

JOINT REFERRAL OF MESSAGE
FROM THE PRESIDENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that a message from the President relative to budget requests for research and development activities be referred jointly to the Committees on Aeronautics and Space Science, Agriculture and Forestry, Appropriations, Armed Services, Budget, Interior and Insular Affairs, and Labor and Public Welfare.

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

ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, there being no further business to come before the Senate, I move, in accordance with the previous order that the Senate stand in adjournment until the hour of 11:30 tomorrow morning.

The motion was agreed to; and at 5:07 p.m., the Senate adjourned until tomorrow, Tuesday, March 23, 1976, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 22, 1976:

DEPARTMENT OF STATE

Richard J. Bloomfield, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ecuador.

W. Beverly Carter, Jr., of Pennsylvania, a Foreign Service information officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Liberia.

DEPARTMENT OF STATE

Thomas S. Gates, Jr., of Pennsylvania, Chief of the U.S. Liaison Office at Peking, People's Republic of China, for the rank of Ambassador.

DEPARTMENT OF THE TREASURY

Robert A. Gerard, of the District of Columbia, to be an Assistant Secretary of the Treasury, vice Charles A. Cooper, resigned.

IN THE MARINE CORPS

The following-named (U.S. Air Force Academy) graduates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Garrison, Leslie C. Murphy, Gene B.
Moy, Way P. Ternes, David E.

The following-named (Marine Corps enlisted commissioning education program) graduates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Blodgett, Arthur L. Koch, Rita A.
Carlson, Karl F. McKenna, William L.
Dosssett, Michael S. Smith, Kathleen A.
England, Kenneth R. Williams, Kenneth L.

The following-named (Naval Reserve Officer Training Corps) graduates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Alles, Randolph D. Donham, Stanley
Baleskie, Frank A., Jr. Emerson, Oregon, III
Barr, Dennis J. Farris, John R.
Biely, Robert L. Fisher, Douglas A.
Billips, Paul E. Flores, Larry G.
Blackman, Clyde E. Fonteno, Michael R.
Branch, Thomas I. Freeland, Kent R.
Briggs, Wayne E. Fulkerson, Edwin G.
Bullington, Geoffrey J. Galvez, Richard
Burkholder, Paul A. M., Jr.
Burt, Robert E. Gilpin, Kevin M.
Clarke, Scott W. Goodard, Donald
Conary, Gary C. E., Jr.
Craig, Constant P. Hackmeyer, David L.
Craig, Ralph D. Hansel, Robert S.
Cullop, Gary R. Hoerner, Steven E.
Currier, Stuart D., II Jackson, Otis J., Jr.
Davidson, Thomas A. Jennings, James M.
Davis, Eugene A. Jewell, Wayne E.
Davis, Lester D. Johnson, Terrie B.
Davis, Michael T. Johnson, William
Daw, Michael T. L., III
Deen, Robert L. Jones, Ritchie K.

Linton, Richard M.
MacDonald, James R.
Magnuson, Gary J.
Masse, David A.
Matthews, Paul J.
McCloskey, Michael P.
McMillan, Michael D.
Mehalko, Kim
Mitchell, David M.
Moore, Robert B.
Morris, Phillip A.
Murray, Brian A.
Muse, Allen C.
Oliver, Allen E.
Papineau, Mark W.
Parker, Robert R. Jr.
Pellegrini, Michael
Perkins, Edward J. III
Peterson, Michael R.
Phillips, Michael L.
Philip, John R.
Poole, Roger R.
Poppe, Richard J.
Reagan, Jerry E.
Regner, Michael R.
Reiss, John E.
Robinson, David J.
Rowley, David J.
Sandri, Kevin G.
Scepurek, John M.
Serrin, Thomas R.
Shaw, David J. Jr.
Shimeall, Kip J.
Simmons, Walter W.
Smith, Gregory L.
Smith, Michael L.
Stavros, Harry L.
Stegner, Randall L.
Swain, Herbert L. Jr.
Trenda, Lynn E.
Vokoun, William F.
Walker, Lawrence G.
Wells, Karl D.
Wersel, Raymond W.
Widner, Daniel A.
Williams, Harry B.
Wippich, Robert C.
Yackley, Thomas M.
Yoffee, Wade

CONFIRMATIONS

Executive nominations confirmed by the Senate March 22, 1976:

CIVIL AERONAUTICS BOARD

R. Tenney Johnson, of Maryland, to be a member of the Civil Aeronautics Board for the remainder of the term expiring December 31, 1976.

NATIONAL COUNCIL ON EDUCATIONAL
RESEARCH

The following-named persons to be members of the National Council on Educational Research for terms expiring June 11, 1978:

Thomas A. Arciniega, of California,
Chester E. Finn, Jr., of Ohio,
D. J. Guzzetta, of Ohio,
Robert G. Heyer, of Minnesota,
Charles A. Nelson, of New York,

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

HOUSE OF REPRESENTATIVES—Monday, March 22, 1976

The House met at 12 o'clock noon.

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

Be glad in the Lord, and rejoice, O righteous, and shout for joy, all you upright in heart.—Psalms 32: 11.

Eternal God, we bow our heads in Thy presence to thank Thee for the rest of the night and for the coming of a new day. Help us to live close to Thee during these hours that the decisions made may be right, the actions planned may be wise, and the outcome result in the highest good for our country.

May Thy gracious presence abide in the hearts of these with whom we live and work and play. Bless our homes, our offices, and the people we endeavor to serve. Keep them from sin and shame and may their lives be filled with love, joy, and peace.

Bless the people of our land and of all lands. May the time soon come when we shall live together in good will, with liberty and justice for all.

In the spirit of the Master we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Heiting, one of his secretaries, who also informed the House that on March 19, 1976, the President approved and signed a bill of the House of the following title:

March 19, 1976:

H.R. 11700. An act relating to the application of certain provisions of the Internal Revenue Code of 1954 to specified transactions by certain public employee retirement systems created by the State of New York or any of its political subdivisions.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the

Senate had passed without amendment a bill of the House of the following title:

H.R. 3427. An act to provide for the striking of medals in commemoration of the two hundredth anniversary of the signing of the Declaration of Independence by Charles Carroll of Carrollton.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 8659) entitled "An act to assist low-income persons in insulating their homes, to facilitate State and local adoption of energy conservation standards for new buildings, and to direct the Secretary of Housing and Urban Development to undertake research and to develop energy conservation performance standards," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PROXMIER, Mr. SPARKMAN, Mr. WILLIAMS, Mr. MCINTYRE, Mr. CRANSTON, Mr. BIDEN, Mr. TOWER, Mr. BROOKE, Mr. PACKWOOD, and Mr. GARN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and joint resolu-

tions of the following titles, in which the concurrence of the House is requested:

S. 641. An act to regulate commerce and protect consumers from adulterated food by requiring the establishment of safety assurance procedures and safety assurance standards, to provide for the effective enforcement of the Food, Drug, and Cosmetic Act, to implement registration of food processing establishments, to provide for more informative labeling of food products, and for other purposes;

S. 2935. An act to authorize appropriations for the Federal Trade Commission, and for other purposes;

S. 3161. An act to authorize the Secretary of the Interior, with the approval of the Architect of the Capitol, to locate flagpoles on the U.S. Capitol Grounds in order to fly the flag of each of the States of the United States, and its territories and possessions;

S.J. Res. 183. Joint resolution authorizing and requesting the President to issue a proclamation designating March 29, 1976, as "National Knights of Columbus Day"; and

S.J. Res. 184. Joint resolution to amend the Regional Rail Reorganization Act of 1973, as amended.

ANNOUNCEMENT BY THE SPEAKER—CHANGE IN ELECTRONIC VOTING SYSTEM

The SPEAKER. The Chair wishes to make an announcement concerning the electronic voting system.

After consultation with the leadership on both sides of the aisle and with the chairman of the Committee on House Administration, it has been decided that it would be a convenience to Members to permit changes in votes cast with the electronic system by reinserting a voting card during the first 10 minutes of the voting period. After 10 minutes, if a Member wishes to change his vote, he must follow the present procedure of doing so by voting card, in the well, following the completion of the 15-minute voting period. As with the present system, a Member wishing to change a vote cast during a 5-minute vote, such as occur on suspension days, must do so by filling out a card in the well and announcing his change when recognized to do so.

The necessary programming of the computer has been accomplished to accommodate this change and so this new procedure is effective today.

ADMINISTRATION PROPOSAL FOR CHANGES IN FEDERAL ESTATE AND GIFT TAXES

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

Mr. VANIK. Mr. Speaker, today Assistant Secretary for Tax Policy, Mr. Charles M. Walker, on behalf of Secretary of Treasury William E. Simon, submitted to the Ways and Means Committee the administration's proposal for changes in Federal estate and gift taxes.

