNESCO was authorized to conclude an agreement with the Government of the Italian Republic, which had offered to provide facilities for the Centre on its territory. The organic agreement between the Director-General of UNESCO and the Government of the Italian Republic was signed on April 27, 1957, and duly ratified. Consequently the Centre was established in Rome, in premises adjacent to the Instituto del Restauro. It has become generally known as the Rome Centre.

FUNCTIONS

The functions of the Rome Centre are to:

First, collect, study, and circulate documentation concerned with scientific and technical problems of the preservation and restoration of cultural property;

Second, coordinate, stimulate or institute research in this domain, by means, in particular, of commissions to bodies or experts, international meetings, publications and exchanges of specialists;

Third, give advice and recommenda-

tions on general or specific points connected with the preservation and restoration of cultural property; and

Fourth, assist in training research workers and technicians and raising the standard of restoration work.

In carrying out these functions the Centre addresses itself to the scientific and technical study of preservation and restoration problems of worldwide interest. This interest embraces problems concerning both portable museum objects and historic monuments in situ. In conducting investigations at the highest level of professional competence, the Centre undertakes some studies in its own laboratories while others are assigned by arrangement to institutions of specialized capability. The Centre also arranges missions to investigate specific problems on site. In conjunction with the faculty of architecture of the University of Rome, the Centre conducts a course of specialization in the restoration of historic monuments and sites. Four American students have attended the courses in the past 4 years.

MEMBERSHIP

As provided in the statutes, the membership of the Centre consists of those member states of UNESCO which have sent a formal declaration of accession to the Director General.

The official list supplied by the Centre at the Sixth General Assembly names 52 members: Austria, Albania, Belgium, Brazil, Bulgaria, Cambodia, Ceylon, Cyprus, Dominican Republic, France, Gabon, Germany, Ghana, Guinea, Honduras, India, Iran, Iraq, Israel, Italy, Japan, Jordan, Korea, Kuwait, Lebanon, Libya, Madagascar, Malaysia, Malta, Mexico, Morocco, Nepal, Netherlands, Nigeria, Pakistan, Paraguay, Peru, Poland, Portugal, Rumania, Spain, Sudan, Switzerland, Sweden, Syria, Thailand, Tunisia, Turkey, United Arab Republic, United Kingdom, United States, Yugoslavia.

By the amendment of May 19, 1970, the Congress authorized appropriations not to exceed $100,000 annually for fiscal years 1971, 1972, and 1973, to pay the membership fee and provide the necessary supporting services. The membership fee is paid by the State Department; staff services relating to the U.S. membership are provided by the Department of the Interior.

The act also directs that the Advisory Council on Historic Preservation, an independent Government agency, empowered to advise the President and the Congress, shall coordinate U.S. membership in the Centre. The Advisory Council presents recommendations and nominations to the Secretary of State, who appoints official delegations to the General Assembly of the Centre.

The statutes of the Centre also provide for a class of associate membership for public or private institutions of a scientific or cultural nature. The Smithsonian Institution became an associate member of the Centre in June 1970.

THE GENERAL ASSEMBLY

As provided in the statutes, the General Assembly consists of the delegates of the states belonging to the Centre, each of which is represented by one delegate. The General Assembly meets in ordinary session every 2 years, usually in Rome.

The functions of the General Assembly are to: decide on the policy of the Centre; elect the members of the Council; appoint the Director, on the proposal of the Council; study and approve the reports and activities of the Council; supervise the financial operations of the Centre, examine and approve its budget; fix the contributions of Members, on the basis of the scale of contributions for the Member States of UNESCO, and decide on sanctions for failure to pay contributions, according to provisions of the statutes.

THE COUNCIL

According to the statutes, the Council consists of members elected by the General Assembly and special members from among the best qualified experts concerned with the preservation and restoration of cultural property. They must all be of different nationalities. They are elected for terms of 2 years. Centre now comprising a membership of 52 states, the number who may be elected to the Council is fixed at nine.

The Council is the Centre's analog of a board of directors. Its functions are to: carry out the decisions and directives of the General Assembly; exercise such other functions as may be assigned to it by the Assembly; establish the draft budget, on the proposal of the Director, and submit it to the Assembly; examine and approve the work plan submitted by the Director, and establish the contributions of the associate members.

THE SECRETARIAT

The Secretariat consists of the Director and staff of the Centre. The Sixth General Assembly was the occasion of the retirement of Dr. Harold J. Plenderleith, Director and guiding strength of the Centre during its early years of growth. He was appointed Director Emeritus. Dr. Paul Philippot was appointed Director.

SIXTH GENERAL ASSEMBLY

The Sixth Session of the General Assembly of the International Centre for the Study of the Preservation and Restoration of Cultural Property was held in Rome on April 26, 27, 28, and 29, 1971. The sessions were held at the Villa Farnesina. The formal opening on the morning of April 26 was held in the Salone delle Prospettive in the Villa. Subsequent working sessions were held in the modern hall of the Accademia dei Lincei, situated on the grounds of the Villa.

The day of April 28 was given to an inspection of the Ospizio San Michele and a visit with the students in the international course, who are working on the techniques of the removal and preservation of frescoes. The Ospizio San Michele is a structure of the 17th and 18th centuries. Built on a series of courtyards, it is being provided by the Italian Government as new quarters for the Rome Centre.

DELEGATION OF THE UNITED STATES

The U.S. delegation to the Sixth General Assembly was the first official delegation of this Government to the Centre. The delegation consisted of the following:

Delegate: Dr. Ernest Allen Connally, Chief, Office of Archeology and Historic Preservation, National Park Service, Department of the Interior.

Alternate: Prof. Lawrence J. Majewski, director, Conservation Center, Institute of Fine Arts, New York University.

Advisers: Dr. S. K. Stevens, chairman, Advisory Council on Historic Preservation. Hon. James M. Hanley, Representative in Congress, 35th District of New York. Hon. John M. Ashbrook, Representative in Congress, 17th District of Ohio. Mr. Charles Larhiguera, staff of the U.S. permanent delegation to UNESCO.

OFFICERS OF THE SIXTH GENERAL ASSEMBLY

The election of officers was conducted with Dr. Arthur Van Schendel—Netherlands—serving as chairman pro tempore. On nomination of the Council, the president and three vice presidents of the Sixth General Assembly were unanimously elected in the following order:

President: Sir Norman Reid, United Kingdom.

Vice Presidents: Dr. Ernest A. Connally, United States; Dr. Tomokichi Iwasaki, Japan, and M. Bel Houssine-Drissi, Morocco.

Following the installation of the president, the vice presidents were presented to the Assembly. Dr. Connally made a brief speech emphasizing the importance attached to membership in the Rome Centre by the United States and introducing the other members of the first delegation.

The report covering the Centre's activities for the biennial period 1969–70 was prepared and presented to the General Assembly. In that period the number of member states increased from 49 to 52. The Smithonsian Institution became an associate member.

The report gives details of the Centre's activities in documentation and publication, training of specialists in the conservation of monuments and historic sites—44 students from 22 countries in 1968–69—training of specialists in the conservation of mural paintings—10 students from 7 countries in 1968–69—participation by the Centre in international courses—Brussels, Ankara, Mexico, New Delhi, Santander—individual and collective training programs—numerous individuals, two organized groups for specialization of architect-restorer—scholarships administered by the Centre and made available to the Centre—approximately 15 percent—grants awarded by the Centre, promotion and coordination of research, contracts, special projects, and missions of the Centre to various parts of the world.

The program and budget was presented for the 1971–72 biennium. This budget is $584,426, representing an increase of approximately $173,000. This was made possible by the increase of 13 percent in the value of contributions of member states to UNESCO and by the new membership of the United States in the Centre. The enlarged resources will provide for increases in the cost of personnel and general services, the develop-

ment of existing activities, and new activities.

The expanded program provides for the following items: library and documentation, publications and translations training—the annual courses, field training, scholarships, laboratory, and so forth—promotion of research, contracts, regional seminars, and missions.

Of particular interest in the training program is the desire of the center to have on its staff an American architect-restorer for the course in the preservation and restoration of monuments and historic sites.

The center will also contribute to the support of regional seminars to be held in Mexico, New Delhi, and the United States respectively, in order to examine problems particular to each region and bring to them the benefit of expert international experience. The regional seminar for the United States is already being formulated by the Rome Centre Standing Committee of the Advisory Council on Historic Preservation, and it is contemplated that it will take place in September 1972.

IS CONGRESS AFRAID OF ORGANIZED TELEVISION?

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

Mr. OBEY. Mr. Speaker, last Thursday night on WETA Television Mr. Neil MacNeil, Washington correspondent for Time-Life and a highly respected reporter declared that the House really defeated the contempt citation for CBS President Dr. Frank Stanton because Congressmen are "afraid of organized television the way they used to be afraid of organized labor."

A little later in that same program Mr. MacNeil stated that as a result of this vote "a new sense of power and thrust" beats in the hearts of TV executives.

Mr. NacNeil's statement outlines clearly why that motion should have never been brought to the floor of the House in the first place. It was a devil's dilemma which faced the House last week. If we passed the censure motion it could have been used as an excuse by some for further encroachment upon the first amendment. If we defeated it, it could have been viewed by a few irresponsible broadcasting executives as a virtual guarantee of immunity from the consequences of almost any act, no matter how irresponsible. In either case the country would be the loser.

Mr. Speaker, there is only one way Congress can act to disprove Mr. MacNeil's interpretation of the vote last Tuesday and that is to investigate methods which can be used to insure equality of access to television-radio media and to insure diversity of ownership with the television-radio industry. As the committee minority indicated last week, and as I indicated in my statement:

> Our broadcasting industry is a powerful and in many ways more concentrated industry than magazines and newspapers. A single newscast often reaches more citizens than the largest circulating newspaper.

The House should really not allow this entire question to die.

I repeat my urging of last week that the House and its proper committees must determine whether it is really in the public interest to allow this concentration to continue and even to grow. Among the questions we should be asking ourselves are the same four I listed in my statement last week:

Is it really healthy for instance, to allow a single economic group, through collective ownership of newspaper, television and radio outlets, to dominate access to an entire community?

What license renewal procedure should be followed to insure that a television or radio license once granted is not held almost in perpetuity regardless of the abuses of the licensee?

Would the public interest best be served by limiting the time that one group effectively holds a broadcasters license?

What policies would best guarantee that adequate public service time is made available to all groups within our society, popular or not?

We need answers to these questions and many others and the House should start getting those answers as soon as possible.

VICE PRESIDENT AGNEW WRONG IN HIS DENUNCIATION OF BLACK LEADERS IN AMERICA

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

Mr. MITCHELL. Mr. Speaker, Vice President AGNEW, acting either out of obtuseness or racialism, has again blanketly denounced black leaders in America. According to press reports, which I believe to be totally accurate, AGNEW condemned black American leaders, alleging that they spend their time in "querulous complaints and constant recriminations against the rest of society."

As a black man, I must ask Mr. AGNEW, is he content with the knowledge that black Americans in Federal civil service are concentrated in GS grades 5 and below? Would he be equally content if, let us say, all Greek-Americans were similarly situated. I must ask Mr. AGNEW if he is content with the fact that the State of Mississippi, acting in direct definance of Federal law, seeks to redisenfranchise thousands of black citizens? Would he be content if this same situation was confronted by Irish-Americans? I ask Mr. AGNEW, if the people of South Korea assault and vilify black American soldiers, taunting them with slogans such as "niggers go back to the cotton fields," is he content? Would he be content if German-Americans faced similar treatment? Such assaults and vilifications occurred in Korea only a few short days ago. Where was AGNEW's voice of protest; indeed, where was the protest from any quarter of the Federal Government.

The Vice President praised, among others, Jomo Kenyatta, of Kenya, for enlightened, dedicated, and dynamic leadership. Is the Vice President obliquely suggesting that black Americans should use the successful tactics of President Kenyatta in fighting against racism in the United States?

