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8/10/21/76

APPROVED  
OCT 21 1976

THE WHITE HOUSE  
WASHINGTON  
October 20, 1976

ACTION

Last Day: October 23

MEMORANDUM FOR THE PRESIDENT  
FROM: JIM CANNON *[Signature]*  
SUBJECT: H.R. 10192 - Appointments to the Coast Guard Academy

*Posted 10/21/76  
Archives 10/21/76*

Attached for your consideration is H.R. 10192, sponsored by Representative Biaggi and twelve others.

Section 1 of the enrolled bill would require that all appointments of cadets to the U.S. Coast Guard academy be made "without regard to the sex, race, color or religious beliefs of an applicant." It would also require that steps be taken to insure the appointment and admission of eligible females to the Academy.

Section 2 of the enrolled bill would permit two foreign built vessels to be documented as vessels of the U.S. with the privilege of engaging in the coastwise trade. It would also permit a third foreign built vessel to be documented as a vessel of the U.S. with the privilege of engaging in the American fisheries trade.

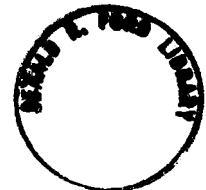
The right to engage in the U.S. coastwise and fisheries trades is limited by statute to those vessels constructed and documented in the U.S. and owned by U.S. citizens. Each of the vessels involved is now owned by U.S. citizens who are seeking to have them documented as U.S. vessels so that they may engage in U.S. commercial activities.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Kilberg), Jeanne Holm and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 10192 at Tab B.





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

OCT 15 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 10192 - Appointments to Coast Guard Academy and Vessel Documentation  
Sponsor - Rep. Biaggi (D) New York and 12 others

Last Day for Action

October 23, 1976 - Saturday

Purpose

Requires that the appointment of cadets to the U.S. Coast Guard Academy be on a nondiscriminatory basis; and authorizes the documentation of three vessels, not otherwise eligible, as U.S. vessels.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	No objection
Department of Commerce	No objection
Department of the Treasury	Defers to DOT

Discussion

Section 1 of H.R. 10192 would require that all appointments of cadets to the U.S. Coast Guard Academy be made "without regard to the sex, race, color, or religious beliefs of an applicant." It would also require that steps be taken to insure the appointment and admission of eligible females to the Academy; standards of appointment, admission, training, graduation, and commissioning as officers would be required to be identical for males and females except for those minimal adjustments needed because of physiological differences between the sexes.

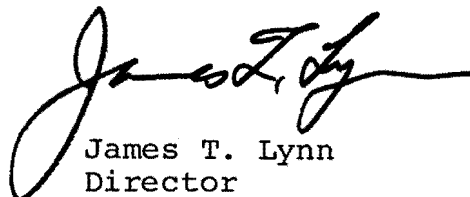


The Department of Transportation states in its attached views letter that "The Coast Guard does not discriminate against individuals because of race, color, or religious beliefs. Furthermore, there exist no statutory impediments to the admission of women to the Academy. There are now female cadets at the Academy and we have taken all reasonable steps to assure that women will be admitted in the future on an equal basis with men. We do not believe section 1 is necessary; however, we have no objection to its enactment."

Section 2 of the enrolled bill would permit two foreign built vessels, the Barbara Ann and the Bruja Mar, to be documented as vessels of the United States with the privilege of engaging in the coastwise trade. Section 2 would also permit the foreign built vessel, Mary M, to be documented as a vessel of the United States with the privilege of engaging in the American fisheries trade.

The right to engage in the U.S. coastwise and fisheries trades is limited by statute to those vessels constructed and documented in the U.S. and owned by U.S. citizens. This right may be a major factor in determining the cost or selling price of a vessel, and makes a U.S. built vessel potentially more valuable than a foreign built vessel of like size and design. Each of the vessels involved here is now owned by U.S. citizens who are seeking to have it documented as a U.S. vessel so that it can engage in U.S. commercial activities.