In general, the Treasury submitted the same proposal that President Ford announced in Illinois prior to the Illinois primary.

The major features of the Treasury proposal are increases in the basic estate tax exemption over a 5-year period to \$150,000, free interspousal transfers for both gift and estate tax purposes,

and a deferred estate tax payment plan for certain farm and business estates.

The revenue loss of the President's proposal is estimated by Treasury to be approximately \$1.7 billion annually when the proposals are fully in effect.

The administration proposal made no suggestion of how these lost revenues would be recouped or offset. As the proposal stands, it calls for either an increase in the Federal debt, the Federal deficit, or an increased burden on 95 percent of the other taxpayers who do not have large estates.

PERMISSION TO FILE CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 801

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the joint resolution—House Joint Resolution 801—making supplemental railroad appropriations for the fiscal year ending June 30, 1976, the period ending September 30, 1976, the fiscal year ending September 30, 1978, and the fiscal year ending September 30, 1979, and for other purposes.

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

There was no objection.

CONFERENCE REPORT (H. REPT. NO. 94-941)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.J. Res. 801) "making supplemental railroad appropriations for the fiscal year ending June 30, 1976, the period ending September 30, 1976, the fiscal year ending September 30, 1978, and the fiscal year ending September 30, 1979, and for other purposes," having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 6, 12, 13, 14, and its unnumbered amendment to amend the title of the Joint Resolution.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 11, and 19, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"DEPARTMENT OF TRANSPORTATION
"FEDERAL RAILROAD ADMINISTRATION
"NORTHEAST CORRIDOR IMPROVEMENT PROGRAM"

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum named by said amendment insert "\$25,000,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum named by said amendment insert "\$25,000,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For additional amounts for "Grants to the National Railroad Passenger Corporation," \$36,500,000 to remain available until expended: Provided, That not to exceed \$21,200,000 in fiscal year 1976 and \$5,300,000 in the period July 1, 1976 through September 30, 1976 shall be available for additional operating expenses for the Corporation in connection with the Corporation's additional operating responsibilities over the rail properties of the Northeast Corridor; non-recurring costs related to the initial assumption of control and responsibility for maintaining rail operations on the Northeast Corridor, \$10,000,000.

And the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum named by said amendment insert "\$25,000,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment amended to read as follows:

"For acquisition of debentures and series A preferred stock issued by the Consolidated Rail Corporation to become available on September 30, 1976, and to remain available until expended, \$615,000,000: Provided, That not to exceed \$200,000,000 shall be made available to the Corporation for operating losses of the Corporation."

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment amended to read as follows:

"For acquisition of debentures and series A preferred stock issued by the Consolidated Rail Corporation to remain available until expended, \$425,000,000 for fiscal year 1978 and \$136,000,000 for fiscal year 1979."

And the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$5,800,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 10, 18, and 20.

JOHN J. McFALL,
SIDNEY R. YATES
(except as to amendments Nos. 11, 12, 13, 14, 15, and 16),

TOM STEED,
ED KOCH,
BILL ALEXANDER,
GEORGE MAHON,
SILVIO O. CONTE
(except to amendment No. 7),

JACK EDWARDS,
E. A. CEDERBERG,
Managers on the Part of the House.

BIRCH BAYH,
JOHN L. MCCLELLAN,
ROBERT C. BYRD,
JOHN C. STENNIS,
WARREN G. MAGNUSON,
JOHN O. PASTORE,
THOMAS F. EAGLETON,
CLIFFORD P. CASE,
TED STEVENS,
CHARLES MCC. MATHIAS, JR.,
DICK SCHWEIKER,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the dis-

agreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 801) making supplemental railroad appropriations for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, the fiscal year ending September 30, 1978, and the fiscal year ending September 30, 1979, and for other purposes, submitted the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

Amendment Nos. 1 and 2: Conform enacting clause as proposed by the House.

DEPARTMENT OF TRANSPORTATION Federal Railroad Administration

Amendment No. 3: Includes heading for Northeast Corridor improvement program.

Amendment No. 4: Appropriates \$25,000,000 for fiscal year 1976 for the Northeast Corridor improvement program instead of \$27,400,000 as proposed by the Senate.

Amendment No. 5: Appropriates \$25,000,000 for the transition period for the Northeast Corridor improvement program instead of \$52,000,000 as proposed by the Senate.

Amendment No. 6: Deletes \$12,000,000 appropriation proposed by the Senate for interim operating assistance.

It is not the intention of the conferees that the suppliers of the bankrupt railroads be denied payment of legitimate claims. The conferees are in agreement that, if necessary, a subsequent budget request for these claims will be considered.

Amendment No. 7: Appropriates \$36,500,000 for Grants to the National Railroad Passenger Corporation (Amtrak) instead of \$142,332,956 as proposed by the Senate.

The conference agreement includes \$21,200,000 for fiscal year 1976 and \$5,300,000 for the transition period for Amtrak's additional costs for operating over the rail properties of the Northeast Corridor. The conference agreement also includes \$10,000,000 for non-recurring inventory and equipment costs associated with rail passenger operations along the Northeast Corridor.

The conference agreement has deleted the following items which were inserted by the Senate:

Acquiring properties of the Northeast Corridor..... \$85,182,956
Development and utilization of mobile radio frequencies for high speed rail telephone service..... 650,000

Acquiring and improving properties designated in accordance with section 206(c)(1) (D) of the Regional Rail Reorganization Act of 1973... 20,000,000
The issue of lease or purchase of the Northeast Corridor is to be resolved by the parties involved. However, in the event an agreement is reached pursuant to which Amtrak will purchase the Northeast Corridor properties, the conferees do not intend that either ConRail or Amtrak should be required to pay any funds or properties to the present owners of the Northeast Corridor rail properties for acquisition of such properties.

Urban Mass Transportation Administration Urban Mass Transportation Fund

Amendment No. 8: Inserts heading for rail service operating payments as proposed by the Senate.

Amendment No. 9: Appropriates \$25,000,000 for Rail service operating payments instead of \$40,000,000 as proposed by the Senate.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to permit the addition, as needed, of the funds appropriated for Rail service operating payments to the limitations contained in Section 306 of Public Law 94-134.

U.S. Railway Association

Payments for Purchase of ConRail Securities

Amendment No. 11: Appropriates \$500,000,000 for fiscal year 1976 as proposed by the Senate instead of \$460,000,000 as proposed by the House.

Amendment No. 12: Appropriates \$350,000,000 for the transition period as proposed by the House instead of \$300,000,000 as proposed by the Senate.

Amendment No. 13: Deletes \$1,226,000,000 appropriation proposed by the Senate for fiscal year 1977.

Amendment No. 14: Restores House provision limiting operating losses of ConRail to a total of \$308,000,000 for fiscal year 1976 and the transition period to September 30, 1976.

Amendment No. 15: Restores House provision appropriating \$615,000,000 to become available on September 30, 1976 and limits the amount of these funds which can be used for operating losses of ConRail to \$200,000,000 instead of \$172,000,000 as proposed by the House.

Amendment No. 16: Appropriates \$425,000,000 as proposed by the House for fiscal year 1978 and \$136,000,000 for fiscal year 1979 instead of \$176,000,000 as proposed by the House. In addition, the conference agreement deletes the House provision to prohibit any of these funds to be used for operating losses of ConRail.

Administrative Expenses

Amendment No. 17: Appropriates \$5,800,000 instead of \$4,100,000 as proposed by the House and \$6,100,000 as proposed by the Senate.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to permit the funds appropriated to remain available until expended.

Amendment No. 19: Deletes \$1,400,000 appropriation proposed by the House for the transition period.

MISCELLANEOUS PROVISIONS

Amendment No. 20: Reported in technical disagreement. Inasmuch as this amendment relates solely to the Senate and in accord with the long standing practice, under which each body determines its own housekeeping requirements, and concurs without intervention, the managers on the part of the House will offer a motion to recede and concur in Senate amendment No. 20.

UNNUMBERED SENATE AMENDMENT

The Senate recedes from its amendment to amend the title.

NATIONAL TRANSPORTATION SAFETY BOARD

In order for the National Transportation Safety Board to fulfill its responsibilities under P.L. 93-633, Congress provided sufficient funds in the Department of Transportation and Related Agencies Appropriations Act (P.L. 94-134) to enable the Board to fill the 85 new positions provided. The Committees on Appropriations of the House and Senate direct the agency to fill these 85 positions as expeditiously as possible.