Perhaps the most unfortunate aspect of the Vice President's most recent diatribe against black Americans lies in the fact that it occurs at a time when the President of the United States is at least beginning to address himself to the problems of black Americans after having publicly admitted to the racism, prejudice and discrimination extant in this country. The President's problems are of such magnitude that he should not be bowed under the weight of an Agnew albatross.

SPIRO T. AGNEW failed to carry his home State of Maryland in the last presidential election primarily because black Marylanders, in unprecedented numbers, voted against him, recognizing that this man was not worthy to be Vice President of the United States of America.

As a black Congressman, representing the Seventh District of Maryland, I wish to indicate that AGNEW is not typical of the leadership of Maryland. My State does not thrust into prominence men like AGNEW who excoriate the news media whenever and wherever possible. Maryland's leadership is not of the Agnew ilk; we do not condone or accept men like the Vice President who castigate and rail against the institutions of higher learning. AGNEW, in his ravings against those who protest, those who are black, those who are poor, those who are oppressed, stands in sharp contradistinction to the kind of leadership the State of Maryland justifiably expects.

I cannot speak for all black Americans, but I do pledge you here and now that I shall use all the resources I possess to insure that AGNEW will once again be defeated in Maryland should he have the temerity to seek the Vice President's office.

SOCIAL SECURITY TAX DEDUCTION

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

Mr. RUNNELS. Mr. Speaker, today I have introduced a bill to make our ever-increasing social security taxes deductible from Federal income taxation. Recent social security benefit increases have been accompanied by increases in both the wage base and the tax rates. The enormity of this increase is staggering. In 1965, the wage base for social security taxation purposes was $4,800. Under H.R. 1, as passed by the House on June 22, this wage base was raised to $10,200, an increase of over 112 percent in 7 years. The tax rate for employers and employees totaled 7.25 percent in 1965. Last month's bill raised that rate to 10.8 percent, effective next year. This rate will increase to an astounding 14.8 percent by 1977.

Thus, the working American continues to be taxed on a tax at an ever-increasing rate. His payroll tax burden is now reaching proportions comparable to his income tax in many instances. In my opinion, we cannot continue to expect a

worker to provide for future contingencies at a rate which is seriously affecting his ability to meet day-to-day expenses. If these increases are continued a worker could find himself spending more for social security benefits than he keeps for his current needs. I hope we have not reached a point where the cost of a worker providing for his growing family composed of several children is surpassed by the cost, and I emphasize administrative as well as actual costs, of benefits for a retired couple.

It is time to be realistic about our social security system. As it is now structured, social security taxes are employed to fund the old-age, survivors, and disability insurance program as well as part A of medicare, the hospital insurance program. In theory, a worker's social security tax payments provide for that individual's later retirement needs through cash benefits as well as disability and survivor benefits. Some of that worker's hospital expenses are also provided for.

That is the theory of the system in simplified general terms. In reality, social security taxes are also employed, through the various funds created, to provide the benefits I have mentioned to older Americans who have not had the opportunity to participate in the social security program over their full, working lifetime. In effect, the lower spectrum of American workers and all salaried employees earning up to $10,200 per year, are footing the bill for an enormous number of retirees who were unable to contribute to the program through payroll taxes. In short, the American wage earner is now paying and will continue to pay for a program which should be financed by our general revenue. To do otherwise is to place an inequitable and grossly unfair burden on the low- and middle-income employee.

This inequity is compounded each time Congress raises social security tax rates or raises the wage base. The latest legislation to be passed by this body raised both the rates and the base.

It is my intent to partially eliminate this gross inequity by making social security taxes deductible from Federal income taxation. I realize the problems inherent in eliminating the social security tax system altogether. To call for an entire overhaul of the system at this date in the session would be a waste of our time and energy. However, the implementation of a social security tax deduction is a feasible and quite reasonable proposal at this point.

The economic problems of this Nation are a subject which has been and will be debated for so long as the present administration fails to act affirmatively to remedy these problems. On one hand, President Nixon tells us that a tax reduction will not be requested. He tells us that the economy is on its way toward full recovery. On the other hand, the consumer price index recently increased at a 7.2-percent annual rate and the wholesale index increased at a 4.8-percent annual rate. Unemployment has reached 6.2 percent. The debate continues from one Presidential announcement to the next. However, the plight of the forgotten American, the American taxpayer, cannot be disputed. Taxes are becoming a burden which is seriously affecting the very fiber of our great Nation.

Let me remind my colleagues of the correspondence we are all starting to receive from individuals who are refusing to pay one tax or another. These people have reached a point where they are willing to openly break the law in protest against their ever-increasing tax burden. I do not condone these actions. But I do think that this vividly points out the gravity of the need for immediate legislation to relieve our tax burden. That is why I support a social security tax deduction. It is simple, uncomplicated and realistic. It can be implement at minimal expense while at the same time correcting a gross inequity suffered by the workingman.

The American taxpayer must not be forgotten and the social security tax, a tax upon a tax, is the place to begin.

PRESIDENT NIXON CONTINUES LEADERSHIP FOR PEACE

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

Mr. McCLORY. Mr. Speaker, during the past several months I have, from time-to-time, inserted in the RECORD a brief article entitled "President Nixon is Keeping His Word" which chronicles the steady reduction of U.S. forces in Vietnam. When the Nixon administration took office in January of 1969, over half a million American soldiers were fighting in Vietnam. Since that time U.S. troop strength in Vietnam has been reduced by over 300,000 men, and I am confident that the remainder will be returning home in the next few months. President Nixon has stated that our policy of withdrawal from Vietnam is irreversible and it cannot be denied that he has kept his word. Furthermore, the President has consistently proclaimed as his prime objective the securing of a full generation of peace. This is indeed a most worthy goal and one toward which all men can work together.

Mr. Speaker, President Nixon has taken a giant step toward achieving this most cherished dream with his recent announcement that he will be visiting the People's Republic of China by May of 1972. If the world is to know a full generation of peace, stability must come to all Southeast Asia, and it is imperative that the People's Republic of China should participate in resolving the various disputes which plague this area of the globe.

In my opinion, the United States must develop better lines of communication with the Chinese people, and in the interest of world peace we must make every effort to resolve these differences which still divide us. This is not a sign of weakness and should not be construed as a desertion of our allies; it is merely the recognition that a government heading a nation of 750,000,000 people which encompasses fully one-fifth of the globe cannot be ignored if a stable and lasting world peace is to be attained.

Mr. Speaker, President Nixon deserves the support of the Congress and the public as he embarks on a new era of American diplomacy. He has earned our praise for this further evidence of his outstanding leadership in working for a lasting world peace.

CANCER RESEARCH

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

Mr. ROGERS. Mr. Speaker, there appeared in last week's Washington Star an editorial titled "Cancer Compromise." This editorial dealt with the bill passed by the Senate to establish, in fact, a separate Cancer Institute.

Although the lines of authority are somewhat less than definitive, the fact remains that if the Senate bill were approved by the House, the National Institutes of Health would be fractured in that the proposed new setup would not be under the purview of the Secretary of Health, Education, and Welfare and most probably be exempt from budget considerations even within NIH.

The editorial speaks of a compromise. But if there is a compromise, it is not of ideas. It is a compromise in research of the quest of conquering cancer. If allowed to proceed in research we would not have a new layer of bureaucracy or the loss of time and funds which are so desperately needed if we are to see a cure for this killer.

I do not feel we should compromise this quest for a cure for political reasons. And I am sure that the Members of the House will also see the wisdom of allowing research to continue, unimpeded by politics.

At this time I insert in the RECORD the editorial from the Star:

CANCER COMPROMISE

There is no dissent whatever about one national goal—the eradication of cancer. The laudable public passion for that achievement is manifested in the Senate vote of 79 to 1 for establishment of a special agency for a crash assault on the disease.

But that Senate product is flawed, and could result in a less effective fight against cancer than might be carried out by other, less spectacular, means. It was born of compromise, and of the irresistible urge of some lawmakers to make a grand-slam production of this program. Some senators had doubts about what they were doing, but no alternatives were readily at hand and who is going to go on record against curing cancer? Only one senator, Gaylord Nelson of Wisconsin, was emboldened to assail the bill's deficient concept, and to vote against it.

We hope the House will seriously consider his objections, because they are shared by many who are knowledgeable about this vital undertaking.

The Senate-passed bill has been pictured as an agreeable compromise between plans offered early this year by the administration and some differing senators. Actually, the administration has retreated from its wise position that the anti-cancer drive should remain under the control of the National Institutes of Health. (The National Cancer Institute now is a part of the NIH.) President Nixon has urged much heavier funding for the cancer program, and his science adviser, Dr. Edward E. David, Jr., said last

February that its isolation from the NIH "would prejudice the very outcome we seek." The administration was arguing against legislation, offered by Senators Edward M. Kennedy and Jacob K. Javits, to establish an independent anti-cancer agency.

Well, what emerged in the bill passed by the Senate is a very fuzzy combination; the new cancer entity, which would absorb the National Cancer Institute, would be independent, yet would be connected to the NIH. It is unclear how that would work. The cancer agency would have a separate budget and its head would report directly to the President. The NIH director would have only an advisory role—would be bypassed in the main decision-making. So in major ways, the cancer activities would be split away from the NIH. In practice, they might only be housed at the institutes. And this well might start a trend toward fragmentation and politicizing of disease research that could seriously weaken the NIH and throw its well-integrated activities into disarray. If this arrangement is approved, demands may be expected for a whole raft of new agencies to deal with specific maladies. The upshot of that might be an impairment of research.

Some lawmakers believe the creation of a separate cancer authority would stir public enthusiasm and provide added momentum. But it seems doubtful that there could be any more enthusiasm than now exists for stamping out cancer. Also, there is a danger that too much razzle-dazzle will generate unrealistic hopes for a quick cancer wipeout. The name chosen by the Senate—Conquest of Cancer Agency—is suggestive of hard-sell merchandising flackery. The best course would be to give the National Cancer Institute adequate funds and dispense with the show biz.

THE SHARPSTOWN FOLLIES—XVI

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 30 minutes.

Mr. GONZALEZ. Mr. Speaker, last Friday there was an unprecedented auction sale held in the lobby of the Sharpstown State Bank. In that sale the majority of stock of two federally insured savings and loan associations—First Savings & Loan of San Angelo, Tex., and the Lubbock Savings & Loan Association—were sold to the highest bidder. This had never happened before, and it came about as the result of typical Sharpstown shell games.

The sale was held because the majority of stocks in these savings and loan institutions had been pledged as security on three loans totaling $2.8 million at the Sharpstown State Bank. The bank is, of course, defunct, and the Federal Deposit Insurance Corporation sold the stocks to satisfy the debt.

Frank Sharp's interests had a shell game going with these savings and loan associations. There were numerous deals in which the associations would buy Sharpstown assets, and Sharpstown would buy their assets. This might have been done in order to mislead examiners of the savings and loans or the bank examiners, or both. By selling bad loans back and forth, the bank and the savings and loans could get bad loans out of sight of the examiners, and look as if they were in better condition than they actually were. Moreover some of these transactions enabled the savings and loan associations to book profits, again enhancing their books. But the glow of health thus imparted was most deceptive.

There was a kind of financial revolving door between Sharp and these savings and loan associations. The fellow who controlled them would get loans from Sharpstown State Bank. In return, Sharp's interests would get loans from the savings and loan associations.

In a typical sort of deal, there would be a loan from Sharpstown, such as the $2.8 million series that led to the ultimate sale of the associations, since the loans are now in default. Then out of the associations would flow loans to Sharp interests. One package of such loans involved a $6.5 million deal for the Sharpstown Shopping Center. In that package, the San Angelo's association, and the Lubbock association, plus the Community Savings association of Fredericksburg, Tex., contributed $1.2 million apiece. The rest came from a Miami investor. It is interesting to note that in some cases the man controlling one of the savings associations would get a $1.2 million loan against his stock, while Sharpstown Realty—the owner of the shopping center—was getting the same amount from his savings and loan association on a mortgage note.