The Department of Commerce has normally opposed vessel documentation legislation because of its potential adverse impact on domestic maritime interests. In this case, Commerce does not believe that providing documentation to these three vessels presents serious enough issues to warrant disapproval of the bill. In addition, DOT states that "The added burden of documenting these three vessels as commercial vessels will have no ascertainable impact on our operation nor will it have any appreciable effect on costs."



James T. Lynn  
Director

Enclosures



THE SECRETARY OF TRANSPORTATION  
WASHINGTON, D.C. 20590

OCT 8 1976

Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D.C. 20503

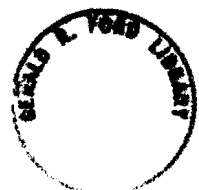
Dear Mr. Lynn:

Reference is made to your request for the views of the Department of Transportation concerning H.R. 10192, an enrolled bill

"To amend title 14, United States Code, to provide for the nondiscriminatory appointment of cadets to the United States Coast Guard Academy."

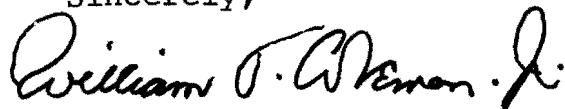
Section 1 of the bill amends section 182 of title 14, United States Code, by adding a provision which states that appointments to the Coast Guard Academy will "be made without regard to sex, race, color, or religious beliefs of an applicant". Section 1 of the enrolled bill also directs the Secretary of the Department in which the Coast Guard is operating to take appropriate steps to insure the appointment and admission of eligible female individuals to the Coast Guard Academy. The Coast Guard does not discriminate against individuals because of race, color, or religious beliefs. Furthermore, there exist no statutory impediments to the admission of women to the Academy. There are now female cadets at the Academy and we have taken all reasonable steps to assure that women will be admitted in the future on an equal basis with men. We do not believe section 1 is necessary; however, we have no objection to its enactment.

Section 2 of the enrolled bill permits two foreign built vessels, the BARBARA ANN and the BRUJA MAR, to be documented as vessels of the United States with the privilege of engaging in the coastwise trade. Section 2 also permits the foreign built vessel, MARY M, to be documented as a vessel of the United States with the privilege of engaging in the American fisheries.



The Coast Guard's duties relative to documentation of vessels are ministerial. The added burden of documenting these three vessels as commercial vessels will have no ascertainable impact on our operation nor will it have any appreciable effect on costs. Therefore, we have no objection to the President signing this bill.

Sincerely,

A handwritten signature in black ink, reading "William T. Coleman, Jr." in a cursive style.

William T. Coleman, Jr.



**GENERAL COUNSEL OF THE  
UNITED STATES DEPARTMENT OF COMMERCE**  
Washington, D.C. 20230

**OCT 8 1976**

Honorable James T. Lynn  
Director, Office of Management  
and Budget  
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Lynn:

This is in reply to your request for the views of this Department concerning H. R. 10192, an enrolled enactment

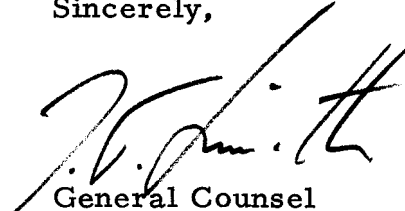
"To amend title 14, United States Code, to provide for the nondiscriminatory appointment of cadets to the United States Coast Guard Academy."

The first section of H. R. 10192 provides that appointments to the United States Coast Guard Academy shall be made without regard to sex, race, color or religious beliefs of an applicant. Section 2 of H. R. 10192 would direct the Secretary of the Treasury to cause the vessels Barbara Ann and Bruja Mar to be documented as vessels of the United States with the privilege of engaging in the coastwise trade and the vessel Mary M to be documented as a vessel of the United States with the privilege of engaging in the American fisheries, if the vessels meet the requirements for such documentation other than the requirement that they be built in the United States. The legislation further provides that it shall apply with respect to the Barbara Ann and the Bruja Mar so long as the vessels continue in their present ownership.

The Department of Commerce would interpose no objection to approval by the President of H. R. 10192.