CONFERENCE TOTALS BY YEARS—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1976, the transition period, and the fiscal years 1978 and 1979 recommended by the Committee of Conference, with comparisons to the budget estimates and the House and Senate bills follows:

Fiscal year 1976

Budget estimates of new (obligational) authority (as amended).....	\$472,800,000
House bill.....	464,100,000
Senate bill.....	722,532,956
Conference agreement.....	587,000,000
Conference agreement compared with:	

Budget estimates of new (obligational) authority (as amended).....	+114,200,000
House bill.....	+122,900,000
Senate bill.....	-135,532,956

¹ Includes \$68,700,000 of budget estimates not considered by the House and Senate, but considered by the Committee of Conference.

Transition period

Budget estimates of new (obligational) authority (as amended).....	\$322,300,000
House bill.....	966,400,000
Senate bill.....	357,300,000
Conference agreement.....	995,300,000
Conference agreement compared with:	

Budget estimates of new (obligational) authority (as amended).....	+673,000,000
House bill.....	+28,900,000
Senate bill.....	+638,000,000

¹ Includes \$20,300,000 of budget estimates not considered by the House and \$5,300,000 not considered by the Senate. The Committee of Conference considered \$20,300,000 of budget estimates in addition to those considered by the House.

Fiscal year 1977

Budget estimates of new (obligational) authority (as amended).....	\$1,326,000,000
House bill.....	
Senate bill.....	1,226,000,000
Conference agreement.....	
Conference agreement compared with:	

Budget estimates of new (obligational) authority (as amended).....	-1,326,000,000
House bill.....	
Senate bill.....	-1,226,000,000

¹ The amount considered by the House and Senate was \$1.4 billion. Subsequent to action by both House and Senate, \$74 million in budget estimates were withdrawn.

Fiscal years 1978 and 1979

Budget estimates of new (obligational) authority.....	
House bill.....	\$601,000,000
Senate bill.....	
Conference agreement.....	\$561,000,000
Conference agreement compared with:	

Budget estimates of new (obligational) authority.....	+561,000,000
House bill.....	-40,000,000
Senate bill.....	+561,000,000

¹ Includes \$425 million for fiscal year 1978 and \$176 million for fiscal year 1979.

² Includes \$425 million for fiscal year 1978 and \$136 million for fiscal year 1979.

CONFERENCE GRAND TOTALS—WITH COMPARISONS

Budget estimates of new (obligational) authority (as amended).....	\$2,121,100,000
House bill.....	2,031,500,000
Senate bill.....	2,305,832,956
Conference agreement.....	2,143,300,000
Conference agreement compared with:	

Budget estimates of new (obligational) authority (as amended).....	+22,200,000
House bill.....	+111,800,000
Senate bill.....	-162,532,956

¹ The total amount of budget requests considered in connection with this resolution was \$2,195,100,000. Of this amount, \$74,000,000 was withdrawn after House and Senate action on the resolution.

² Includes \$89,000,000 of budget estimates not considered by the House and \$74,000,000 not considered by the Senate. The Committee of Conference did consider \$89,000,000 of

budget estimates in addition to those considered by the House.

JOHN J. McFALL,
SIDNEY R. YATES
(except as to amendments
Nos. 11, 12, 13, 14, 15, and
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TOM STEED,
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CLIFFORD P. CASE,
TED STEVENS,
CHARLES MCC. MATHIAS, Jr.,
DICK SCHWEIKER,
Managers on the Part of the Senate.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 118]

Abzug	Eckhardt	Pepper
Addabbo	Esch	Peyser
Alexander	Eshleman	Quie
Anderson,	Flowers	Quillen
Calif.	Ford, Mich.	Randall
Andrews, N.C.	Gonzalez	Rees
Andrews,	Guyer	Riegle
N. Dak.	Hansen	Rodino
Armstrong	Harsha	Rostenkowski
Aspin	Hayes, Ind.	Sarbanes
Badillo	Hayes, Ohio	Scheuer
Barrett	Hébert	Shuster
Bell	Heckler, Mass.	Sikes
Bevill	Heinz	Simon
Blaggi	Hinshaw	Staggers
Biester	Holland	Stanton
Boggs	Karh	James V.
Boland	Kasten	Steelman
Bolling	McCloskey	Stelger, Wis.
Bowen	McCollister	Stephens
Burke, Calif.	Macdonald	Stuckey
Burton, John	Madden	Sullivan
Chisholm	Mathis	Symington
Collins, Tex.	Meeds	Taylor, Mo.
Conlan	Michel	Teague
Conyers	Mikva	Udall
Corman	Mills	Van Deerlin
de la Garza	Mosher	Vigorito
Dellums	Murphy, Ill.	Waxman
Dent	Neal	White
Diggs	Nix	Young, Alaska
Dingell	Nolan	Zeferetti
Drinan	Ohey	
Duncan, Oreg.	O'Hara	

The SPEAKER. On this rollcall 335 Members have recorded their presence by electronic device, a quorum.

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

25TH ANNUAL REPORT OF NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-415)

The SPEAKER laid before the House

the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Science and Technology and ordered to be printed with illustrations:

To the Congress of the United States:

I am pleased to submit to the Congress the Twenty-Fifth Annual Report of the National Science Foundation, covering fiscal year 1975.

Science and Technology have dramatically benefited our Nation and the world. During the NSF's first 25 years of operation, research supported by the National Science Foundation—particularly basic research in universities—has contributed much to our Nation's progress in science and technology. I expect the Foundation to continue this valuable contribution.

As this Annual Report shows, the programs of the National Science Foundation in 1975 addressed both the important search for new scientific knowledge and its use in solving society's pressing problems. Also, these programs continued to assist in meeting the Nation's need to train tomorrow's scientists and engineers. I commend this report to your attention.

My 1977 Budget now before the Congress recognizes the important role played by the National Science Foundation and assigns high priority to increases in Federal support of basic research. I urge Congressional approval of the proposed budget increases in the National Science Foundation.

GERALD R. FORD.

THE WHITE HOUSE, March 22, 1976.

PROVIDING FOR CONSIDERATION OF H.R. 12226, PEACE CORPS AUTHORIZATION, 1977

Mr. YOUNG of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1090 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1090

Resolved, That upon the adoption of this resolution it shall be in order to move, section 303(a) of the Congressional Budget Act of 1974 (Public Law 93-344) to the contrary notwithstanding, that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12226) to amend further the Peace Corps Act. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Georgia (Mr. Young) is recognized for 1 hour.

Mr. YOUNG of Georgia. Mr. Speaker, I yield the usual 30 minutes to the distinguished gentleman from Mississippi

(Mr. LOTT) for the minority, and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1090 is an open rule providing 1 hour of general debate on H.R. 12226, a bill amending further the Peace Corps Act.

House Resolution 1090 makes in order the consideration of H.R. 12226 section 303(a) of the Congressional Budget Act to the contrary notwithstanding. The bill, in section 3, provides new spending authority as defined in section 401(c) (2) (C) by increasing entitlements for Peace Corps volunteers. Under section 303(a) of the Budget Act it is not in order to consider bill providing new spending authority for a fiscal year until the first concurrent resolution on the budget for that fiscal year has been agreed to.

The Committee on the Budget supports this waiver on the condition that an amendment will be offered on the floor by the Committee on International Relations which would convert this new spending authority to a provision earmarking funds subsequently appropriated specifically for payment of Peace Corps volunteers.

H.R. 12226 would authorize \$81 million for the Peace Corps for fiscal year 1977. This amount in \$7.5 million below the fiscal year 1976 authorization level and \$1 million above the appropriations provided for fiscal year 1976.

Mr. Speaker, I urge the adoption of House Resolution 1090 so that we may proceed to the consideration of this measure.

H.R. 12226 would authorize \$81 million for the Peace Corps for fiscal year 1977 and would also raise the monthly readjustment allowance for volunteers from a minimum of \$75 to a maximum of \$15 after September 30, 1977. This sum of \$81 million almost equals the sum that our Government wanted to send in the tragic Angolan situation. And yet these Peace Corps volunteers contribute so much more than anything we do militarily in the developing world.

The Peace Corps through the provisions of this bill will move to terminate programs in those nations which have prospered and can support internal development; will attempt to increase overseas support staff; will improve Peace Corps management and planning; and will improve recruitment procedures overall.

Mr. Speaker, I urge that we adopt and pass House Resolution 1090 so that we can debate and vote favorably on this bill.

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

Mr. Speaker, House Resolution 1090 proposes to permit the House to resolve itself into the Committee of the Whole for consideration of H.R. 12226, the Peace Corps authorization for fiscal year 1977, under an open rule with 1 hour of general debate. Since section 303(A) of the Congressional Budget Act will be violated if the House takes up this legislation today, provision is made in the rule to waive points of order against that section.

The purpose of H.R. 12226 is to authorize an appropriation of \$81,000,000 for the Peace Corps for fiscal 1977. The bill also increases the readjustment al-

allowance for Peace Corps volunteers from a maximum of \$75 per month of service to a minimum of \$125 per month, beginning with months of service completed after September 30, 1976.