These were most unusual deals, and most unusual loans. Savings and loan associations do not normally give short-term loans—these loans were often due and payable in 2 years or so—and they do not often accept as security a piece of a store or a piece of a parking lot—but that is what happened here.

What caused this shell game to fall apart? Well, in a financial revolving door like this they have to keep the deals going. Once Sharp's bank went under there was no longer a pump through which to circulate all this paper. There was no longer a way to kite assets back and forth. So the stock loans went in arrears, and now they are in default. And as far as I know, the savings and loan associations have loans from Sharpstown Realty that are in default. They have sued to protect their rights. Both the bank and the savings and loans have bad paper.

Sharpstown State Bank is defunct and in the hands of FDIC liquidators. Both the San Angelo and Lubbock savings institutions have sustained considerable damage, and need new capital and perhaps new management to place them back on sound financial footing. As far as I know neither is in any kind of danger of collapse—the Federal supervisory authorities have a close eye on them in order to stave off further damage and in order to provide the help they need to stay in business. These institutions at least have a good chance of surviving Sharp's shell games.

And so we find that Sharp kited assets back and forth not only to institutions that he controlled—his banks, his insurance companies, his realty companies and all the rest—he also played shell games with institutions owned by others.

VOA SHOULD BROADCAST YIDDISH TO SOVIET JEWS

The SPEAKER. Under a previous order of the House, the gentlewoman from Massachusetts (Mrs. HECKLER) is recognized for 5 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, of all the captive nations behind the Iron Curtain, one whose lack of nationhood qualifies it for extraordinary repression and just as extraordinary sympathy from the free world is Soviet Jewry.

We are all painfully aware of the way the Jewish citizens of the Soviet Union have been persecuted, denied the rights of self-expression, travel, and worship. Our hearts have gone out to them. Now, I believe we have a chance to demonstrate our concern more concretely.

Mr. Speaker, I am introducing today a resolution urging the Voice of America to broadcast in Yiddish to the Soviet Union. Such broadcasts would be primarily a gesture telling the Jews in Russia that America cares about them.

To those of the 3 million Soviet Jews who speak Yiddish and to those who do not these broadcasts would be evidence that America and the free world know of their uphappy plight and extend the hand of sympathy and understanding to them.

The Voice of America now broadcasts to other ethnic minorities in the Soviet Union whose numbers do not equal that of the Jews. I see no reason, therefore, for Yiddish broadcasts not to be added on a regular basis.

It seems to me the least we can do to demonstrate in a meaningful way our outrage over the way these people have been treated.

TAKE PRIDE IN AMERICA

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. Asked what she liked about America, Dale Evans said:

I like the great principles on which our Constitution rests. I like the concern of this country for those less fortunate. I like the freedom and dignity of the individual—and the right to pursuit of happiness in the way one chooses. I like the way this country allows a boy of humble beginning to ascend to the highest post in the land—the Presidency. I like the representative form of government. The present-day problems of abuse of our matchless freedoms in no way diminish the value of the wonderful precepts upon which those freedoms rest. I am deeply grateful to Almighty God for having been born a free American.

IT IS HAPPENING NOW

The SPEAKER. Under the previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 30 minutes.

Mr. KASTENMEIER. Mr. Speaker, in

recent years a growing number of oil companies have acquired substantial interests in the coal and uranium industries, a trend that could all but end effective competition between these fuel industries. The traditional interfuel competition, which has been the most effective weapon for business and consumer protection in the energy field, now is seriously threatened by the increasing concentration of energy resources which could, eventually, lead to the complete domination of the energy market by a single group of fully integrated total energy petroleum companies. A vigorous enforcement of our antitrust laws would prevent such a takeover from occurring. However, since the 1966 Continental Oil-Consolidation Coal merger which was not opposed, the Justice Department has not objected to oil company acquisitions into the other energy fuels. Thus, in order to preserve competition among corporations engaged in the production of oil, coal and uranium, I introduced legislation, H.R. 4731, to declare it unlawful for any oil company to acquire coal or uranium assets, and to require the divestiture by the oil companies of all presently held coal or uranium assets.

An editorial appeared in the July 14, 1971, Oil Daily criticizing H.R. 4731 and my contention that the oil industry acts as a monopoly. The Oil Daily, a newspaper of the petroleum industry, sees nothing wrong with the obliteration of the traditional separation of corporate control between competing sources of energy, and, apparently, has no objection to the fact that the energy industry is becoming more concentrated in the hands of a few, very large, fully integrated total energy companies controlled by petroleum interests. Instead, the Oil Daily editorial, notwithstanding its oversimplifications and regurgitation of the oil industry line, would lead us to believe we should be indebted to the oil industry for the "risks" they are taking in developing other fuel resources. Furthermore, the Oil Daily does not see the oil industry acting as a monopoly and points to the Alaska lease sale as an example of competition within the industry. Apparently, the Oil Daily chose to ignore the numerous joint ventures formed by the oil companies for the purpose of bidding for leases on Alaska's North Slope. The Oil Daily also has forgotten the consortium formed by the oil companies to construct an oil pipeline across Alaska without regard for the environmental hazards associated with this project. In any event, I do not believe the Oil Daily can convince the American consumers that they should be indebted to the oil industry when, in fact, the privileged economic position of the petroleum industry, through import quotas, tax writeoffs, a 22 percent depletion allowance, international cartel arrangements and joint ventures, costs the American public additional billions of dollars each year.

At this point, I would like to include the Oil Daily editorial of July 14, 1971:

[From The Oil Daily, July 14, 1971]

MR. CONGRESSMAN—WE DON'T BELIEVE IT WILL HAPPEN

The oil industry has been portrayed by the highly imaginative Congressman Robert W. Kastenmeier, D—Wis., as "an octopus reaching out to grab all energy supplies, the raw resources of coal and uranium in a bold and daring effort to completely dominate the energy fuels."

That conjures up quite a horrendous picture in the public mind. The fact of the matter is that it is a baldfaced mistatement put forth by a man who as a legislator deals with bills advocating TRUTH—truth in lending and truth in advertising designed to defend the consumer against practices that are shady. So why can't he seek out and speak the truth about oil? He owes that much to his constituents.

In the first place, he makes the accusation that all oil companies are in cahoots with one another. Had he looked at the market columns of The Oil Daily, he would have seen how prices range all over the lot. A monopoly would have fixed prices for each area.

If he'd attended the Alaska lease sale, he would have seen how jealously each company guarded its secret until ready to bid. Had he paid attention to the advertising of gasoline that has been going on, he would realize how varying are the marketing and promotion efforts—from Texaco's defense of unleaded gasoline to Sun's "the highest octane you can get," with Getty sandwiched in between with a single premium grade and each company touting its wares in sundry ways.

Would a monopoly permit such conflict among its members? Not by a long shot!

Earlier this year the Wisconsin congressman introduced legislation which would declare it unlawful for an oil company to acquire or hold any coal or uranium assets. The idea was based on his contention that the oil industry and the uranium industry would be in the hands of this mythical giant monopoly.

More fallacious thinking! It is logical to expect that coal and uranium interests acquired by competitive oil companies would also be just as competitive. How could they become a monopoly when their owners were fiercely battling one another? It doesn't make sense.

"Presently," Rep. Kastenmeier notes, "of the nation's largest oil corporations at least 12 have holdings in coal and 18 in uranium interests. These include Standard Oil of New Jersey, Texaco, Gulf, Mobil, Standard of Indiana, Shell, Union of California, Pennzoil United, Phillips Petroleum, Continental Oil, Sun Oil, Occidental Petroleum, Marathon, Amerada-Hess, Cities Service, Getty, Standard Oil of Ohio, Ashland and Kerr-McGee."

The congressman says there are 4,000 coal companies in the United States. Some, but not all of these, he says, are being acquired by oil companies; others will continue to go it alone. Whichever way the wind blows, it seems that a great deal of competition will continue.

Now, let's turn the pages of the calendar back to the '20s and the '30s when Dad decided he was tired of shoveling coal into the furnace and carrying out the ashes. He installed an oil burner. Railroads began switching from coal-fired steam engines to diesels, and oil moved in where other fuels had produced power in the past. Coal began to get sick and it got sicker as time went on.

What got the patient out of bed and on the road to recovery? The oil industry. With the foresight that is a distinctive characteristic of our industry, it began looking about for sources of synthetic fuel—shale, tar sands and coal—from which to make ersatz fuel if it became necessary. The oil industry realized that it was a gamble that would bring no immediate financial returns. It's been a tedious procedure, a costly one and a discouraging one. But with gas supplies getting lower because of FPC regulatory pricing and domestic oil reserves dwindling, companies—such as Sun in the Athabasca tar sands, Continental in the coal fields and TOSCO in the Colorado shale areas—had enough guts and foresight to look to the future so that the nation would not become entirely dependent on foreign sources of oil supply one of these days.

Hopefully, Rep. Kastenmeier will turn about—seek the truth, face up to the facts of life. He should realize that the nation faces an energy pinch and it will take the combined efforts of all types of energy sources to keep this nation healthful and productive. Calling the oil industry an octopus is certainly not the right way to go about it.

In contrast to the Oil Daily's lack of concern for the consumer, the Madison, Wis., Capital Times, which, from the first day of its founding, has been a vigorous spokesman for the public interest, has expressed its concern about the oil movement into other fuel sources in an editorial on July 13, 1971:

[From the Capital Times (Wis.), July 13, 1971]

U.S. OIL EXPANDS MONOPOLY

The highly monopolized American oil industry is "quietly embracing other energy sources, such as coal and uranium and threatens total domination of all energy fuel supplies in the foreseeable future." That disturbing warning was handed to the House subcommittee investigating the energy crisis by Rep. Bob Kastenmeier (D-Watertown) Monday.

Earlier this year, Kastenmeier introduced legislation which would declare it unlawful for an oil company to acquire or hold any coal or uranium assets.

Twenty petroleum companies in this country now produce more than one-half of all the nation's crude oil. These same companies, Kastenmeier testified, control pipelines which carry 80 per cent of the crude and refined oils transported within the U.S.

By controlling supply and distribution, the oil industry can raise the price of petroleum to all of the people. Not content with this stranglehold, the industry has branched out to grab all energy supplies, the raw resources of coal and uranium.

A total of 12 of the nations' 25 largest oil corporations have holdings in coal and 18 have uranium interests, according to Kastenmeier. Hundreds of thousands of acres of public land are now held under coal leases by oil firms. Kastenmeier added:

"Oil companies and others are trying to tie up our public land coal reserves now in the hope of gaining tremendous windfall profits when commercial processes for coal gasification and liquefaction become a reality."

Here is another prime example of the so-called "free enterprise" system at work. The oil monopolists have a record of unparalleled success in Washington. The government has permitted them to retain the unconscionable oil depletion tax allowance and has established an international quota that keeps the price of petroleum at outlandish levels.

We are on the verge of allowing a few very large oil companies to dominate the total energy supplies. This is the import of Kastenmeiers testimony and it is frightening.

Finally, to present the facts regarding oil penetration into the other fuel industries, I would like to include the statement I submitted to the Subcommittee on Special Small Business Problems of the Select Committee on Small Business which is conducting hearings on problems related to oil companies acquiring competing fuel resources:

STATEMENT OF REPRESENTATIVE ROBERT W. KASTENMEIER OF WISCONSIN

Mr. Chairman, the March 1, 1971 issue of THE OIL AND GAS JOURNAL stated, "The oil industry is moving more and more into coal and uranium. At least 22 large U.S. oil

companies are involved in one or both, and they now control some 20% of the domestic coal reserves and close to 80% of uranium reserves." I see no reason to doubt these statistics. If anything, the coal reserve estimates may be low. I believe this statement by a trade publication for the oil industry, citing the oil acquisitions in coal and uranium, is a perfect justification for the holding of these hearings, and, in my opinion, stresses the urgency for the taking of antitrust action against oil companies acquiring holdings in coal and uranium.