Enactment of this legislation would involve no expenditure of funds by this Department.

Sincerely,

  
General Counsel





THE GENERAL COUNSEL OF THE TREASURY  
WASHINGTON, D.C. 20220

OCT 12 1976

Director, Office of Management and Budget  
Executive Office of the President  
Washington, D. C. 20503

Attention: Assistant Director for Legislative  
Reference

Sir:

Reference is made to your request for the views of this Department on the enrolled enactment of H.R. 10192, "To amend title 14, United States Code, to provide for the nondiscriminatory appointment of cadets to the United States Coast Guard Academy."

The enrolled enactment would require that all appointments of cadets to the United States Coast Guard Academy be made on a non-discriminatory basis, without regard to sex, race, color, or religious beliefs of an applicant. In addition, the enrolled enactment would require that the Secretary of the Department in which the Coast Guard is operating shall take necessary and appropriate action to insure the eligibility of female individuals for appointment and admission to the Academy. It would also provide that, notwithstanding any other provisions of law, the Secretary of the department in which the Coast Guard is operating shall cause the vessels, Barbara Ann and Bruja Mar, to be documented as vessels of the United States with the privilege of engaging in the coastwise trade. Furthermore, the enrolled enactment would provide that the vessel, Mary M, be documented as a vessel of the United States with the privilege of engaging in American fisheries.

Since the subject matter of the legislation is not of primary interest to this Department, we have no comment to make with regard to the merits of or need for the proposed legislation. Consequently, the Department defers to the views of the Department of Transportation.

Sincerely yours,

  
Richard A. Albrecht  
General Counsel



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 18

Time: 900pm

FOR ACTION: Judy Hope *mh*  
Max Friedersdorf *mf*  
Bobbie Kilberg *ok*  
JeannM Holm *mh*  
Dick Parsons *dp*

cc (for information): Jack Marsh  
Ed Schmults  
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 19

Time: 200pm

SUBJECT:

H.R.10192-Appointments to Coast Guard Academy

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 9

Date: October 18

Time: 900pm

FOR ACTION: Judy Hope ✓  
Max Friedersdorf  
Bobbie Kilberg  
Jeanne Holm  
Dick Parsons

cc (for information): Jack Marsh  
Ed Schmults  
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 19

Time: 200pm

SUBJECT:

H.R.10192-Appointments to Coast Guard Academy

ACTION REQUESTED:

\_\_\_ For Necessary Action

\_\_\_ For Your Recommendations

\_\_\_ Prepare Agenda and Brief

\_\_\_ Draft Reply

\_\_\_x For Your Comments

\_\_\_ Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

*Approval*  
*Judy Hope*  
*10/19 at*  
*9:45 AM.*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

9

Date: October 18

Time: 900pm

FOR ACTION: Judy Hope  
Max Friedersdorf  
Bobbie Kilberg  
Jeanne Holm  
Dick Parsons

cc (for information): Jack Marsh  
Ed Schmults  
Steve McConahey

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DUE: Date: October 19

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SUBJECT:

H.R.10192-Appointments to Coast Guard Academy

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

*approve and suggest about signing statement - j  
Kilberg 10/19/76*

*you can mention section 1 but not section 2. if  
you must mention both, do not recommend  
signing statement.*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

9

Date: October 18

Time: 900pm

FOR ACTION: Judy Hope  
Max Friedersdorf  
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DUE: Date: October 19

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SUBJECT:

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Draft Reply

For Your Comments

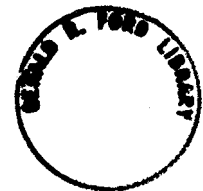
Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

*Recommend  
Approval.*

*[Signature]*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 9

Date: October 18

Time: 900pm

FOR ACTION: Judy Hope  
Max Friedersdorf  
Bobbie Kilberg  
Jeanne Holm  
Dick Parsons ✓

cc (for information): Jack Marsh  
Ed Schmults  
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 19

Time: 200pm

SUBJECT:

H.R.10192-Appointments to Coast Guard Academy

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

*Approve. JH*

please return to judy johnston, ground floor west wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

*James W. Cannon  
For the President*

## NONDISCRIMINATORY APPOINTMENT OF CADETS TO THE COAST GUARD ACADEMY

MAY 10, 1976.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

Mrs. SULLIVAN, from the Committee on Merchant Marine and Fish-  
eries, submitted the following

### REPORT

[To accompany H.R. 10192]

The Committee on Merchant Marine and Fisheries, to whom was referred the bill (H.R. 10192) to amend title 14, United States Code, to provide for the nondiscriminatory appointment of cadets to the United States Coast Guard Academy, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

That subsection (a) of section 182 of title 14, United States Code, is amended by inserting after the second sentence thereof two new sentences as follows: "All such appointments shall be made without regard to the sex, race, color, or religious beliefs of an applicant. In the administration of this chapter, the Secretary shall take such action as may be necessary and appropriate to insure that female individuals shall be eligible for appointment and admission to the Coast Guard Academy, and that the relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be the same as those required for male individuals, except for those minimum essential adjustments in such standards required because of physiological differences between male and female individuals."

### PURPOSE OF THE LEGISLATION

The purpose of the bill is to enact into law a requirement that all appointments of cadets to the United States Coast Guard Academy shall be made on a nondiscriminatory basis, without regard to sex, race, color, or religious beliefs of an applicant. In addition, the bill requires that the Secretary of the Department in which the Coast Guard is operating shall take necessary and appropriate action to insure the eligibility of female individuals for appointment and admission to the Academy, and to insure that the relevant standards for ap-

pointment, admission, training, graduation, and commissioning of female individuals shall be identical to those required for male individuals, with the exception of those minimum essential adjustments which are required because of the physiological differences between males and females.

#### BACKGROUND

Under the existing provisions of section 182 of title 14, United States Code, appointments to cadetships at the Coast Guard Academy are made under regulations prescribed by the Secretary, who shall determine age limits, methods of selection of applicants, term of service as a cadet before graduation, and all other matters affecting such appointments. Under the authority of that section, the regulations of the Secretary, up until last summer, failed to provide for the appointment of female individuals to the Academy, his policy determination being based apparently upon the similar failure on the part of the Military Academy, the Naval Academy, and the Air Force Academy, and despite the growing recognition in the United States that denial of equal protection of the laws because of sex is a condition which is long since due for correction. In addition, no change of policy in this regard as to the Coast Guard Academy resulted from the leadership demonstrated by the Merchant Marine Academy which, since 1947, has accepted female applicants for training.

Last year, in the consideration of the Department of Defense Appropriation Authorization Act, 1976, a section was included which directed the Secretaries of the Military Departments to take necessary and appropriate action to insure that female individuals shall be eligible for appointment and admission to the service academies under their jurisdiction, beginning with appointments for the classes of which will be sworn in this summer. Following the action both Houses of the Congress in including a female eligibility provision for the military academies, but prior to the actual enactment of the provision into law, the Commandant of the United States Coast Guard, on August 11, 1975, announced a change of policy in relation to the Coast Guard Academy and stated that women would be admitted to the Academy with the class entering in July 1976. In making that announcement, the Coast Guard Commandant said that the decision to admit women to the Academy was based on the many contributions he expected women to make in the peacetime missions of the Coast Guard, and that the decision was in keeping with the strong commitment of the leadership of the Department of Transportation to assure equal rights to women.