The cost of this legislation is \$13,845,000 above the executive branch request for fiscal 1977. The reasons cited by the International Relations Committee for this additional cost are to strengthen recruitment, screening, training, field support including medical aid, and staff support overseas and to pay for the increase in the readjustment allowance.

Mr. Speaker, I am against the passage of this rule and this bill. I oppose the rule because in granting it we are violating the instrument we created in the Congressional Budget Act to prohibit the consideration of any measure providing new entitlements until the first concurrent resolution on the budget for the fiscal year has been agreed to. Without the waiver of section 303(A) of the act, the bill could not be considered until after May 15, 1976, the date upon which the Congress must complete action on the first concurrent resolution on the budget for the fiscal year beginning on October 1, 1976. The increased readjustment allowance to volunteers is a new entitlement infringing on this section.

Now it is my understanding that an amendment may be offered to cure the Budget Act problem. The proposed amendment would change the entitlement to an authorization but would earmark certain funds—\$10 million—for payment to Peace Corps volunteers. While this amendment may bring H.R. 12226 into compliance with the Budget Act, I believe we are defeating the act's purpose by proceeding in this fashion. Accordingly, this rule should not be adopted.

My opposition to passage of the bill stems from two main concerns. First, there is no mandatory language requiring the Peace Corps to terminate its activities in countries that are relatively prosperous and which do not make a significant contribution to the program. Nations falling into this category exist in Latin America and Asia, yet there is no provision in the legislation directing even a phaseout of Peace Corps functions in these countries.

Second, the upward adjustment of the allowance for Peace Corps volunteers from a maximum of \$75 per month of service to a minimum of \$125 per month is a provision in this bill about which I have great reservations. It is important to note that the committee is recommending changing the law from a statutory amount which cannot be exceeded to a minimum amount with no ceiling at all. Authorizations in future years for the Peace Corps would have to include an allowance figure that could not be controlled because of the absence of a spending limitation. I frankly do not believe we can afford to make this kind of adjustment in the law at this time.

Consequently, Mr. Speaker, I oppose the adoption of this rule before us and, ultimately, the passage of the legislation in its present form.

Mr. Speaker, I have no requests for time and I reserve the balance of my time.

Mr. YOUNG of Georgia. Mr. Speaker, I have no requests for time, and I move the previous question on the resolution. The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 12046, GUATEMALA DISASTER RELIEF ACT OF 1976

Mr. YOUNG of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1089 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1089

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12046) to provide for relief and rehabilitation assistance to the victims of the earthquakes in Guatemala, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to reconsider. After the passage of H.R. 12046 the Committee on International Relations shall be discharged from the further consideration of the bill S. 3056; and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 12046 as passed by the House.

The SPEAKER. The gentleman from Georgia (Mr. Young) is recognized for 1 hour.

Mr. YOUNG of Georgia. Mr. Speaker, I yield the usual 30 minutes for the minority to the distinguished gentleman from Mississippi (Mr. Lott) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1089 is an open rule providing one hour of general debate on H.R. 12046, a bill to provide for relief and rehabilitation assistance to the victims of the earthquakes in Guatemala.

In addition, House Resolution 1089 would provide that upon the adoption of H.R. 12046 the Committee on International Relations would be discharged from further consideration of a similar Senate bill and it would then be in order to amend the Senate bill with the provisions of H.R. 12046 as passed by the House.

H.R. 12046 authorizes \$25 million for earthquake disaster relief and rehabilitation activities in Guatemala. To the extent possible funds made available pursuant to this authorization would be used for the construction of housing utilizing seismic resistant materials, and the President is requested to encourage Guatemala to promote the use of such

materials. The bill also provides that funds appropriated be distributed to the maximum extent practicable through private U.S. voluntary organizations and other international relief and development organizations. Reports on the use of the funds shall be made to the Congress within 90 days after the enactment of appropriations to carry out this act and on a quarterly basis thereafter.

Mr. Speaker, Guatemala has suffered a terrible tragedy. Over 20,000 persons were killed by the recent earthquakes and thousands more have been left homeless. These funds are urgently needed to begin construction of permanent housing and to provide temporary housing prior to the rapidly approaching rainy season. Mr. Speaker, I urge the adoption of House Resolution 1089 so that we may proceed to the consideration of H.R. 12046.

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

Mr. Speaker, as explained by the gentleman from Georgia, H. Res. 1089 provides for the House to resolve itself into the Committee of the Whole for consideration of H.R. 12046, the Guatemala Disaster Relief Act of 1976, under an open rule with one hour of debate. After passage of H.R. 12046, the rule makes it in order for the House to move to strike all after the enacting clause of S. 3056 and insert in lieu thereof the provisions contained in the House-passed bill.

The purpose of this legislation is to authorize appropriations of \$25 million for earthquake disaster relief and rehabilitation activities in Guatemala during fiscal 1976. The assistance provided is to be used, to the maximum extent possible, for the construction of housing built with seismic-resistant materials. The aid is to be distributed as much as is practicable through U.S. private voluntary organizations and other international relief and development organizations. Reports on the programming and obligation of funds under the act are to be submitted to the Speaker of the House and to appropriate Senate committees not later than 90 days after the enactment of appropriations and quarterly thereafter.

It is my understanding that the disaster assistance account of \$25 million in fiscal 1976 nearly is exhausted at this time due to expenditures for various emergencies in Latin America, Europe, Asia, Southeast Asia, and Africa.

For that reason and because of the enormity of the Guatemalan disaster, this special legislation has been reported from the International Relations Committee.

Several concerns were expressed in the Rules Committee when this bill was before us regarding the manner in which the assistance made available by this act would be distributed. It was explained that the Agency for International Development would be directly responsible for administering the disbursement of these funds to the various international voluntary relief organizations. In addition, we were advised that AID also is to be held accountable for overseeing the day-to-day distribution of aid under this legislation.

Having been personally involved in a domestic disaster a few years ago I can readily sympathize with the Guatemalans who fell victim to the earthquake there on February 4. I also can understand the magnitude of the task of coordinating relief efforts so that the maximum amount of rehabilitation can be achieved from the assistance provided. Therefore, I trust that enough emphasis will be placed on the importance of coordination by AID so that wastefulness and delay may be successfully avoided.

Mr. Speaker, I know of no objections to this rule, and support its adoption.

Mr. YOUNG of Georgia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 12453, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1977

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1094 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1094

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12453) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology, the bill shall be read for amendment under the five minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except except one motion to recommit.

THE SPEAKER. The gentleman from Texas (Mr. YOUNG) is recognized for 1 hour.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Mississippi (Mr. LOTT) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1094 is an open rule providing 1 hour of general debate on H.R. 12453, a bill to authorize appropriations to the National Aeronautics and Space Administration for research, development, construction of facilities and research and program management and for other purposes.

Mr. Speaker, H.R. 12453 authorizes a total of \$3.7 billion for NASA for fiscal year 1977, which is \$1 million below the administration request. In addition, the bill would expand NASA's charter to in-

clude all transportation systems in the air, in space and on the ground. The bill also contains language stressing the importance of expediting the completion of two specific national facilities—the subsonic wind tunnel at Ames Research Center and construction of the National Transonic Facility—both of which are necessary to improve current design concepts to insure greater fuel efficiency, economy, and safety in future aircraft.

Mr. Speaker, I urge the adoption of House Resolution 1094 so that we may proceed to the consideration of H.R. 12453.

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

Mr. Speaker, this is a 1-hour open rule, and, so far as I know, there is no opposition or controversy surrounding this rule. I think it should be noted that the bill which this rule makes in order, H.R. 12453, the NASA authorization, was reported from the Committee on Science and Technology on March 3, 1976, by a unanimous rollcall vote of those present. The committee report contains no minority or separate views. After the committee witnesses made their presentation to the Rules Committee yesterday, this rule was adopted by a unanimous voice vote.

Mr. Speaker, H.R. 12453 authorizes about \$3.7 billion for the National Aeronautics and Space Administration for fiscal year 1977. That is about \$1 million less than the administration's budget request. It is my understanding that the committee made some 14 changes in funding line items, giving a slight increase in research and development funding over the NASA request, and a slight decrease in funding for construction of facilities and program management.

The administration supports this bill and has only raised objection to the energy R. & D. funds in this bill which it feels are more appropriately an ERDA responsibility; and it objects to the separate line item in section 1(a) for "operational earth resources satellites" on the grounds that the commitment is premature.

Mr. Speaker, I urge adoption of this rule so that we may proceed to debate H.R. 12453.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
March 19, 1976.

HON. CARL ALBERT,
The Speaker,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 11:35 A.M. on Friday, March 19, 1976, and said to contain a message from the President

wherein he transmits a Report on the Investigation and Study of the War Risk Insurance Program of the Department of Transportation.