The oil industry always has dominated natural gas, but the feeding of its insatiable economic appetite through the penetration of other competing fuels, particularly coal, was controlled until the mid-1960's. In September 1963, Gulf Oil acquired Pittsburgh and Midway, a coal company that accounts for about 2 percent of national production. Then, October 13, 1965, Continental Oil Company announced a major breakthrough; an agreement in principle to buy Consolidation Coal, the nation's largest producer which alone accounts for about 12 percent of total coal production. The merger was formally completed in October 1966.

Presently, of the nation's largest 25 oil corporations, at least 12 have holdings in coal and 18 have uranium interests. These include Standard Oil of New Jersey, Texaco, Gulf, Mobil, Standard Oil of Indiana, Shell, Atlantic Richfield, Phillips Petroleum, Continental Oil, Sun Oil, Union Oil of California, Occidental Petroleum, Cities Service, Getty, Standard Oil of Ohio, Pennzoil United, Inc., Marathon, Amerada-Hess, Ashland, and Kerr-McGee. Their acquisitions in coal and uranium have taken various forms, such as the purchase of reserve holdings, the buying of existing companies in the other fuels industries and the establishment of new ventures either alone or jointly with other companies within or outside the petroleum industry. If not halted, this trend will all but end effective competition between the oil, coal and uranium industries. The traditional interfuel competition, which has been the most effective weapon for business and consumer protection in the energy field is seriously threatened by this grand design, and such economic concentration can only lead to the total domination of the fuels industries by the vast oil corporations.

It is estimated that there are more than 4,000 producing companies in the coal industry, but many of the most important ones are under the control of the largest producers and virtually all of the remainder are insignificant. The industry has, therefore, become much more highly concentrated and now is clearly dominated by a relatively few large companies. Moreover, most of these dominant producers are controlled by some of the largest industrial corporations of the United States that until recently had not been engaged in the coal business.

Four of the nation's largest coal operations now are oil company subsidiaries and these four firms, in 1969, accounted for approximately 23 percent of the country's coal output. A listing of these oil companies, along with their subsidiaries and percentage of the nation's coal production follows:

CONTINENTAL OIL

Consolidation Coal Company, 12.4 percent:
Pittsburgh Coal Co.
Mountaineer Coal Co.
Christopher Coal Co.
Mathies Coal Co.
Hanna Coal Co.
Harmar Coal Co.
Pocahontas Fuel Co.
Tennessee Division.
Bishop Coal Co.
Truax-Traer Coal Co.
Western Division.
Itmann Coal Co.
Ohio Valley Division.
Rowland Division.
Blacksville Division.

OCCIDENTAL PETROLEUM

Island Creek Coal Company, 6.8 percent:
Island Creek Division (W. Va.).
Island Creek Division (E. Ky.).
West Kentucky Division.
Virginia Pocahontas Division (E. Ky.).
Virginia Pocahontas Division (Va.).
Beatrice Pocahontas Co.
National Coal Mining Co.
Northern Division (Pa.).
Northern Division (W. Va.).
Northern Division (Ohio).
Maust Coal and Coke.

STANDARD OIL OF OHIO—2.1 PERCENT

Old Ben Coal Corp. (Ill.).
Coal Processing Corp. (Va.).
Kings Stations Coal Corp. (Ind.).
Old Ben Coal Corp. (Ind.).

GULF OIL CORPORATION—1.9 PERCENT

Pittsburgh and Midway Coal Mining Co.

Studies indicate that the 13 largest coal companies now have about 53 percent of the coal market. Four of these 13 are oil companies, Consolidation Coal (Continental Oil), Island Creek (Occidental Petroleum), Old Ben Coal Corp. (Standard Oil of Ohio) and Pittsburgh and Midway Coal (Gulf Oil). Six are in other businesses, Eastern Associated Coal Corp. (Eastern Gas and Fuel), Peabody Coal (Kennecott Copper), U.S. Steel Corp., Bethlehem Mines Corp. (Bethlehem Steel), Ayrshire Collieries Corp. (American Metal Climax) and General Dynamics Corp. Only three, Pittston Company, Westmoreland Coal and North American Coal currently are independent coal producers. The output of the two steel producers, U.S. Steel and Bethlehem, is consumed directly by the operations of those two companies and does not affect the coal market. If these two corporations are eliminated, then the 11 largest companies would control about 56 percent of the market directly. These 11 companies also act as brokers for other producers so that their effective control is at least 60 percent of the market.

It should further be noted that the large coal producers are concentrated in Western Kentucky, Illinois, Indiana and Ohio, as well as in the western United States. As a consequence, on a regional basis, their impact on the coal industry probably is far greater than the national figures would indicate.

The movement by oil into the coal industry is by no means limited to the corporate giants. By way of illustration, in January 1971, Gulf Resources and Chemical which has a stake in oil through its subsidiary, Dunwick Oil and Gas, acquired C & K Coal Company which is reported to own about 18 million tons of coal reserves. In February 1971, McCulloch Oil Corp. acquired the assets of four coal producing and operating companies, the combined sales of which are anticipated to be approximately $6 million annually. The assets of the coal companies have been placed into McCulloch Consolidated Coal Co., a newly-organized, wholly-owned subsidiary of McCulloch Oil. In May 1971, Transcontinental Oil Corp. said it had completed the acquisition of Greer-Ellison Coal Company. In the same month, Kawanee Oil Company announced expansion activities that would enable it to enter the coal business. In June 1971, Crestmont Oil and Gas Co. completed the purchase of all the outstanding stock of the Black Lode Coal Co. which has estimated coal reserves of 24 million tons. It was announced on July 2, 1971 that Quentana Petroleum Co. purchased extensive coal reserves in Lawrence County, Kentucky.

Attempting to measure coal reserve ownership by individual oil firms is difficult. We know that some oil companies gained control over a number of important coal reserves through their acquisitions of major operating coal companies. Others purchased coal lands or entered into leasing or option agreements for the coal rights of certain lands. Still other oil companies own the subsurface mineral rights on a parcel of surface land owned by another company or individual. Oil firms also hold substantial minority interests in those companies holding mineral rights. Furthermore, many oil companies operate through subsidiaries, which, at times, are difficult to trace to the parent firm.

However, there is some scattered information that gives us a good picture of the dynamic movement of oil into the coal industry. A 1967 study done for the Federal Trade Commission involving Atlantic-Richfield, Continental Oil, Gulf Oil, Humble Oil and Refining (New Jersey Standard Oil) and Sinclair Oil showed that the combined holdings of these 5 companies amounted to 10,188.7 million tons of recoverable coal reserves and 2,491,000 acres of coal lands. Compared to 1960, only one of these 5 companies had any holdings, and this amounted to only 7.8 million tons of recoverable coal reserves and 4,524 acres of coal lands. A June 1, 1971 Forbes Magazine interview with Myron Wright, head of Humble Oil, indicated that Humble's coal reserves probably are the largest in the United States. During the interview, Mr. Wright apparently scoffed at critics who accuse the oil industry of trying to monopolize the energy business. "Anyone with enough capital can go into the coal business," Mr. Wright said, "if he has the courage to try." Concentration, however, in the coal industry is on the increase and entry barriers are high and becoming more formidable. In 1947, for example, there were 68 firms producing more than 1 million tons of coal annually which accounted for 48 percent of the domestic coal production. Today, as I previously mentioned, there are 11 companies controlling 56 percent of the market. This trend foreshadows ominous developments in the coal industry, with production and sale of coal concentrating in fewer and fewer hands.

There are almost 40 million acres of public domain lands that are classified as coal lands. According to the U.S. Geological Survey, the United States Government, as of April 1971 has issued 520 leases on 767,902.24 acres. The following tabulation of leases held by oil interests shows that oil companies already control a sizable segment, approximately 24 percent, of the coal reserve acreage that has been leased on our public lands.

State and lessee	Effective date of lease	Acreage
Oklahoma:		
North American Resources	Sept. 1, 1967	3,342.43
Do	May 1, 1968	2,927.45
Do	do	2,829.86
Montana:		
Concho Petroleum Co	July 1, 1965	540.86
North Dakota:		
Consolidation Coal Co. (Continental Oil)	Nov. 1, 1965	[1] 400.77
Kerr-McGee Corp	Nov. 1, 1967	2,033.71
New Mexico:		
Seneca Oil	Sept. 1, 1967	6,336.12
Gulf Oil	Apr. 1, 1961	[1] 2,485.12
Do	do	2,570.13
Do	do	2,560.00
Consolidation Coal Co. (Continental Oil)	July 1, 1967	1,998.14
Do	do	2,432.94
Do	July 1, 1968	2,505.47
Gulf Oil	Nov. 1, 1964	540.49
Consolidation Coal Co. (Continental Oil)	Feb. 1, 1969	160.00
Do	Dec. 1, 1964	2,206.14
Colorado:		
Gulf Oil	Apr. 23, 1925	280.00
Do	May 6, 1930	[1] 80.00
Do	June 10, 1947	89.04
Do	June 1, 1962	826.94
Atlantic Richfield Co	June 1, 1965	1,243.49
Do	Sept. 1, 1967	4,836.36
Alaska:		
Earth Resources Corp	July 5, 1950	[1] 880.00

Footnotes at end of table.

State and lessee	Effective date of lease	Acreage
Utah:		
Island Creek Coal Co. & Equipment Rental (Occidental Petroleum)	June 3, 1957	2,480.00
Heiner Coal Co. et al. (Occidental Petroleum)	Mar. 1, 1962	160.00
The Kemmerer Coal Co. & Consolidation Coal (Continental Oil)	June 1, 1962	2,576.86
Do	do	2,542.25
Do	do	2,557.99
Heiner Coal Co. (Occidental Petroleum)	July 1, 1962	480.00
The Kemmerer Coal Co. & Consolidation Coal (Continental Oil)	Nov. 1, 1962	2,496.62
Heiner Coal Co. (Occidental Petroleum)	Dec. 1, 1962	680.00
Consolidation Coal Co. (Continental Oil)	May 5, 1967	2,540.64
Do	do	2,537.69
Do	do	2,542.84
Do	do	2,560.00
Consolidation Coal Co. (Continental Oil) & The Kemmerer Coal Co	June 1, 1965	2,161.57
Do	do	2,314.25
Do	do	856.40
Do	do	640.00
Do	do	1,880.00
Consolidation Coal Co. (Continental Oil)	Sept. 1, 1967	2,560.00
Do	do	2,557.36
Do	do	2,560.00
Do	do	2,554.88
Do	do	2,560.00
Hiko Bell Mining & Oil Co	Nov. 1, 1965	1,920.00
Do	Mar. 1, 1966	1,920.00
Heiner Coal Co. (Occidental Petroleum)	Sept. 1, 1966	2,212.00
Hiko Bell Mining & Oil Co	Dec. 1, 1965	2,560.00
Consolidation Coal Co. (Continental Oil)	Jan. 1, 1969	2,560.00
Consolidation Coal Co. (Continental Oil) & The Kemmerer Coal Co	July 1, 1970	720.00
Wyoming:		
Concho Petroleum Co	Mar. 1, 1965	1,571.13
Do	do	195.32
Do	June 1, 1963	2,550.98
Do	Sept. 1, 1963	1,620.07
Do	Mar. 1, 1965	756.01
Kerr-McGee Corp	Jan. 1, 1970	1,263.35
Do	July 1, 1965	880.00
Do	Oct. 1, 1965	2,560.00
Do	do	2,200.00
Belco Petroleum Corp	Jan. 1, 1970	4,551.46
Atlantic Richfield Co	Dec. 1, 1966	5,844.31
The Carter Oil Co. (Humble Oil and Refining, affiliate of New Jersey Standard Oil)	Dec. 1, 1967	5,251.44
Atlantic Richfield Co	Nov. 1, 1967	5,800.07
The Carter Oil Co (Humble Oil and Refining, affiliate of New Jersey Standard Oil)	Dec. 1, 1967	4,781.59
Do	do	5,457.47
Kerr-McGee Corp	Sept. 1, 1970	4,191.84
Mobil Oil Corp	Feb. 1, 1971	4,000.00
Belco Petroleum Corp	Jan. 1, 1971	640.00
Sun Oil Co	July 1, 1968	14,679.98
Cordero Mining Co. (Sun Oil Co.)	Mar. 1, 1971	6,559.99
Ark Land Co. (parent firm is Arch Mineral in which Ashland Oil holds a 50 percent interest)	Nov. 1, 1961	1,263.72
Do	do	640.00
Do	do	320.00
Do	Jan. 1, 1964	640.00
Do	do	640.00
Do	Feb. 1, 1971	7,594.52

[1] Producing.