#### GENERAL DISCUSSION

Women have been a part of the Coast Guard since early in World War II with the establishment of the well known SPAR's. They have filled both officer and enlisted billets in a competent and dedicated manner, and have demonstrated their capability of performing as efficiently as male individuals in comparable assignments. Nevertheless, their service for many years was governed by special legislation directed specifically to women as a part of the Coast Guard Reserve, compartmentalized, in effect, from the regular establishment and even within the Reserve organization. It is to the credit of the Coast

Guard that they ultimately, in July 1973, proposed legislation which provided for the integration of women into the Coast Guard Reserve. The Reserve itself was initially authorized in 1941, with memberships limited to males. In 1942, the Women's Reserve was established as a branch of the Coast Guard Reserve, primarily to utilize women in order to make males available for wartime sea duty. In 1947, the Act which authorized the establishment of the Women's Reserve was repealed and all of the women then in the Coast Guard Reserve were separated from the service. In 1949, with the codification of title 14, a section therein re-established the Women's Reserve as a branch of the Coast Guard Reserve and finally in July 1973, a proposal which resulted in Public Law 93-174, provided for the full integration of women into the Coast Guard Reserve. This brief summary is included to illustrate the rather checkered experience of women in the Coast Guard. On the other hand, it demonstrates progress, even though slow, toward the ultimate goal of equal treatment for women.

The Secretary of Transportation and the Coast Guard are also entitled to credit for the action of the Commandant last summer in administratively reversing previous policy as to the admission of women at the Coast Guard Academy. That possible action, in addition, had been anticipated and planned for even prior to the Congressional action on Public Law 94-106, and, in fact, the Coast Guard took its administrative action prior to the final enactment of that statute into law.

Because of the administrative action already taken to offer appointments to female individuals to the Coast Guard Academy, commencing with the class entering this summer, it would appear that the bill, H.R. 10192, is unnecessary. At the same time, it must be recognized that the action of the Coast Guard was not entirely voluntary, as it could have been, for instance, in 1974, when the Merchant Marine Academy showed the way. There were some constraints involved, of course, because the Coast Guard Academy conforms its policies in many respects with the military academies, and more specifically with the Naval Academy, since in time of war, the Coast Guard operates as a service in the Navy, and as a matter of practicality, its overall general personnel policies are necessarily consistent with those of the Navy. Recognizing that fact, it is doubtful that the Department of Transportation or the Coast Guard would reverse present policy and terminate the appointment of females to the Coast Guard Academy as long as such individuals are required by law to be admitted to the Naval Academy. Nevertheless, the authority to do so remains unless legislation is enacted which will specifically prohibit such a change.

The enactment of H.R. 10192 will place in title 14, United States Code, a specific requirement which is already inherent in national policy. It will direct by law in specific language the nondiscriminatory treatment for all applicants to the Coast Guard Academy and will place a positive requirement on the Secretary to take affirmative action to insure that female individuals are eligible for appointments as cadets. It will once more reiterate in this bicentennial year an inherent right of equal opportunity for all individuals to be judged and accepted on their individual accomplishments and merits without being blocked by artificial, unreasonable barriers.

## COMMITTEE ACTION

H.R. 10192 was introduced by the Honorable Mario Biaggi, for himself and 12 co-sponsors. It basically followed, with minor changes, the language contained in Public Law 94-106, relating to the military academies.

The Subcommittee on Coast Guard and Navigation held hearings on February 11, 1976, on H.R. 10192, together with other bills relating to the same subject, including H.R. 8414, H.R. 9011, H.R. 9013, and H.R. 9347. Testimony was received from the Commandant, United States Coast Guard, and from a representative of the National Organization for Women. In addition to the witnesses, statements in support of the legislation were received from the Honorable Lester Wolff, and the Honorable Edward Koch, as well as from the Executive Director of the Reserve Officers' Association of the United States, on behalf of his organization, and from the Chairman, Coast Guard Affairs Committee, Reserve Officers' Association.

The Commandant of the Coast Guard, after reviewing the admission procedures at the Academy and the change of policy last summer in relation to the admission of females, stated that the women appointed for the Class of 1980, would embark upon a training program identical to that given to male cadets and would be integrated totally into the Cadet Brigade. Furthermore, he testified that upon graduation, women officers would be assigned to Coast Guard units on the same basis as other graduates, although he called attention to the fact that, under present policy, women are not assigned to ships or isolated duty stations. Finally, he testified that while the Coast Guard did not consider H.R. 10192 to be necessary in view of the administrative action already taken, the service had no objection to its enactment. The representative of the National Organization for Women applauded the efforts of the Coast Guard to integrate women into the program at the Coast Guard Academy, and stated that her organization was prepared to work closely with the Coast Guard in working out any problems that might arise from the new endeavor.