With kind regards, I am,
Sincerely,

EDMUND L. HENSHAW, JR.,
Clerk, House of Representatives.

REPORT ON INVESTIGATION AND STUDY OF WAR RISK INSURANCE PROGRAM OF DEPARTMENT OF TRANSPORTATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-414)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and Transportation and ordered to be printed:

To the Congress of the United States:

In accordance with Section 3 of Public Law 94-90, I am forwarding to the Congress a Report on the Investigation and Study of the War Risk Insurance Program of the Department of Transportation.

This Report states that the existing authority of the Secretary of Transportation under Title XIII of the Federal Aviation Act of 1958 should be expanded in certain respects. This Report will provide the basis for developing remedial legislation. Such legislation should authorize the Secretary of Transportation, after appropriate consultations with other Federal agencies and with the approval of the President, to provide insurance for international U.S. commercial aviation when such insurance is not available commercially and when it is necessary for the continuation of a particular required air service.

I transmit this Report for consideration by the Congress. The Department of Transportation will soon be transmitting implementing legislation.

GERALD R. FORD.
THE WHITE HOUSE, March 19, 1976.

PEACE CORPS AUTHORIZATION, 1977

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12226) to amend further the Peace Corps Act.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the Committee resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12226, with Mr. YOUNG of Georgia in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. MORGAN) will be recognized for 30 minutes

and the gentleman from Ohio (Mr. WHALEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill, H.R. 12226, provides an authorization for the Peace Corps for 1 year, fiscal 1977.

Our Committee on International Relations has been giving the Peace Corps a good, close look. We believe that it continues to be a good program. Our volunteers are serving in remote areas of the world—helping poor people with food and nutrition, with health and sanitation, with education and vocational training.

For example, right now in Guatemala, our Peace Corps group of 130 volunteers is in the forefront of the relief effort following the earthquake. Thousands of others are doing similar important jobs in 67 countries around the world.

As reported by the Committee on International Relations, this bill authorizes an appropriation of \$81,000,000 for 1 year—fiscal year 1977. This is \$7.5 million less than Congress authorized for the same purpose in fiscal year 1976 and just \$1 million more than the appropriations level approved by the House for the same year.

The executive had requested a 2-year authorization for the Peace Corps, including \$67,155,000 for fiscal year 1977, and "such sums as may be necessary" for fiscal 1978. The committee believes such openended authorizations are unwise; thus, the authorization has been limited to 1 year, fiscal 1977.

Mr. Chairman, the committee increased the fiscal year 1977 authorization for the Peace Corps over the executive request for two basic reasons:

First, because our committee has been exercising continuing oversight over Peace Corps overseas operations in recent years. In the fall of 1972, the committee sent a staff survey team to East Asia to review operations in four countries with large Peace Corps programs. Last fall, the same team visited six countries in West Africa.

Both of these studies recommended improvements in the recruitment, selection and training of volunteers to reduce high attrition rates. In West Africa, the staff survey team found Peace Corps operations were suffering from poor medical attention, screening and training of volunteers and "inadequate staff support."

Despite these findings, the executive branch—at the order of the Office of Management and Budget, OMB—cut the fiscal year 1977 request by \$20 million below this year's authorization level. These cuts, if allowed to stand, would have hurt Peace Corps performance in the field. For this reason the committee recommended in its report that at least 50 percent of the increase should be used to strengthen recruitment, screening, training, medical aid and staff support overseas. Let me just add, Mr. Chairman, that there was a strong bipartisan consensus on this point. The bill, as amended by our committee, was reported out by voice vote.

Second, we provided additional funds to pay for an increase in the readjustment allowance for returning volunteers. Let me take just a few moments, Mr. Chairman, to explain this provision:

Last year, the committee amended the Peace Corps Act to increase the ceiling on the readjustment allowance paid to volunteers upon the completion of their tours from \$75 to \$125 per month of service. At the same time, it authorized the additional funds required to cover such an increase for fiscal year 1976.

Subsequently, however, the Peace Corps took the position that it would increase the allowance only if the increased funding for that purpose were appropriated by the Congress—and that did not happen. As a result, despite the new ceiling, volunteers are still being paid at the old rate.

The committee feels strongly that the volunteers deserve an increase. Inflation has eaten away their \$75 per month—a rate which has been the same since 1961. Almost every other program, allowance, or salary level in the government has gone up because of inflation. Our Peace Corps volunteers deserve no less.

Acting on this belief, the committee amended the Peace Corps Act to set \$125 per month as a minimum amount, rather than as a ceiling. We also provided an increase in the fiscal year 1977 authorization sufficient to cover the increased cost which the Peace Corps estimates at \$4 million annually.

ENTITLEMENT PROBLEM

Mr. Chairman, this section of the committee bill, section 3—which relates to the readjustment allowance—has raised a parliamentary issue. Let me explain the situation:

After markup of H.R. 12226, it was brought to the committee's attention by the parliamentarian that section 3 of our bill was potentially in violation of section 303 of the Congressional Budget and Impoundment Control Act of 1974, because it creates an entitlement.

The committee had the option of not bringing the bill to the floor until after May 15. Then there would have been no problem with that section.

However, floor consideration had been scheduled for this week and the leadership was anxious to get a number of these less-important bills out of the way.

After consultation with the distinguished chairman of the Budget Committee, the gentleman from Washington (Mr. ADAMS), I agreed to offer an amendment to H.R. 12226 on the floor which would remove the entitlement and thus not offend section 303 of the Budget Act. On that basis the Rules Committee granted a waiver of section 303. At the appropriate time, therefore, I will propose such an amendment and explain its effect in detail.

Mr. Chairman, let me conclude by making one or two additional points: Last year, Members may recall, the committee recommended that Peace Corps programs be cut back in the richer developing areas of the world. Two countries, Iran and Venezuela, were singled out. During the past year, the Peace Corps has responded by phasing out the

Iran program entirely and reducing the number of volunteers in Venezuela to five.

This year, the committee took up the case of Brazil. Brazil, it was pointed out, has a gross national product of over \$80 billion and is the economic giant of Latin America. Yet it has reduced its contribution to our Peace Corps effort there every year since fiscal 1974. For this reason, the committee has recommended that the Peace Corps consider terminating its Brazil program. I am confident that the Peace Corps will also be responsive to this recommendation.

In fiscal 1976, host country contributions to Peace Corps overseas operations totaled \$4,295,000—an alltime record. Of this total, however, more was provided by the poorer African nations—\$2,665,000—than by the rest of the world put together. This is a good indication of how these countries feel about the Peace Corps. It is a factor our committee will continue to look at very closely in the future.

Mr. Chairman, this proposed authorization will enable the Peace Corps to train at least 3,370 Americans as new volunteers in fiscal year 1977 and to maintain at least 5,708 volunteer years of service abroad.

I believe this bill provides a reasonable level of support to a program which, although modest in scope, serves to promote the U.S. interest abroad during a critical period in our history.

Mr. Chairman, I urge adoption of H.R. 12226, as amended by the Committee on International Relations.

Mr. WHALEN. Mr. Chairman, I yield myself so much time as I may consume.

Mr. Chairman, since its inception the Peace Corps has been an important expression of the U.S. commitment to a more equitable, prosperous, and stable world order. Through the Peace Corps individual Americans have been able to bring their talents and energies to bear on the problems of the developing world. For many people, in this country and abroad, the Peace Corps has become synonymous with selflessness and the desire to serve.

As the Director of ACTION, Mr. Balzano, testified before the Committee on International Relations, the Peace Corps is the only agency of the U.S. Government with a statutory mandate to promote world peace and friendship. In my opinion, the organization is fulfilling this important mission and merits our strong support.

There is a tendency today to look back on the euphoria of the early 1960's—the era that spawned the Peace Corps—and wonder how this Nation could have been so naive, so confident that we could manage our problems and the problems of the world concurrently. The past decade and a half has had a sobering effect. Americans today have a much more realistic appreciation of our ability to pull the world up by its bootstraps; we have lowered our sights and no longer assume that all problems are solvable. We have come to recognize the enormity of the issues facing us at home; we have felt the effects of inflation and recession; we have been exhausted by the expe-

rience of Vietnam and Watergate; and we have had difficulty coming to grips with a world order and economy that is increasingly interdependent.

But we have also maintained and supported the Peace Corps as a living symbol of our desire to contribute to the general welfare of the global community. For 15 years Americans of all ages and backgrounds have flocked to the Peace Corps, anxious to devote 2 or 3 years of their lives in service to humanity. I believe it is vitally important to our nation and our image abroad to strengthen and preserve the Peace Corps both as a symbol of our concern and as a vehicle for the tangible expression of this concern.