These 77 leases cover 187,250.06 acres. It is possible that these figures could be higher if one could cut through the maze of corporate structures to determine whether certain lessees were, in fact, subsidiaries or street names of firms with oil interests. Significantly, only 4 of the 77 leases, as of April 1971 are producing coal.

Furthermore, it is apparent that there is little development taking place on the 767,902 acres of Federal land under coal lease since only 73 out of the 520 leases are producing coal. If all leases issued since 1966 are excluded from consideration (on the average, 3 to 5 years are required to fully develop a mine) the unproductive lease acreage still is almost 90 percent of all acres leased through 1965.

The following table lists the percentage of outstanding coal leases which are now in production. The percentage figure given in the table is that portion of the currently outstanding leases issued in the time period specified which are in production:

Percentage of outstanding leases which are currently in production

1920–30	40.7
1931–40	30.8
1941–50	24.4
1951–60	13.7
1961–70	2.4

The volume of coal production from public lands is another indicator of the development of Federal coal leases. Maximum coal production from public lands occurred in 1945 when more than 10 million tons of coal were produced. In this same year about 75,000 acres of land was under coal lease. At the end of fiscal 1969, the number of acres under lease had increased to over 725,000 acres while coal production decreased to less than 7½ million tons. Along with fewer producing leases, there is a trend toward an increase in the average size of coal leases. The average coal lease issued in the 1966–1970 period contained 2,173 acres. This is 400 percent greater than the average size of a lease issued in the 1940–1949 period.

The rate of leasing of publicly owned coal reserves is growing at an increasing pace. As of November 1970, there were almost 762,000 acres of Federal land under coal prospecting permits which represents almost a 50 percent increase over the previous fiscal year. As of March 1971, there were almost 300 coal prospecting permit applications outstanding, a record level. Prospecting permits are issued to prospective lessees in areas where the extent and workability of coal deposits are uncertain. The permit is good for a period of two years with the right to one 2-year extension. If the permit holder discovers coal and establishes its extent and workability, then a preference right lease will be issued for all or part of the lands included in the prospecting permit. Oil companies are among those holding prospecting permits and Kerr McGee, for example, has a prospecting permit for 42,250 acres in Colorado.

Despite the tremendous increases in the number of acres under coal lease and the large reserves contained in these leases, coal production from public lands is remaining constant and has actually decreased slightly in 1970. This is occurring at a time when demand for coal is increasing and coal prices are at their highest levels in decades.

Based on the statistics, one can conclude that there is rampant speculation taking place on our public lands containing coal. Oil companies and others are trying to tie up our public land coal reserves now in the hope of gaining tremendous windfall profits when commercial processes for coal gasification and liquefication become a reality.

I also would like to call to the attention of the Subcommittee another important resource which is in danger of becoming subject to oil control which further serves to illustrate the policy toward oil monopolization of our western coal reserves. That is the water in our western states. According to the Commissioner of the Bureau of Reclamation, Ellis L. Armstrong, "Water is the key resource which will catalyze the 'sleeping giant'—the indigenous coalbeds." The information on this subject is far from complete, but we can see a pattern developing. In the area of southeastern Montana and northeastern Wyoming, for example, Humble Oil has made inquires concerning the availability of water for industrial utilization. According to the Bureau of Reclamation, "Shell Oil Company and Kerr McGee followed" with similar requests. Shell and Humble Oil already have water under contract in the Yellowtail Unit and Sun Oil in the Boysen Unit serving Montana and Wyoming. Sun Oil and Continental Oil through its Consolidation Oil subsidiary have contract applications for industrial water in the same area.

Turning to the critical area of research to develop methods and processes for converting domestic coal supplies to clean forms of gaseous and liquid fuels, we find that the three largest Government contracts awarded for this type of work by the Department of the Interior's Office of Coal Research are held by oil companies.

The $16,606,202 contract (June 11, 1964–September 11, 1973) for the construction of a CO_2 Acceptor Process pilot plant, designed to convert 30 tons per day of lignite into a methane-rich, sulfur-free synthetic gas, is held by Consolidation Coal Company (Continental Oil).

The Project Gasoline contract (August 30, 1963–August 30, 1971) costing $17,800,000 was given to the Consolidation Coal Company (Continental Oil) to design and construct a pilot plant to produce gasoline from coal. Economic studies indicated that the potential of the process was high and the first pilot plant was designed and constructed to prove the process for commercial use. However, according to the 1970 Office of Coal Research report, operations to date have been inadequate because of operating problems related to equipment failure, and data obtained from the runs were inconclusive. In April 1970, the plant was shut down to permit equipment and flow problems to be studied and corrected. Major renovations and modification of the plant were found necessary to prove mechanical reliability and Consolidation Coal recommended to the Office of Coal Research that the Project Gasoline test operations be deferred so that the pilot plant could be used to verify a process to produce a clean heavy oil for power generation and industrial use. This work is expected to take approximately two years after which Project Gasoline is expected to be reactivated.

The $7,640,000 Solvent Refined Coal contract (October 10, 1966–October 10, 1971) was awarded to the Pittsburgh and Midway Coal Company (Gulf Oil). Solvent refined coal is believed to be one of the most economical and advanced processes that can be developed to produce electric power from high-sulfur coal with minimal air pollution. Although the contract was awarded in 1966, three years after Gulf Oil acquired Pittsburgh and Midway, it is interesting to note that the Office of Coal Research, in its report, fails to identify Gulf Oil as the parent firm of Pittsburgh and Midway, or, for that matter, no mention is made of Continental's control of Consolidation Coal. In any event, the oil industry appears to be dominant in the area of research into gasification and liquification.

Turning to uranium, the March 1970 issue of The Engineering and Mining Journal reported that "petroleum companies dominated the field of new discoveries" with respect to uranium exploration. Prompted by the expansion of the nation's nuclear energy industry, nearly all the large oil firms are either actively engaged in or planning to enter the mining and processing stages of uranium.

The interest that oil companies have shown in uranium can be demonstrated by the following information obtained from the Atomic Energy Commission. From April 1965 through March 1969, the AEC held 23 uranium workshops. During this period, the industry group sending the largest number of representatives was the 52 oil companies cited in the following list:

Allied Mission Oil.
Amalgamated Petroleum.
Amarillo Oil Company.
Amerada.
Ashland Oil & Ref. Co.
Antelope Gas Products Co.

Atlantic Richfield.
Buttes Gas & Oil.
Cabot Petroleum Ltd. (Canada).
Carver-Dodge Oil Co.
Chartiers Corp.
Cities Service.
Consolidated Oil & Gas.
Continental Oil.
Diamond Shamrock Oil.
ESSO.
Fundamental Oil Corp.
Getty Oil Co.
Glover-Hefner Kennedy Oil Co.
Grynberg-Eason Oil.
Gulf Oil Co.
Holly Oil Co.
Houston Royalty Co.
Humble Oil.
Hudson's Bay Oil & Gas (Canada).
Marathon Oil Co.
McCary, Harris & Clinton, Inc.
Midwest Oil Corp.
Mitchell Oil Co.
Mobil.
New Continental Oil Ltd.
Orion Oil Co.
Palm Petroleum Corp.
Pan American Petroleum Corp.
Petroleum Resources (Canada).
Phillips Petroleum.
Range Oil Co.
Samedan Oil Corp.
Shell Canadian.
Signal Oil & Gas Co.
Sinclair.
Skelly Oil Co.
Standard Oil Co. (Ohio).
Sundance Oil Co.
Sunray DX Oil Co.
Superior Oil Co.
Tenneco Oil Company.
Texaco.
Tidewater.
Union.
Vitro Marathon.
Warren American Oil Co.

Another oil firm, Kerr-McGee Corporation was listed as an integrated uranium mining and milling firm, as was Petrotomics Company, jointly owned by Getty Oil and Continental Oil. Another integrated uranium mining and milling firm that sent representatives was Foote Mineral, which owns or leases a number of uranium ore properties in Colorado, Utah, Arizona and New Mexico. Foote Mineral is 19.8 percent owned by Newmont Exploration, Ltd., which, in turn, is 100 percent owned by Newmont Mining Corporation which is primarily engaged in exploration and development of mining and petroleum properties.

According to the AEC, the following oil companies are active in uranium exploration: Amerada Petroleum Corp., APCO, Atlantic Richfield, Cabot Corporation, Continental Oil, Earth Resources, Getty Oil Company, Gulf Oil Company, Houston Oil and Mineral Corp., Humble Oil and Refining Company, Kerr-McGee Corp., King Resources, Louisiana Land and Exploration, Magna Oil Company, Mobil Oil Corporation, Orion Oil Company, Pan American Petroleum Corp., Petrotomics Co. (Getty Oil and Continental Oil), Phillips Petroleum Co., and Tenneco Oil Company.

The AEC report on the nuclear industry in 1970 stated that 20 oil companies accounted for 31 percent of the surface drilling in uranium. Kerr-McGee is the largest single producer of uranium in the U.S., accounting for 27 percent of domestic uranium capacity. Other companies are moving aggressively into the uranium field. Atlantic-Richfield owns 544,000 net acres of uranium rights in the U.S., and has rights to explore for uranium on approximately 770,000 acres in Canada. In June 1970, Gulf Oil announced plans for a $50 million uranium development program in Saskatchewan, Canada.

The chart on page 14 shows the critical position oil companies hold, as of November 1970, in the critical areas of the uranium fuel cycle and reprocessing field which involves taking spent nuclear fuel and preparing it for further use. Two suppliers listed in the chart, Allied Chemical and United Nuclear, are independent companies. Interestingly, however, both now are engaged in nuclear fuel ventures with Gulf Oil. In March 1971, Gulf Oil and Allied Chemical announced plans for the joint construction of an $80 million plant in South Carolina which, when completed in 1973, will reclaim spent uranium and plutonium from nuclear power plants. More recently, on July 2, 1971, Gulf Oil and United Nuclear signed a final agreement to form a joint venture, with Gulf holding a 57 percent interest, to design, manufacture and sell nuclear fuel for commercial nuclear power reactors.

COMMERCIAL POWER REACTOR FUEL CYCLE STEPS BY SUPPLIERS

[X—Company now capable of performing these steps. I—Companies indirectly involved inasmuch as parent companies are involved. O—Company planning additional step.]