On April 13, 1976, the Subcommittee adopted amendments to the bill, as introduced, which deleted those provisions that added the phrases "or her" and "or herself" in various places in the amended section where the words "his" and "himself" now appear. The amendments were adopted on the basis that present provisions of law in title I, United States Code, make it clear that words of masculine gender in the statutes also include the feminine gender unless a clear intention to the contrary is indicated. The Subcommittee felt that little purpose would be served in rearranging wording in this single section of title 14, when the same language situation appears throughout the title. The Subcommittee thereafter, by voice vote, with none opposing, and one Member voting present, ordered the bill, as amended, reported to the Full Committee.

The Committee on Merchant Marine and Fisheries, on April 29, 1976, endorsed the action of the Subcommittee, adopted a single amendment reflecting the amendatory action of the Subcommittee, and by unanimous voice vote, ordered the bill, as so amended, reported to the House.

## SECTIONAL ANALYSIS

The bill consists of one section which adds two new sentences in subsection (a) of section 182 of title 14, United States Code. The new sentences require that all appointments to cadetships at the Coast Guard Academy shall be made on a nondiscriminatory basis, without regard to the sex, race, color, or religious beliefs of an applicant. The new language also requires the Secretary, in administering Chapter 9 of title 14, which relates to the Coast Guard Academy, to take all necessary and appropriate action to insure that female individuals shall be eligible for appointment and admission to the Academy. The Committee considers that inherent in this language is a requirement for necessary publicity with nationwide distribution, so that females who would be eligible under the bill would receive full information as to that eligibility, and as to the advantages of applying for a cadetship. Finally, the language requires the Secretary to insure that all relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be in essence identical to those required for male individuals, with the single exception that flexibility is permitted for the minimum essential adjustments in any of those standards which may be required because of physiological differences between male and female individuals. In this respect, the Committee expects the Secretary to see that women are given an equal opportunity for cadetships and at the same time, are required, once appointed, to meet the same standards required of male individuals. In other words, there shall be neither discrimination against nor discrimination for females, as contrasted to males. Finally, while every opportunity is to be extended for equal treatment, there is no language in the bill which, in any way, encourages the establishment of quotas for females, and the Committee would consider any attempt to establish quotas as contrary to the clear purpose of the equal opportunity provided by the bill.

## COST OF THE LEGISLATION

Pursuant to clause 7 of rule XIII of the Rules of the House of Representatives, the Committee finds that there will be no additional costs attributable to this legislation. Any indirect costs flowing from necessary rearrangement of living quarters at the Academy, including the training vessel *Eagle*, have already been undertaken through the change in administrative policy.

## COMPLIANCE WITH CLAUSE 2(1)(3) OF RULE XI

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives—

- (A) No oversight hearings were held on the subject in question;
- (B) The requirements of section 308(a) of the Congressional Budget Act of 1974 are not applicable to this legislation;
- (C) The Director of the Congressional Budget Office has not been requested for, and has not furnished the Committee with, an estimate of costs relative to the bill; and



(D) The Committee has received no report from the Committee on Government Operations of oversight findings and recommendations arrived at, pursuant to clause 2(b) (2) of rule X.

#### INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1) (4) of rule XI of the Rules of the House of Representatives, the Committee has assessed the potential for inflationary impact and has concluded that there is none.

#### DEPARTMENTAL REPORT

H.R. 10192 was the subject of a report from the Department of Transportation and follows herewith:

OFFICE OF THE SECRETARY OF TRANSPORTATION,  
Washington, D.C. December 18, 1975.

HON. LEONOR K. SULLIVAN,  
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MADAM CHAIRMAN: Reference is made to your request for the views of the Department of Transportation concerning H.R. 10192, a bill to amend title 14, United States Code, to provide for the non-discriminatory appointment of cadets to the United States Coast Guard Academy.