Mr. Chairman, the legislation before us is a relatively modest proposal authorizing some \$81 million for the Peace Corps in fiscal year 1977. The rationale for the funding has been fully explained and justified by the committee chairman. I think it might be instructive, however, to look at what we get for our money. In the crudest sense, we get 5,708 man-years of service in over 65 nations. We also train 3,370 volunteers to carry on the work of the Peace Corps. When we divide the cost of the program by the number of individuals actively involved—overseas volunteers and trainees—we can see that it costs about \$9,000 per year to train, maintain, pay, and support the average Peace Corpsman. I think this is a good investment and a prudent allocation of resources.

I should also point out that the United States, as well as the host governments, derive long-term benefits from the Peace Corps experience. Many of the volunteers return to this country with extensive area knowledge, linguistic skills, and a sense of involvement that enhances their usefulness to our society as we grapple with the complexities of an emerging third world consciousness.

We need not be idealists or visionaries to support the Peace Corps. We need only appreciate that there are idealists and visionaries among us anxious to partake in the Peace Corps experience; that the Peace Corps is welcome in and contributes to the economic and social well-being of over 65 nations in the world; and that the Peace Corps volunteers provide an important reservoir of talent for this nation upon completion of their service. Two former volunteers, for example, are Members of this body.

Mr. Chairman, when we spend scores of billions of dollars on our own defense, and additional billions for the defense and security of other nations, when much of the world suffers from poverty and hunger, the question is not whether we can afford the Peace Corps. The question is whether the United States can afford to be without the Peace Corps as an important symbol of our concern for the well-being of all mankind.

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. WHALEN. I yield to the gentleman from Connecticut (Mr. DODD).

Mr. DODD. I thank the gentleman for yielding.

Mr. Chairman, let me say to the gentleman from Ohio and the chairman of the committee, Mr. MORGAN, that I am

particularly pleased to see that the Peace Corps has received the support of the committee once again.

As one of the two Members of this body who had the privilege of serving in the Peace Corps in the Dominican Republic between 1966 and 1969, I can say personally what a tremendous experience it was for me, and I would like to think that the country in which I worked also benefited to some degree.

I would, however, like to ask the gentleman, if I may, about a segment of the authorization that I would like to see possibly considered for next year when the bill comes up again.

I would like to refer to a piece of testimony that was submitted by Mr. Balzano, back in February 1974, when he said:

We also propose to develop career possibilities for returning Peace Corps Volunteers by giving those who have proven themselves worthy, the opportunity to reenlist in Volunteer leader capacities. This enables the Volunteer to gain solid management background which will help him when he returns to the United States; and benefits our nation by the continued use of valuable Peace Corps experience in work at home.

There are 80,000 returned Peace Corps volunteers in the country. I think it was the initial thought, when the Peace Corps was started, that one of the important reasons for having this organization would not only be in terms of what Americans can provide to some of the underdeveloped nations of the world, but in the long run what these people would bring back to this country and how we would utilize this tremendous natural resource we have in the country.

I, for one, would like to see some provision made for that possibility next year when the authorization comes up so that we can decide how best we might utilize the experience of ex-Peace Corps volunteers.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. WHALEN. Mr. Chairman, I will yield later, but before I yield let me just endeavor to respond to the gentleman from Connecticut's question.

Is the gentleman from Connecticut asking that we give consideration to a followup procedure or that we should actually establish some domestic organization which would be able to utilize the talents of returning volunteers?

Mr. DODD. Not necessarily.

Mr. Chairman, if the gentleman will yield further, we have, of course, the VISTA program and many others in which the ex-Peace Corps volunteers can become involved. But I think we should make further efforts to try to follow up and to continue to use or to take advantage of that ex-Peace Corps volunteer's experience. I think we should investigate how best we can make that experience helpful to the various communities, to the States, and to the Federal Government.

Mr. Chairman, I believe some followup needs to be done, and I think little along that line has been done in the past.

Mr. WHALEN. Mr. Chairman, I think that is certainly a worthy suggestion.

Let me also recommend to the gentleman two articles which I have recently

read. One of the articles was published in the March 22, 1976, issue of Business Week magazine. It points out that there are large numbers of volunteers who, upon termination of their service, are being employed by multinational corporations. The article said that the Peace Corps is competing with the prestigious graduate schools of business administration as a source of employment with multinational corporations. They are in particular, being used in Latin America.

Another article appeared in a recent issue of the Progressive magazine, and this particular article mentioned that Peace Corps volunteers, upon their return, are becoming involved in many facets of our society, not just in terms of their own economic endeavors but also in terms of their contributions toward solving various social and community problems that confront us.

Mr. Chairman, I think it is an excellent suggestion that we establish some kind of apparatus by which we can follow up the returning volunteer and perhaps assist him in locating meaningful and rewarding employment.

Mr. DODD. Mr. Chairman, I thank the gentleman, and again I compliment him and the committee for the fine work they have done on this legislation.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

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

Mr. GILMAN. Mr. Chairman, I rise to associate myself with the remarks of the distinguished chairman of the International Relations Committee, the gentleman from Pennsylvania, Dr. Morgan, and the gentleman from Ohio (Mr. WHALEN) in support of H.R. 12226, the Peace Corps authorization.

The Peace Corps has finally come of age, with mature, dedicated people with practical, sobriety needed skills helping developing nations to help themselves.

While some of the adventure and romanticism has dissipated, it has been replaced with a sense of stability and dedication.

Accordingly, I urge the adoption of this measure.

Mr. WHALEN. Mr. Chairman, I thank the gentleman for his support of this legislation.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WHALEN. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, one of the criticisms I have heard of the Peace Corps as it has been constituted has been the fact that often the people we have sent to other countries to give assistance have little technical ability or experience to share with the people they are trying to help. They were there more for the personal experience of travel and excitement and learning other cultures, and so forth, and they were not really helping the people.

My question is this: Is there anything in this bill or is there any effort being made now to include more retired people in this program? There are many retired people in this country, many who have retired at a fairly young age, people who

were often leaders in their fields, and many of them have real technical ability and they could contribute so much more than some of the younger volunteers.

Mr. WHALEN. Yes, Mr. Chairman, I think the criticism the gentleman cited was perhaps a valid criticism in the early years of the Peace Corps. However, we have long since gotten away from this defect.

The leadership of the Peace Corps is endeavoring to send volunteers who can bring experience and background to play in the respective host countries. This is insisted upon now.

So the program really has gotten away from just the idea of sending volunteers who are going to benefit by their experience individually at perhaps the expense of the host country. I might point out that the average age of the volunteer has increased.

I personally witnessed the implementation of the suggestion which the gentleman just presented. I was in Ecuador about 2 years ago, and I visited a Peace Corps agricultural station that was being operated at that time by a farmer from one of our Western States.

He was being assisted by his wife. He had two children, young men, who had come to work with their parents. The couple in their mid-fifties were prepared to return to the United States and were going to be replaced by their son. Thus, there are older people who are being utilized by the Peace Corps and who are contributing a great deal to the knowledge and the technical know-how of citizens of their host countries.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. WHALEN. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I just want to tell the Members, including the gentleman from Indiana (Mr. MYERS), that there are 333 people over 50 years of age now in the Peace Corps, 333 individuals.

Mr. MYERS of Indiana. Mr. Chairman, if the gentleman will yield further for a question, there is nothing in this bill, I take it, that excludes a so-called senior citizen, a person retired, perhaps 65 years of age, from contributing to this program.

Mr. MORGAN. Not at all. We have one volunteer who is 80 years of age.

Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman.

Mr. WHALEN. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Chairman, the Peace Corps has come of age and today its volunteers are demonstrating a maturity and expertise that has resulted in an increasing demand for Peace Corps volunteers in developing nations around the world.

Today's volunteers represent a wide range of age and experience, with one thing in common: A desire to serve. And they are serving in 22 countries in Latin America, 27 in Africa and 20 other countries in the rest of the world. Young men—and some not so young—with experience in agriculture are helping in projects to increase food production.

Other volunteers are helping to develop cooperatives, promote conservation, develop small businesses, and improve health and education.

The volunteers that will be funded through this legislation are mature, responsible, yet enthusiastic and dedicated Americans. In the best spirit of a compassionate America, they want to help their fellow man to lead a better life. They are people who, as an electrician, lineman now working as a volunteer in Ecuador put it, want "to do more than just make a weekly wage."

And volunteers are doing just that in Guatemala, in the aftermath of a devastating earthquake that killed over 22,000 people and left more than a million without homes. All of the 130 volunteers in Guatemala are helping with the relief program. Since our volunteers live in all parts of Guatemala, speak the language, and know the needs of the people from living and working with them, they are able to perform an invaluable service by assisting the relief programs in remote areas.