	Gulf General Atomic (Gulf Oil)	Allied Chemical	Jersey Nuclear (Standard Oil of New Jersey)	Kerr-McGee	Nuclear Fuels Services (Getty)	NUMEC (Atlantic Richfield)	United Nuclear
Fabrication of core:							
Uranium exploration, mining or milling	I		I	X	I	I	I
Conversion of U_3O_8 to UF_6		X		X			
Enrichment of UF_6							
Fabrication of Zr into fuel-clad tubing			O				X
Conversion of UF_6 to UO_2	O		O	X	X	X	X
Pelletizing of UO_2	O		O	X	O	X	X
Fabrication of fuel elements	X				O	X	X
Fuel warranty	X		O		O	X	X
Management of fuel in reactor: Design of fuel management scheme	X		X		X	X	X
Recovery of spent core:							
Spent fuel shipping	O	O	O		X	O	
Reprocessing fuel elements and waste disposal	O	O	O		X	O	
Conversion of $UO_2(NO_3)_2$ to UF_6 for reenrichment	O	O			O	O	
Fabrication of Pu fuel elements	O		O	X	X	X	X

Mr. Chairman, the top 20 petroleum companies in the country produce more than one-half of all the nation's crude oil. Approximately 80 percent of the crude oil and refined oils shipped by pipelines move through lines under their control. They account for more than 80 percent of the crude oil refining capacity and more than 85 percent of crude refinery runs and are the largest sellers of natural gas to interstate pipelines. The oil industry in the United States is highly monopolized, and to prove that is as unnecessary as to attempt to batter down an open door. The oil industry is a monopoly primarily in the sense that it is able to exercise control over supply, and by restricting supply, to raise the price of petroleum energy to all the people of the United States. Unfortunately, through its concentrated economic and political power, this monopoly is protected and sanctioned by law, both by state and federal law, so that the oil industry is in the enviable position and the most antisocial position of all, that of a monopoly protected by public instrumentality for private gain.

We know that there has been a significant change in the ownership of our energy resources in the last few years. Not only have oil companies become major producers of coal and uranium, but, as I have pointed out, they have acquired critical positions in the areas of mineral reserves and research. The oil firms have even moved into acquiring water resources in the West. In the immediate wake of this consolidation of control, we have seen coal prices as much as doubled, shortages of natural gas and supply problems with oil. The question to be examined, then, is whether control of the major raw energy sources in the hands of a relatively few large oil corporations is, in fact, in the public interest. Our competitive free enterprise economy can function effectively only if there is competition. However, the traditional separation of corporate control between competing sources of energy is obliterating, and the ultimate coalescence of the energy industry in the hands of a few very large, fully integrated total energy companies controlled by oil would put an end to this important source of rivalry. It seems to me to be vital to the best interests of our nation that we not only maintain competition between companies, but, also, between energy sources. Competition here is of critical concern to every consumer in this country. How much competition is injected into the fuels industries will be reflected in consumer prices for decades to come. Prices of the obvious products will be influenced, such as the cost for heat and light for homes and gas for cars. Thousands of other items, directly and indirectly, also will be affected.

The whole key to much of the successes of our competitive system is the existence of a diversity of interests. Now, the monopolistic oil combine, like an octopus, is reaching out with its tentacles to grab hold of the supplies, the raw resources of coal and uranium, in a bold and daring effort to completely dominate the energy fuels.

Speaking to the Kentucky Coal Association Annual Membership Meeting in October 1966, Joseph E. Moody, President of the National Coal Policy Conference, said of the acquisition of Consolidation Coal Company by Continental Oil Company, "one company with its own reserves of oil, gas and uranium added the reserves of coal held by Consol and thereby Continental Oil Company, had under its control the greatest reserve of energy in the form of Btu's of any group in the world." Such an awesome concentration of energy power by one company or a group of companies leads to all sorts of anticompetitive behavior that is bad for the consumer and ultimately bad for the United States. We no longer must permit this great concentration by the most powerful economic and political

element in American business to go unchallenged. Because of my concern to preserve competition among the various companies engaged in the production of oil, coal and uranium, I have introduced legislation, H.R. 4731, which amends the Clayton Act by declaring it unlawful for any corporation engaged in the production and refining of oil to acquire any coal or uranium assets, and which would require the divestiture by such companies of all presently owned coal and uranium assets. On the basis of testimony and evidence presented during these hearings, I hope and trust the Subcommittee will give serious consideration to H.R. 4731 when presenting its report and recommendations to the House.

VOICE OF AMERICA SHOULD BEGIN HEBREW-YIDDISH BROADCASTS TO JEWS IN RUSSIA

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. JAMES V. STANTON) is recognized for 15 minutes.

Mr. JAMES V. STANTON. Mr. Speaker, the Voice of America is the only hope of millions of captive people trapped behind the Iron Curtain, isolated from the outside world and the truth.

Thus it is difficult to comprehend why the Voice of America refuses to transmit broadcasts in Yiddish and Hebrew to the 3 million Jews in the Soviet Union. I am told such broadcasts cannot be made because the State Department contends this would offend the Russians. Why should the VOA knuckle under to the Soviets? These broadcasts do not need the Kremlin's stamp of approval. Indeed, if the Soviets had their way they would ban all VOA broadcasts as propaganda.

The State Department recognizes Soviet Jews as a nationality within the Soviet Union, and permits the Voice of America to make Russian-language broadcasts to them. But the Voice of America will not broadcast in Yiddish and Hebrew "at this time" due to a "difficult technical problem." Such broadcasts, I understand, would help build morale among Soviet Jews and show them that the United States is willing to talk to them in their own language. This would be a more affirmative statement of sympathetic support than the present Russian broadcasts.

The Voice of America broadcasts to many far smaller groups behind the Iron Curtain in their native tongue. VOA's refusal to do the same for Soviet Jews is a strange contradiction to our longstanding support of the people of Israel. Russian is not the native tongue of Soviet Jews. It is the language they are forced to use by their Soviet captors. To continue this practice only reinforces Moscow's policy of cultural genocide against Jews in the Soviet Union.

I strongly urge the Voice of America and the State Department to make every possible effort to begin Hebrew-Yiddish broadcasts to Jews in Russia. To do otherwise is a hypocritical sacrifice of the people the Voice of America is trying to preserve.

CAPTIVE NATIONS

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 10 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, on this the 13th observance of Captive Nations Week, it seems to me that we in the United States should renew ourselves in the struggle of the 1 billion human beings who, because of Communist subjugation, are unable to exercise the basic right of national self-determination.

There are some in this country who condemn our system of Government and offer a utopian system designed for a nation of angels, not of men; there are others who seek to tear down the existing structure because of some admitted inequalities. But do these people have a viable alternate system of government to offer and how many of them would willingly change places with someone in a Communist-controlled country?

We have recently witnessed the inclusion of 11 million potential new voters in this country. The 18- to 20-year-olds who register and exercise their right to vote will have the opportunity to help forge the future of their country. Every American over 18 years of age has the power to participate in the shaping of this Nation. What we seek is for the people of every nation to have the freedom to exercise their right to national self-determination.

We have no fear in this country of protecting the people in their right to participate openly and freely in our system of Government because we believe in the intelligence of the American people and in the principle of a representative democracy of free men.

At the present time we are involved in a great national debate to determine the future course of our country. While our national conscience is turned inward on our own problems, we must not lose sight of the plight of the peoples of Central and Eastern Europe who have been denied by Communist aggression the rights we, in quieter times, often take for granted.

Because of the great risks these people in Communist-dominated countries run in bringing their story to the free nations, it is imperative that we rededicate ourselves to the cause of educating Americans to the situation of these people and not forget that within the satellite countries all is far from calm. Beneath the Russian hegemony over Central Europe, the memories of past freedom and independence still live and nurture new yearnings.

SHOOTING OF SILVER SPRING MAN

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

Mr. DINGELL. Mr. Speaker, as I was addressing the House, July 15, 1971, on the deplorable shooting of a Silver Spring, Md., man by Internal Revenue agents and police who invaded his home out of uniform and without properly identifying themselves, an editorial appeared in The Washington Daily News on this very incident. I urge my colleagues to read it and judge for themselves whether a free country can tolerate such gross abuse of the great responsibilities entrusted to its law enforcement agencies.

It should be noted that while the News' editorial chastises Montgomery County's effort to justify the role of its police who participated in the "raid," county officials have repeatedly stressed that they went along only at the request of, and in assistance of, the Alcohol, Tobacco and Firearms Division of the Internal Revenue Service.

That assertion is not surprising, since the county police had no other business being there. The United States Code, title 18, section 3105, requires that only a Federal officer may serve a Federal warrant, except a person in aid of that Federal officer on his requiring it, he being present and acting in its execution.

This means that the Treasury Department, and ultimately, Secretary of the Treasury Connally, must bear the responsibility for the misdeeds of all those—whether they be Federal agents or Montgomery County police—who carried out this sordid assault.

The Daily News has minced no words: the chief executive of Montgomery County has "splashed on the whitewash." The big question remaining is whether Secretary Connally will permit a similar whitewashing from the Internal Revenue Service of an affair which it planned, supervised, and carried out—and bungled from start to finish.

Mr. Speaker, I insert the text of the Daily News editorial at this point in the CONGRESSIONAL RECORD:

[From The Washington Daily News, July 16, 1971]

GLEASON SPLASHES IT ON

We have been searching around for a word to characterize Montgomery County Executive James P. Gleason's off-hand exoneration of police for their behavior in the ill-starred raid on a Silver Spring gun collector's apartment last month, and only "whitewash" comes to mind.

The authorities have been so timid about releasing the facts in this tragic case (the homeowner was nearly killed) that anyone making a final judgment must be aware of the queachy ground. However, assuming that Mr. Gleason hasn't been told much more than the public has—and so it appears—one has to assume that he finds it perfectly "justifiable" that a couple of dozen police and federal agents, most of them dressed like roughnecks, should batter their way into a man's house on a search for illegal arms, terrify his wife, shoot him in the head, and subsequently tear up the premises in a fruitless search for something to charge him with.

The fact that this same reckless bunch, on the very same night, managed to raid the wrong apartment upstairs would be, perhaps, high comedy, if the action—and the condoning of it—were not so utterly frightening.

Mr. Gleason lamely laments the general "breakdown of law and order" as some sort of justification for the overreaction of men whose principal concern should be upholding it.

Nobody, least of all Mr. Gleason, has made any effort to explain why it took 24 men to mount a search of these homes, why they had to break their way in, why most of them were out of uniform, and why anticipated that the occupants (the husband was in

the bathtub, his wife was undressed) might resort to drastic measures to protect themselves.

In an editorial on this raid the other day, before Mr. Gleason's whitewash, we asked why one policeman in uniform, with the search warrant in his pocket, could not have knocked upon the door and politely stated his business.

So far, no one has answered that.

SUPPORT FOR BICYCLES

(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, I have introduced a bill, H.R. 9369, to provide funds from the highway trust fund for the construction of bicycle lanes. On July 8 WNBC-radio broadcast an editorial in support of the concept behind the Bicycle Transportation Act of 1971—encouraging the use of bicycles and establishing special lanes for their use.

I would like to submit for printing in the RECORD the text of the editorial:

EDITORIAL BROADCAST ON JULY 8, 1971, BY PERRY B. BASCOM, GENERAL MANAGER

In the 1965 campaign for Mayor of New York, William Buckley, the Conservative proposed a bicycle lane running down Second Avenue. At that time the suggestion was the subject of a lot of humor. Six years later the idea is being proposed again, and time has caught up with the Buckley idea.

Koch wants to take the Buckley bicycle lane idea and expand on it. The Congressman feels that the Second Avenue bike lane should be started immediately and that a companion lane going uptown should be instituted on Eighth Avenue.

On June 23rd Congressman Koch introduced the Bicycle Transportation Act of 1971, which would allow states and communities to use highway trust fund monies for the development of bike lanes, bike shelters, parking facilities, and traffic control devices.

The management of WNBC Radio likes this idea. Bicycling to work, in addition to transportation, contributes to health, lessens air and noise pollution, crowding and parking congestion.

In Davis City, California, 40% of all rush hour traffic is bicycle, and so far there have been no serious car-bike accidents. In Europe the bicycle has long been a standard acceptable means of transportation. There it started because cars and fuel were expensive. Maybe we should make bikes acceptable here for ecological reasons.