The bill is essentially the same as H.R. 8414 on which we commented to you by letter dated September 25, 1975. We support the recent congressional declarations concerning the admission of women to the service academies and are taking the necessary administrative steps to admit females, effective July, 1976, to the Coast Guard Academy on an equal basis with males. We continue to believe, therefore, that the legislative changes proposed in H.R. 10192 and similar bills are unnecessary.

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report for the consideration of the Committee.

Sincerely,

JOHN HART ELY,  
General Counsel.

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, as amended, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic, existing law in which no change is proposed is shown in roman):

#### COAST GUARD

(14 U.S.C. 182(a))

#### Chapter 9.—COAST GUARD ACADEMY

§ 182. Cadets; number, appointment, obligation to serve.

(a) The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number appointed in any one

year shall not exceed six hundred. Appointments to cadetships shall be made under regulations prescribed by the Secretary, who shall determine age limits, methods of selection of applicants, term of service as a cadet before graduation, and all other matters affecting such appointments. *All such appointments shall be made without regard to the sex, race, color, or religious beliefs of an applicant. In the administration of this chapter, the Secretary shall take such action as may be necessary and appropriate to insure that female individuals shall be eligible for appointment and admission to the Coast Guard Academy, and that the relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be the same as those required for male individuals, except for those minimum essential adjustments in such standards required because of physiological differences between male and female individuals.* The Secretary may summarily dismiss from the Coast Guard any cadet who, during his cadetship, is found unsatisfactory in either studies or conduct, or may be deemed not adapted for a career in the Coast Guard. Previous to his admission each cadet shall obligate himself, in such manner as the Secretary shall prescribe, to complete the course of instruction at the Coast Guard Academy and to serve at least five years as an officer in the Coast Guard after graduation, if his service be so long required. Cadets shall be subject to rules governing discipline prescribed by the Commandant.

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NONDISCRIMINATORY APPOINTMENT OF CADETS TO  
THE COAST GUARD ACADEMY

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AUGUST 27, 1976.—Ordered to be printed

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Mr. LONG, from the Committee on Commerce,  
submitted the following

## REPORT

[To accompany H.R. 10192]

The Committee on Commerce to which was referred the bill (H.R. 10192) to amend title 14, United States Code, to provide for the nondiscriminatory appointment of cadets to the United States Coast Guard Academy, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

## PURPOSE

The purpose of the bill is to provide by statute that all appointments of cadets to the United States Coast Guard Academy be made on a nondiscriminatory basis; that necessary and appropriate steps be taken to insure the eligibility of females for appointment and admission to the Academy; and, that there be identical standards for males and females regarding Academy appointment, training, and commissioning, except for those exceptions required because of the physiological differences between males and females.

## BACKGROUND AND NEED

On August 11, 1975 the Commandant of the United States Coast Guard announced that beginning with the 1976 school year for the class of 1980, women would be eligible for admission to the Coast Guard Academy on an equal basis with men. This action occurred prior to, but almost simultaneously with, a requirement in the Department of Defense Appropriation Authorization Act, 1976 (Public Law 94-106) that the United States military academies take necessary and appropriate action to insure that female individuals shall be eligible for appointment and admission to those institutions. The language of H.R. 10192 follows that contained in Public Law 94-106. The administrative action taken by the Commandant of the Coast Guard in 1975 may appear to make enactment of this bill unnecessary. Although

it is doubtful that the present policy regarding appointment of females to the Coast Guard Academy would be reversed, enactment of the bill will give the full force of law to what must clearly remain a national policy. In addition, the bill will require that positive steps be taken to insure that females are treated equally in all phases of Academy admission, training, and officer commissioning in the Coast Guard. Finally, requiring equal standards for men and women will assure that there shall not be discrimination for or against females.

H.R. 10192 was passed by the House of Representatives on May 18, 1976. On June 17, 1976 the Committee, in open executive session ordered the bill reported without objection.