The emphasis in the Peace Corps is on quality—not numbers. The success of the Peace Corps in recruiting highly qualified men and women with a variety of skills is one example of the acceptance of this approach by those who serve on the front lines far from home. Confirming the success of this policy is the overwhelming approval of today's Peace Corps volunteer by their host countries.

This legislation deserves our support. Mr. MORGAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. ZABLOCKI).

Mr. ZABLOCKI. Mr. Chairman, I rise in support of H.R. 12226, as amended by the Committee on International Relations. I believe the Peace Corps continues to serve the interests of this country and the cause of international cooperation. It is a modest program, as the chairman has pointed out; but it is also a very worthwhile investment at a time when there are few mechanisms available to bridge the gap between the industrialized and developing nations of the world.

I also believe that our committee has done a particularly effective job of oversight on this program. The bill which is before us today reflects the committee's input to a substantial degree and the final product is, in my judgment, an improved version of the original fiscal year 1977 request. Let me take just a few moments to summarize some of the results of the committee's work.

First of all, we have established the principle that Peace Corps programs ought to be concentrated in those countries which are—

Most in need of the kind of assistance the Peace Corps has to offer; and

Willing to support the program to a reasonable extent.

There are many ways in which even the poorest countries can provide such support—both direct and indirect: They can provide training facilities and personnel—not merely funds from their limited financial resources. I think it is particularly worth noting, as the chair-

man has done in his opening statement, that host country contribution, both in cash and in kind, have come mostly from the poorer countries in Africa rather than from the relatively affluent developing nations in other parts of the world. These are the countries, quite obviously, which value the Peace Corps contribution to their development efforts and which deserve special consideration.

In accordance with this philosophy, the committee noted in its report on the fiscal year 1976 authorization bill:

Peace Corps programs should, in the committee's judgment, be concentrated in those developing areas which are demonstrably in need of such assistance and should be phased out of countries with the means and resources to underwrite their own development efforts.

To its credit, the Peace Corps has taken this advice seriously. During the past year the program in Iran has been phased out entirely and the program in Venezuela has been reduced to five volunteers. This year the committee focused attention on Brazil, a country of immense resources, which has been steadily reducing its own contribution to the program since fiscal year 1974. Clearly, a phaseout of the Brazil program as recommended in the report is in order.

This year, the committee also had the benefit of a staff study on Peace Corps programs in West Africa, which was released just prior to the authorization hearings. That report cited a number of problems confronting the Peace Corps in the West African region, including:

One, a lack of clear leadership related to the apparent inability of ACTION/Washington to maintain continuity in the Country Director position;

Second, inadequate staff support in the field because of drastic reductions in overseas staff positions and the failure to fill some authorized positions;

Third, inadequate advance programming and follow-up on Peace Corps volunteer assignments;

Fourth, lack of coordination between Washington and the field;

Fifth, inadequate medical care being afforded to volunteers in high-risk health areas; and

Sixth, lack of preliminary screening procedures to select out unacceptable candidates before they are sent overseas.

Above all, the staff report recommended that greater emphasis be placed on the concept of quality programming rather than on the numbers of volunteers being assigned overseas. To date, Peace Corps directors have been urged by Washington to place as many volunteers in the field as possible on the questionable theory that the level of congressional support for the program, as a whole, is directly proportional to its overseas volunteer strength.

The staff survey team concluded by noting that—

If qualitative improvements are to be made in the program, it will require corresponding improvements in the overseas support function.

Instead, Mr. Chairman, the OMB response has been to cut back funds for such support even further—a move which would clearly jeopardize the

entire program. Even with the restoration of some \$14 million by the committee, this year's request is still \$7.5 million less than the amount Congress authorized last year. I believe that given these circumstances, the committee's action was fully justified. Moreover, it was an action based on some knowledge of the facts involved.

Finally, Mr. Chairman, there is the still-pending question of a readjustment allowance increase for returning Peace Corps volunteers. This is a move which is long overdue. The \$75 per-month rate currently being paid to volunteers who have completed their service with the Peace Corps has remained the same since the inception of the Peace Corps in 1961. That is a period of 16 years—when every other program, allowance, or salary level in the Government has been adjusted upward to reject inflationary pressures. Only the Peace Corps has been denied this benefit. I think it is high time to correct this situation and make the increase mandatory. That is exactly what the committee has done.

Mr. Chairman, this bill represents a strong, bipartisan consensus on the part of the Committee on International Relations. The changes made in this bill are both necessary and reasonable.

Mr. Chairman, I urge the passage of H.R. 12226.

Mr. MORGAN. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. TSONGAS).

Mr. TSONGAS. Mr. Chairman, I would like to commend the chairman of the full committee for having presented this bill and having restored what we consider to be the full amount necessary to carry the Peace Corps through.

I think the Peace Corps does remarkable work. In terms of its effectiveness, it certainly does a lot more for the United States than foreign aid does.

Again, Mr. Chairman, I would like to commend the gentleman for his efforts.

Mr. WHALEN. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, I have held the view all through the years that the Peace Corps has been one of our best investments in foreign policy, but it is a two-way street.

Undoubtedly, a great benefit comes to the countries where the Peace Corps operates, but I think an even greater enrichment comes to the individuals from this country who gain so much from this personal experience that they come back and make outstanding citizens.

Mr. Chairman, two fine examples of this are the two Members of this body who formerly served in the Peace Corps.

Mr. CONTE. Mr. Chairman, I rise in support of H.R. 12226 which authorizes funding for the Peace Corps.

Just a couple of weeks ago, the House considered and passed the Foreign Assistance Appropriations Act of 1976. In that bill were the funds for the Peace Corps. I was present at the hearings and studied the justifications of expenditures. It is my sincere view that this authorization level of \$82 million is vital to the maintenance of the high quality organi-

zation that this Nation can be proud of. The Peace Corps has served well in the past and in order to continue to do so we must not cut the heart out of the training and support funds. This authorization would help keep the program from becoming spread so thinly and supported so poorly that its effectiveness would be lost. If we are going to have any volunteer agency such as this, then let us have one which is capable of accomplishing something.

Members who do not care for the Peace Corps point to various comments by various people in countries served by the Peace Corps which are derogatory. Well, the cold, hard facts are that if the Peace Corps was not invited to stay every year by the government of the host country there would not be a program there. I have letters from many nations endorsing and commending the Peace Corps.

If we cut the heart out of the training and support, without cutting the volunteers, we will not be getting those commendations and invitations because we will not have a decent program. The committee has recognized this and through the bill and report has pointed it out to the Congress as a whole.

A very timely example of the value of the Peace Corps is their effort in the recent earthquake in Guatemala. Our volunteers, though few in number, were key persons in the relief effort. They coordinated with the private relief groups such as Care and Red Cross and were of invaluable assistance to many Guatemalan victims at the early stages of the disaster when the most assistance is needed.

Mr. Chairman, through more careful screening, training, medical aid, and field support our volunteer effort can go on serving as admirably as it has in Guatemala. I support this legislation because the authorization of \$81 million is necessary. It is not being wasted or inefficiently spent. I believe we should not only have a Peace Corps, but we should have one that can do its job. Because this support and program money is necessary to carry out that goal, I urge my colleagues to support H.R. 12226.

Thank you, Mr. Chairman.

Mr. BROOMFIELD. Mr. Chairman, for 15 years now the Peace Corps has been the vehicle through which we have projected to the world much of what is noble and commendable in the American character. The Peace Corps and the volunteers who serve in it provide tangible evidence of the abiding American commitment to a better world order. For many people in scores of nations, the Peace Corps is the embodiment of the American readiness to sacrifice on behalf of others.

In supporting H.R. 12226, I want to emphasize that the Peace Corps is a dynamic, evolving institution responsive to the changing international environment. The Peace Corps has changed its recruitment and training policies in order to respond to the most urgent requirements of the host countries, with particular emphasis on food, health, and basic education.

Equally important is the fact that the Peace Corps works; the organization is

successfully fulfilling its mandate to import skills and technical assistance to less developed countries; to promote cultural interchange, and to foster world peace and friendship. The record, Mr. Chairman, is replete with statements from host government officials testifying to the usefulness of Peace Corps programs and the dedication of individual volunteers.

The legislation before us is straightforward and has been adequately explained by my colleagues on the floor. The modest increase in funding suggested by the Committee on International Relations is, in my opinion, entirely justified. The funds that have been added to the Executive request are designed to insure that the Peace Corps volunteer, who is at the very heart of this program, is adequately trained, supported, and compensated. Every volunteer has undertaken a significant commitment to his country and to the service of others; it is incumbent on us to see that he or she has the tools to do the job.

I sincerely hope that our general disillusionment with the affairs of the world will not spill over into the Peace Corps program. The Peace Corps provides important services to millions of people in over 65 nations of the developing world. It is the avenue through which individual Americans can express their desire to be of service. The program serves the interests of the United States and the world community; it merits our enthusiastic support.