We urge Mayor Lindsay and the City Council to immediately institute bike lanes on Second and Eighth Avenues. This is the time of year to kick off the program.

THREE SISTERS BRIDGE CONTROVERSY

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

Mr. GUDE. Mr. Speaker, I am pleased to report that the U.S. Court of Appeals for the District of Columbia has expedited its review of the Three Sisters Bridge controversy. Brief oral arguments are to begin Thursday.

Ordinarily, these might not have been scheduled until the fall. But the court has seen that speed is in the public interest in this case.

I hope the court will continue to expedite this case so that a decision might come in 2 to 3 weeks.

The bridge has been linked, by congressional action, to further funding of the Washington area subway system so that progress on the subway depends on progress on the bridge. This is an unfortunate link-up of unrelated projects—and it is a link-up that I opposed. The delay caused by this link, plus the litigation seeking to halt the bridge, have greatly increased the cost of subway construction, although no one sought such a result.

Continued speed by the court of appeals is needed, for many, many jobs and many, many dollars are at stake. Congress, too, should work to assure that subway funding will not continue to be delayed.

VICE PRESIDENT INSULTS BLACKS

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

Mr. RYAN. Mr. Speaker, in a gratuitously insulting statement, the Vice President has attacked most black leaders in America as "complaining . . . carping" and unconstructive. The Vice President's comments show a singular lack of understanding.

There is strange irony in the fact that the Vice President made these statements only the day before he appeared at the annual reception in Madrid marking the anniversary of Generalissimo Franco's military uprising in 1936. He is the highest ranking American official ever to attend Franco's anniversary.

Thus, the Vice President succeeded in dishonoring the blacks of our own Nation who are fighting for the equality still denied them, while honoring a repressive foreign regime.

I think Dr. George Wiley, executive director of the National Welfare Rights Organization, aptly responded to Vice President Agnew:

A lot of us are going to continue fighting and complaining and struggling for a fair share of the heritage that black people in this country helped to build and develop.

And Rev. Ralph David Abernathy, president of the Southern Christian Leadership Conference, said that the Vice President:

Is seeking to inflame the American public when he says that black people feel that their leaders have dealt with rhetoric rather than programs.

The comment of Roy Wilkins, executive director of the NAACP, is also apt: he cited what he called:

The confusion in the mind of Mr. Agnew.

The Vice President is indeed confused. And that is indeed a charitable commentary on his statements.

VIETNAM AND PARIS

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

Mr. RYAN. Mr. Speaker, the latest Gallup poll reveals that, by more than a 2-to-1 margin, the American public is opposed to leaving a "residual force" in Vietnam after July 1, 1972. Nationally, 61 per cent of the public favor withdrawing all troops from Vietnam by that date at the latest. Only 28 percent support leaving a residual force in South Vietnam after that date.

There simply can be no argument any more. The American public, 73 percent of whom have registered their desire for withdrawal by December 31, 1971, at the latest, want no more of this war. Yet, the administration continues to resist ending this immoral conflict.

This resistance is rendered even more untenable by the latest proposals made by the Vietcong in Paris. Put forward on July 1, this seven point proposal is a mixture of rhetoric and substance. The task now is to ignore the rhetoric, or to cut through it, and to respond to the substance. Thus far, that response has not been forthcoming.

Some have hailed the announcement of the President's forthcoming visit to China as an opening towards peace. That may be, and should his visit result in improved relations between the United States and China, and diminished tensions, that will be all to the good.

But, I insist that we cannot allow this visit to China to now become the carrot held out to the American public—the latest item on the agenda thrust forth as excuse to delay ending the war now. Before the elections in 1968, we were offered the carrot of a "plan"—a plan which the then-candidate Richard Nixon waved before the American public which would get us out of the war. After his inauguration, we were offered the carrot of Vietnamization—this was to be the process whereby we ended our involvement in Southeast Asia.

Those two enticements to lull the American public have gone their way. It is almost 3 years since the presidential campaign of 1968 began. Tomorrow will mark 2½ years since this administration took office. Meanwhile, the killing has continued; and the destruction has persisted. Cambodia is a battleground. Laos is a land of bombed out villages. South Vietnam is devastated.

Meanwhile, in Paris, a negotiated peace may be within our grasp. The seven-point proposal put forward seems to boil down to this: if the United States sets a 1971 termination date for its involvement in the war, there will be a release of American prisoners of war.

Why has there been no substantive response to this proposal? Some claim that the negotiators for the other side in Paris cannot be trusted, that they do not mean what they say. Let us put them to the test. Let us, in fact, announce a termination date.

The crux of the administration's lack of response appears to lie in its insistence upon giving the Saigon government a "reasonable chance" for survival. This is the real, underlying core of administration policy. When all the talk about with-

drawals of American forces is over, when all the talk about prisoners of war being released is heard, we wind up at that basic concern of this administration—sustaining the Saigon government.

But where does that policy lead us? It can only mean continued massive military support of the Saigon regime by the supplying, at the least, of equipment. It can only mean the continued deployment of American airpower to provide a shield for the South Vietnamese Army. And it can only mean the maintenance of a residual force of American troops in South Vietnam, which the American public, by a margin of more than 2 to 1, opposes.

The time is long past to end U.S. involvement in Southeast Asia. Too many people have died—soldiers and civilians. Too much destruction has been wrought—villages burned to the ground, croplands ravaged by herbicides. Too much violence has been done—violence to the very fabric of Vietnamese society.

Once again, the administration has the opportunity to end this war. It had it when it took office. It could have announced withdrawal then, on the wave of support by an electorate tired and heartsick of war. It did not do so. Rather, it bound itself in deathly embrace to the Thieu-Ky regime of despotism and corruption.

Now is the time for the administration to set a withdrawal date. I believe the war should have never begun. Certainly, a high price has been paid for past mistakes. But it is possible to announce a termination no later than December 31.

TO AMEND THE FEDERAL EMPLOYEES' COMPENSATION ACT

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DANIELS of New Jersey. Mr. Speaker, I would like to direct my colleagues' attention to a most distressing inequity extant in the Federal Employees' Compensation Act.

As presently written, section 8116(a) of title 5, United States Code, prohibits concurrent receipt of benefits under that act with Armed Forces retirement pay.

Retired military personnel may receive Armed Forces retirement pay while employed; but if injured while working for the Federal Government, to the extent of becoming eligible for Federal workmen's compensation, a choice between the two forms of remuneration must be made. The resulting injustices are deplorable indeed.

Men who have honorably served their country suddenly, as a result of accidental occupational injuries, find themselves being punished for the commission of a most serious crime against humanity—trying to provide a reasonable existence for themselves and their families, and doing so in the capacity of service to the Federal Government.

The prohibitions found in the code in question apply only to the individuals receiving military retirement pay who subsequently find employment, in whatever capacity, in the Federal Government. Indirectly, these qualified and productive people are being punished simply because they chose to continue working for their Government.

It seems quite strange that hale and hearty persons in the Pentagon or retired military personnnel privately employed can receive both their salaries and retirement pay while untold numbers of others are precluded from doing so, despite the fact that such recompense was grievously come by.

Thus, today I am introducing a bill to amend the Federal Employees' Compensation Act to permit concurrent receipt of benefits under that act with Armed Forces retired pay.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARMATZ (at the request of Mr. PRICE of Illinois), for July 19 and 20, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GONZALEZ, for 30 minutes, today, to revise and extend his remarks and include extraneous material.

(The following Members (at the request of Mr. HILLIS) and to include extraneous matter:)

Mrs. HECKLER of Massachusetts, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. MCCORMACK) and to include extraneous matter:)

Mr. KASTENMEIER, for 30 minutes, today.

Mr. RARICK, for 15 minutes, today.

Mr. JAMES V. STANTON, for 15 minutes today.

Mr. BURKE of Massachusetts, for 10 minutes, today.

Mr. ALEXANDER, for 60 minutes, on July 22.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BYRNE of Pennsylvania to extend his remarks prior to the passage of S. 421, H.R. 8356, and H.R. 1409, on the Consent Calendar today.

Mr. HALEY, immediately prior to the concurrence in the Senate amendment to H.R. 6072 today.

Mr. MCCORMACK, immediately following rollcall No. 193 today.

(The following Members (at the request of Mr. HILLIS) and to include extraneous matter:)

Mr. SCHERLE in 10 instances.

Mr. CHAMBERLAIN in two instances.

Mr. VEYSEY.

Mr. WYMAN in two instances.

Mr. STEIGER of Arizona.

Mr. KYL.

Mr. MILLER of Ohio.

Mr. BRAY in two instances.

Mr. FULTON of Pennsylvania in 10 instances.

Mr. SCHWENGEL in two instances.

Mr. DERWINSKI.

Mr. MCCLURE.

Mr. THOMPSON of Georgia.

Mr. REID of New York.

Mr. SCHMITZ.

Mr. DELLENBACK.

Mr. HOGAN in 10 instances.

Mr. HANSEN of Idaho.

Mr. RIEGLE.

(The following Members (at the request of Mr. MCCORMACK) and to include extraneous material:)

Mr. EDWARDS of California in six instances.

Mr. JACOBS.

Mr. EILBERG in two instances.

Mr. HARRINGTON in two instances.

Mr. DINGELL in two instances.

Mr. MAZZOLI in four instances.

Mr. FAUNTROY in five instances.

Mrs. ABZUG in 10 instances.

Mr. WALDIE in six instances.

Mr. CORMAN.

Mr. MOLLOHAN in five instances.

Mr. FULTON of Tennessee.

Mr. RARICK in three instances.

Mr. MITCHELL in three instances.

Mr. RYAN in three instances.

Mr. FRASER.

Mr. MINISH.

Mr. WILLIAM D. FORD in two instances.

Mr. VANIK in two instances.

Mr. RODINO in two instances.

Mr. HAGAN in three instances.

Mr. HÉBERT.

Mr. ASPIN in 10 instances.

Mr. CASEY of Texas.

Mr. SCHEUER in four instances.

Mr. BINGHAM in two instances.

Mr. HAMILTON in three instances.

Mr. WOLFF in three instances.

Mr. SLACK in two instances.

Mr. DOW.

Mr. STOKES.

Mr. MCCORMACK in two instances.

Mr. GONZALEZ in three instances.

Mrs. HICKS of Massachusetts in two instances.

SENATE BILL, JOINT AND CONCURRENT RESOLUTIONS REFERRED

A bill and joint and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2227. An act to amend title 44, United States Code, to authorize the Public Printer to designate the library of the highest appellate court in each State as a depository library; to the Committee on House Administration.

S.J. Res. 52. Joint resolution increasing the authorizations for comprehensive planning grants and open space land grants; to the Committee on Banking and Currency.

S. Con. Res. 31. Concurrent resolution authorizing the printing of the compilation entitled "Federal and State Student Aid Programs, 1971" as a Senate document, to the Committee on House Administration.

S. Con. Res. 34. Concurrent resolution authorizing the printing of the prayers of the

Chaplain of the Senate during the 91st Congress as a Senate document; to the Committee on House Administration.

ENROLLED JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 169. Joint resolution authorizing the acceptance, by the Joint Committee on the Library on behalf of the Congress, from the U.S. Capitol Historical Society, of preliminary design sketches and funds for murals in the east corridor. first floor in the House wing of the Capitol, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 991. An act to expand and extend the desalting program being conducted by the Secretary of the Interior, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 1 minute p.m.), the House adjourned until tomorrow, Tuesday, July 20, 1971, 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:

970. A letter from the Director of Civil Defense, Department of the Army, transmitting a report on property acquisitions of emergency supplies and equipment, covering the quarter ended June 30, 1971, pursuant to section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

971. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to authorize appropriations for expenses of the Council on International Economic Policy, and for other purposes; to the Committee on Banking and Currency.

972. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication entitled "Recreation Opportunities at Hydroelectric Projects Licensed by the Federal Power Commission, 1970"; to the Committee on Interstate and Foreign Commerce.