#### ESTIMATED COSTS

Pursuant to the requirements of section 252 of the Legislative Reorganization Act of 1970, the Committee estimates that there will be no additional cost to the Government as a result of the enactment of this legislation.

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

### COAST GUARD

(14 U.S.C. 182(a))

#### Chapter 9.—COAST GUARD ACADEMY

##### § 182. Cadets; number, appointment, obligation to serve.

(a) The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number appointed in any one year shall not exceed six hundred. Appointments to cadetships shall be made under regulations prescribed by the Secretary, who shall determine age limits, methods of selection of applicants, term of service as a cadet before graduation, and all other matters affecting such appointments. *All such appointments shall be made without regard to the sex, race, color, or religious beliefs of an applicant. In the administration of this chapter, the Secretary shall take such action as may be necessary and appropriate to insure that female individuals shall be eligible for appointment and admission to the Coast Guard Academy, and that the relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be the same as those required for male individuals, except for those minimum essential adjustments in such standards required because of physiological differences between male and female individuals.* The Secretary may summarily dismiss from the Coast Guard any cadet who, during his cadetship, is found unsatisfactory in either studies or conduct, or may be deemed not adapted for a career in the Coast Guard. Previous to his admission each cadet shall obligate himself, in such manner as the Sec-

retary shall prescribe, to complete the course of instruction at the Coast Guard Academy and to serve at least five years as an officer in the Coast Guard after graduation, if his service be so long required. Cadets shall be subject to rules governing discipline prescribed by the Commandant.

#### TEXT OF H.R. 10192, AS REPORTED

To amend title 14, United States Code, to provide for the nondiscriminatory appointment of cadets to the United States Coast Guard Academy

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 182 of title 14, United States Code, is amended by inserting after the second sentence thereof two new sentences as follows: "All such appointments shall be made without regard to the sex, race, color, or religious beliefs of an applicant. In the administration of this chapter, the Secretary shall take such action as may be necessary and appropriate to insure that female individuals shall be eligible for appointment and admission to the Coast Guard Academy, and that the relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be the same as those required for male individuals, except for those minimum essential adjustments in such standards required because of physiological differences between male and female individuals."*

#### AGENCY COMMENTS

No agency comments were received on the bill.

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# Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,  
one thousand nine hundred and seventy-six*

## An Act

To amend title 14, United States Code, to provide for the nondiscriminatory appointment of cadets to the United States Coast Guard Academy.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 182 of title 14, United States Code, is amended by inserting after the second sentence thereof two new sentences as follows: "All such appointments shall be made without regard to the sex, race, color, or religious beliefs of an applicant. In the administration of this chapter, the Secretary shall take such action as may be necessary and appropriate to insure that female individuals shall be eligible for appointment and admission to the Coast Guard Academy, and that the relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be the same as those required for male individuals, except for those minimum essential adjustments in such standards required because of physiological differences between male and female individuals."

SEC. 2. (a) Notwithstanding the provisions of section 4132 of the Revised Statutes of the United States, as amended (46 U.S.C. 11), or any other provision of law, the Secretary of the Department in which the Coast Guard is operating (1) shall cause the vessels, Barbara Ann (vessel numbered 529835), presently jointly owned, with right of survivorship, by Keith E. and Barbara Malcolm of Marine City, Michigan, and Bruja Mar (vessel numbered 546133), presently owned by Greenwood Marine, Incorporated, a Louisiana corporation, to be documented as vessels of the United States with the privilege of engaging in the coastwise trade, and (2) shall cause the vessel, Mary M (vessel numbered 230483), presently owned by Charles Hammond, Junior, of Glen Burnie, Maryland, to be documented as a vessel of the United States with the privilege of engaging in the American fisheries, such documentation to be conditional upon compliance with all the requirements for such documentation other than the requirement that the vessel be built in the United States.

(b) The provisions of this section shall remain in effect for the Barbara Ann so long as the vessel continues in its present joint ownership, or in the ownership of the survivor thereof, and for the Bruja Mar so long as the vessel continues in its present ownership.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*