973. A letter from the Commissioner, Immigration and Naturalization Service, U.S. 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; to the Committee on the Judiciary.

974. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 14, 1970, submitting a report, together with accompanying papers and an illustration, on Delaware Bay between Cape May Canal, N.J., and Lewes, Del., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted October 2, 1963 and April 14, 1964; to the Committee on Public Works.

975. A letter from the Secretary of Commerce, transmitting the fourth in the series of interim reports stemming from the U.S. Metric Study, prepared by the Bureau of Standards, pursuant to Public Law 90–472; to the Committee on Science and Astronautics.

RECEIVED FROM THE COMPTROLLER GENERAL

976. A letter from the Comptroller General of the United States, transmitting a report on substantial savings by obtaining competition in the rental of the Government's punched card accounting machine equipment; 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. HÉBERT: Committee on Armed Services. H.R. 9844. A bill to authorize certain construction at military installations, and for other purposes (Rept. No. 92–362). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 546. A resolution providing for the consideration of H.R. 4354. A bill to amend section 127 of title 23 of the United States Code relating to vehicle width limitations on the Interstate System, in order to increase such limitations for motorbuses (Rept. No. 92–363). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 547. A resolution providing for the consideration of H.R. 9020. A bill to amend the Egg Products Inspection Act to provide that certain plants which process egg products shall be exempt from such act for a certain period of time (Rept. No. 92–364). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules, House Resolution 548. A resolution providing for the consideration of House Joint Resolution 208. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women (Rept. No. 92–365). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 549. A resolution providing for the consideration of S. 699. An act to require a radiotelephone on certain vessels while navigating upon specified waters of the United States (Rept. No. 92–366). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARCHER:

H.R. 9861. A bill to authorize and direct the Secretary of Defense and the Administrator of the General Services Administration to insure the procurement and use by the Federal Government of products manufactured from recycled materials; to the Committee on Government Operations.

By Mr. ASHLEY:

H.R. 9862. A bill to permit interested organizations the opportunity to remove valuable flora from sites before the construction of public works is commenced; to the Committee on Public Works.

By Mr. BROYHILL of Virginia:

H.R. 9863. A bill to amend title 5, United States Code, to include as creditable service for purposes of the civil service retirement system certain periods of service of civilian employes of nonappropriated fund instrumentalities under the Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Florida:

H.R. 9864. A bill to equalize the returned pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

H.R. 9865. A bill to establish nondiscriminatory school systems and to preserve the rights of elementary and secondary students to attend their neighborhood schools, and for other purposes; to the Committee on Education and Labor.

H.R. 9866. A bill to provide increased annuities under the civil service retirement program; to the Committee on Post Office and Civil Service.

H.R. 9867. A bill to amend title II of the Social Security Act to permit an individual receiving benefits thereunder to earn outside income without losing any of such benefits; to the Committee on Ways and Means.

H.R. 9868. A bill to amend title XVIII of the Social Securtiy Act to remove the present limit on the number of days for which benefits may be paid thereunder to an individual on account of posthospital extended care services; to the Committee on Ways and Means.

H.R. 9869. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in benefits, to increase the minimum survivor's benefit, and to liberalize the retirement test; to the Committee on Ways and Means.

H.R. 9870. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. DANIELS of New Jersey:

H.R. 9871. A bill to amend the Federal Employees Compensation Act to permit concurrent receipt of benefits under that act with Armed Forces retired pay; to the Committee on Education and Labor.

By Mr. DICKINSON (for himself, Mr. THONE, Mr. KEMP, Mr. DAVIS of South Carolina, Mr. HECHLER of West Virginia, Mr. DANIEL of Virginia, Mr. BUCHANAN, Mr. DUNCAN, Mr. SPENCE, Mr. MORSE, Mr. PELLY, Mr. HALPERN, Mr. BEVILL, Mr. MAYNE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mr. RARICK, Mr. ANDERSON of Illinois, Mr. MONTGOMERY, Mr. WHITEHURST, Mr. FISHER, Mr. MATHIS of Georgia, and Mr. MAZZOLI):

H.R. 9872. A bill to amend title 10 of the United States Code to provide for the awarding of lapel buttons indicating that an individual was a prisoner of war at one time or that a family member is currently held as a prisoner of war; to the Committee on Armed Services.

By Mr. HARVEY:

H.R. 9873. A bill to amend the Federal Aviation Act of 1958 and the Interstate Commerce Act to authorize reduced-fare transportation on a space-available basis for persons who are 65 years of age or older; to the Committee on Interstate and Foreign Commerce.

By Mrs. HECKLER of Massachusetts:

H.R. 9874. A bill to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 9875. A bill to amend title II of the Social Security Act to provide that a woman may become entitled to full old-age insurance benefits at age 60; to the Committee on Ways and Means.

By Mr. MOLLOHAN:

H.R. 9876. A bill to amend the Public Health Service Act to authorize grants for the acquisition of ambulances and other medical emergency vehicles; to the Committee on Interstate and Foreign Commerce.

H.R. 9877. A bill to amend section 402 of title 23, United States Code, relating to highway safety programs; to the Committee on Public Works.

By Mr. O'KONSKI:

H.R. 9878. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROBERTS:

H.R. 9879. A bill to amend the Consolidated Farmers Home Administration Act of 1961, and for other purposes; to the Committe on Agriculture.

By Mr. RUNNELS:

H.R. 9880. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for certain social security taxes; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 9881. A bill to retrocede a portion of the District of Columbia to the State of Maryland; to the Committee on the District of Columbia.

By Mr. TERRY:

H.R. 9882. A bill to create a National Agricultural Bargaining Board, to provide standards for the qualification of associations of producers, to define the mutual obligation of handlers and associations of producers to negotiate regarding agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. VEYSEY:

H.R. 9883. A bill to provide for the development and implementation of programs for youth camp safety; to the Committee on Education and Labor.

H.R. 9884. A bill to amend the Clean Air Act to clarify California's right to enforce its own stringent motor vehicle emission standards; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALEN (for himself, Mr. DELLENBACK, Mr. FRELINGHUYSEN, Mr. HORTON, Mr. MORSE, Mr. RUPPE, Mr. CONTE, Mr. COUGHLIN, Mr. ESCH, Mr. GUDE, Mr. HALPERN, Mr. RAILSBACK, Mr. SCHNEEBELI, Mr. SCHWENGEL, and Mr. J. WILLIAM STANTON):

H.R. 9885. A bill to amend chapter 103 of title 10, United States Code, to reform the Senior Reserve Officers' Training Corps program; to the Committee on Armed Services.

By Mr. WRIGHT:

H.R. 9886. A bill to amend the act of July 24, 1956, to authorize the Secretary of the Army to contract with the city of Arlington, Tex., for the use of water supply storage in the Benbrook Reservoir; to the Committee on Public Works.

By Mr. ASPIN:

H.R. 9887. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small businesses; to the Committee on Ways and Means.

By Mr. BARING (by request):

H.R. 9888. A bill to amend the act of March 3, 1909, as amended; to the Committee on Interior and Insular Affairs.

H.R. 9889. A bill to establish a working capital fund for the Bureau of Land Management of the Department of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING (for himself, Mr. SAYLOR, Mr. EDMONDSON, Mr. HALEY, Mr. JOHNSON of California, Mr. TAYLOR, Mr. UDALL, Mr. KYL, Mr. BURTON, Mr. STEIGER of Arizona, Mr. KASTENMEIER, Mr. DON H. CLAUSEN, Mr. O'HARA, Mr. RUPPE, Mr. KEE, Mr. DELLENBACK, Mr. RONCALIO, Mr. BEGICH, Mr. ABOUREZK, Mr. FOLEY, Mr. SKUBITZ, Mr. RYAN, Mr. MCCLURE, Mrs. MINK, and Mr. MEEDS):

H.R. 9890. A bill to require the protection, management, and control of wild free-roaming horses and burros on public lands; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 9891. A bill to amend the Federal Cigarette Labeling and Advertising Act to require cigarette packages to bear a statement of the fire hazards presented by smoking; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

H.R. 9892. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. FAUNTROY (for himself, Mr. DELLUMS, Mr. DIGGS, Mr. GUDE, and Mr. MIKVA):

H.R. 9893. A bill to facilitate voting in the District of Columbia by persons who have been convicted of a felony and have been pardoned or have served their sentence imposed for that felony; to the Committee on the District of Columbia.

By Mr. WILLIAM D. FORD:

H.R. 9894. A bill to amend title 38, United States Code, in order to designate certain adult evening high school courses as full-time courses for purposes of educational assistance allowance payments; to the Committee on Veterans' Affairs.

By Mr. POWELL:

H.R. 9895. A bill to restore the income tax credit for investment in certain depreciable property; to the Committee on Ways and Means.

By Mr. RANDALL:

H.R. 9896. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 9897. A bill to amend the Federal Aviation Act of 1958 to authorize free or reduced-rate transportation for severely handicapped persons and persons in attendance, when the severely handicapped person is traveling with such an attendant; to the Committee on Interstate and Foreign Commerce.

H.R. 9898. A bill to amend the Federal Water Pollution Control Act to establish standards and programs to abate and control water pollution by synthetic detergents; to the Committee on Public Works.

By Mr. STEPHENS (for himself and Mr. WIDNALL):

H.R. 9899. A bill to authorize emergency loan guarantees to major business enterprises; to the Committee on Banking and Currency.

By Mr. VANIK:

H.R. 9900. A bill to amend section 112 of the Internal Revenue Code of 1954 to exclude from gross income the entire amount of the compensation of members of the Armed Forces of the United States and of civilian employees who are prisoners of war, missing in action, or in a detained status during the Vietnam conflict; to the Committee on Ways and Means.

By Mr. CONTE:

H.J. Res. 786. Joint resolution limiting military assistance and military sales to Pakistan; to the Committee on Foreign Affairs.

By Mr. LONG of Maryland:

H.J. Res. 787. Joint resolution limiting military assistance and military sales to Pakistan; to the Committee on Foreign Affairs.

By Mr. PATMAN (for himself, Mr. BARRETT, and Mr. WIDNALL):

H.J. Res. 788. Joint resolution extending for 2 years (until December 31, 1973) the existing authority for emergency implementation of the flood insurance program; to the Committee on Banking and Currency.

By Mr. REES:

H.J. Res. 789. Joint resolution to declare a U.S. policy of achieving population stabilization by voluntary means; to the Committee on Government Operations.

By Mr. HAYS:

H. Con. Res. 367. Concurrent resolution authorizing the printing of the pocket-size edition of "The Constitution of the United States of America" as a House document, and for other purposes; to the Committee on House Administration.

By Mr. WOLFF:

H. Con. Res. 368. Concurrent resolution expressing the sense of the Congress with respect to the use by the Congress of paper made from recycled materials; to the Committee on House Administration.

By Mr. BURKE of Florida:

H. Res. 550. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mrs. HECKLER of Massachusetts:

H. Res. 551. Resolution urging the Voice of America to make broadcasts in the Yiddish language into the Soviet Union; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

245. The SPEAKER presented a memorial of the Legislature of the State of California, relative to the protection of fishlife, which was referred to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ROYBAL:

H.R. 9901. A bill for the relief of Fidel Grosso-Padilla; to the Committee on the Judiciary.

By Mr. STEPHENS:

H.R. 9902. A bill for the relief of Paul Northington; to the Committee on the Judiciary.

H. Con. Res. 369. Concurrent resolution recognizing Jack Martin as an "Honorary Historian of the United States of America"; to the Committee on Education and Labor.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

105. By the SPEAKER: Petition of Henry Stoner, York, Pa., relative to causing U.S. paper currency to carry its denomination in braille; to the Committee on Banking and Currency.

106. Also, petition of Vernon W. Clifton, Elyria, Ohio, relative to redress of grievances; to the Committee on the Judiciary.