Mr. PATTEN. Mr. Chairman, I rise in support of this measure which would authorize funds for the continued work of one of this Nation's most humanitarian and successful programs, the Peace Corps. The creation of the Peace Corps was one of the proudest and most enduring achievements of the late President John F. Kennedy. On March 1, 1961, upon announcing the creation of the Peace Corps, he said that the basic purpose of the Corps was "to help foreign countries meet their urgent needs for skilled manpower." It has certainly fulfilled its purpose.

However, past budget cuts, coupled with inflation, have had a devastating effect on this program. Coordination between Washington and the field is minimal; inadequate staff support in the field is causing administrative problems; a lack of good screening procedures is being reflected in certain cases where less than excellent candidates are being sent overseas; and, perhaps most importantly, services to our volunteers in the field—particularly in the area of health care—is insufficient.

The measure before us goes a long way in correcting these problems which have placed the Peace Corps program in jeopardy. Chairman Morgan and the members of the International Relations Committee have done an outstanding job of defining the problems and working out this solution. And they have pledged to continue their endeavors so that the hope expressed by President Kennedy on that promising day, 15 years ago: "to improve understanding among nations" can continue to be fulfilled.

Mr. MORGAN. Mr. Chairman, I have no further requests for time.

Mr. WHALEN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 12226

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act (22 U.S.C. 2502 (b)) is amended by striking out "and" after "\$88,468,000," and by adding after "\$27,887,000," the phrase "for fiscal year 1977 not to exceed \$81,000,000."

Sec. 2. Section 3(c) of the Peace Corps Act (22 U.S.C. 2502(c)) is amended to read as follows:

"(c) In addition to the amounts authorized for fiscal year 1976, for the period July 1, 1976, through September 30, 1976, and fiscal year 1977, there are authorized to be appropriated for fiscal year 1976 and the period July 1, 1976, through September 30, 1976, not in excess of \$1,000,000, and for fiscal year 1977 such sums as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law."

Sec. 3. (a) Section 5(c) of the Peace Corps Act (22 U.S.C. 2504(c)) is amended by striking out "to exceed" both times it appears in the first sentence and insert in lieu thereof "less than".

(b) Paragraph (1) of section 6 of such Act (22 U.S.C. 2505(1)) is amended by striking out "to exceed" and inserting in lieu thereof "less than".

(c) The amendments made by this Act shall take effect on October 1, 1976, and shall apply with respect to months of satisfactory service which begin on or after such date.

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. MORGAN

Mr. MORGAN. Mr. Chairman, I offer an amendment.

The clerk read as follows:

Amendment offered by Mr. MORGAN: Page 2, strike out lines 6 through 15, and insert in lieu thereof the following:

"Sec. 3. Of the amount appropriated for fiscal year 1977 to carry out the purposes of the Peace Corps Act, \$10,100,000 shall be available only for payment of the readjustment allowances authorized by sections 5 (c) and 6(1) of such Act."

Mr. MORGAN. Mr. Chairman, as I explained earlier, I am offering this amendment—after consultation with the chairman of the Budget Committee, the distinguished gentleman from Washington (Mr. ADAMS)—in order to remove a technical violation of section 303 of the Congressional Budget and Impoundment Control Act of 1974.

After markup of the bill H.R. 12226, it was brought to our attention by the Parliamentarian that section 3 of this bill creates an entitlement and is therefore in violation of section 303 of the Budget Act. The language at issue is as follows:

Section 5(c) of the Peace Corps Act now reads (under H.R. 12226 as amended): "Volunteers shall be entitled to receive a read-

justment allowance at a rate not less than \$125 for each month of satisfactory service as determined by the President: . . ."

This is the language, therefore, that constitutes an "entitlement" and which would be struck by this amendment. The amendment also would earmark \$10,100,000 of the Peace Corps Appropriation for payment of the readjustment allowances authorized by sections 5(c) and 6(1) of the act.

The \$10,100,000 represents \$6,100,000 the Peace Corps has already programmed for this purpose plus the additional \$4 million that the agency has estimated would be necessary to pay the volunteers a readjustment allowance at the \$125 per month rate.

Let me just add, Mr. Chairman, that this amendment does not change the effect of the amendment providing for a readjustment allowance increase which was offered in committee by the gentleman from Ohio (Mr. WHALEN) and which was approved without opposition. However, it should be pointed out that this amendment only applies to fiscal year 1977. It is the committee's intention to bring legislation to the floor after May 15 next year, which would make the \$125 per month readjustment allowance rate a permanent amendment to the Peace Corps Act.

Mr. Chairman, as I pointed out in my opening statement, the committee did have the option of not bringing this bill to the floor until after May 15. Then there would have been no problem with this section of the act.

The leadership was, however, anxious to proceed with this legislation on schedule and therefore this alternative language was worked out. I believe this amendment provides a fair solution to this technical problem, which takes into account the concerns of all interested parties.

Mr. Chairman, I urge the adoption of my amendment.

Mr. WHALEN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I might state, just briefly, that this amendment accomplishes two objectives. First, it enables us to conform to the new budgetary process and, second, it does preserve the intent in the amendment which was adopted in the committee, and that is to increase the readjustment allowance from \$75 to \$125.

I therefore urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MORGAN). The amendment was agreed to.

The CHAIRMAN. Are there further amendments? If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. Young of Georgia, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 12226, to amend further the Peace Corps Act, pursuant to House Resolution 1090, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BAUMAN. 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.

The vote was taken by electronic device, and there were—yeas 274, nays 75, not voting 83, as follows:

[Roll No. 119]

YEAS—274

Abdnor	Ellberg	Kazen
Alexander	Emery	Keys
Allen	Erlenborn	Kindness
Ambro	Evans, Colo.	Koch
Anderson, Ill.	Evans, Ind.	Krebs
Annuozio	Fary	Krueger
Ashley	Fascell	LaFalce
AuCoin	Fenwick	Lagomarsino
Baldus	Findley	Latta
Baucus	Fish	Leggett
Beard, R.I.	Fisher	Lehman
Bedell	Fithian	Lent
Bennett	Flood	Levitas
Bergland	Florio	Litton
Bingham	Foley	Lloyd, Calif.
Blanchard	Ford, Tenn.	Long, La.
Blouin	Forsythe	Long, Md.
Bonker	Fountain	Lundine
Brademas	Fraser	McClory
Breaux	Frenzel	McCormack
Breckinridge	Frey	McDade
Brodhead	Fuqua	McEwen
Brooks	Gialmo	McFall
Broomfield	Gibbons	McHugh
Brown, Calif.	Gilman	McKay
Brown, Mich.	Ginn	McKinney
Brown, Ohio	Goldwater	Madden
Broyhill	Gonzalez	Maguire
Buchanan	Goodling	Mahon
Burgener	Gradison	Mann
Burke, Mass.	Grassley	Martin
Burton, John	Green	Matsunaga
Burton, Phillip	Gude	Mazzoli
Carney	Hagedorn	Metcalfe
Carr	Hall	Meyner
Cederberg	Hamilton	Mezvisky
Chappell	Hammer-	Mikva
Chisholm	schmidt	Miller
Clausen,	Hanley	Miller, Calif.
Don H.	Hannaford	Mills
Clay	Harkin	Minish
Cleveland	Harrington	Mink
Cochran	Harris	Mitchell, N.Y.
Cohen	Hawkins	Moakley
Collins, Ill.	Hechler, W. Va.	Moffett
Conable	Heckler, Mass.	Mollohan
Conte	Hefner	Moorhead, Pa.
Corman	Helstoski	Morgan
Cornell	Hicks	Murphy, N.Y.
Cotter	Hightower	Murtha
Coughlin	Hillis	Nascher
D'Amours	Holtzman	Neal
Daniels, N.J.	Horton	Nedzi
Danielson	Howard	Nowak
Davis	Howe	Oberstar
Delaney	Hubbard	Obey
Dellums	Hughes	O'Neill
Derrick	Hyde	Ottinger
Derwinski	Jacobs	Patten, N.J.
Diggs	Jeffords	Patterson,
Dingell	Jenrette	Calif.
Dodd	Johnson, Calif.	Pattison, N.Y.
Downey, N.Y.	Johnson, Colo.	Perkins
Drinan	Johnson, Pa.	Pettis
du Pont	Jones, Ala.	Pickie
Early	Jordan	Pike
Edgar	Karlin	Pressler
Edwards, Calif.	Kastenmeier	Preyer

Price
Pritchard
Quie
Rallsback
Rangel
Regula
Reuss
Rhodes
Richmond
Rinaldo
Roe
Rogers
Roncalio
Rooney
Rosenthal
Roush
Roybal
Ruppe
Russo
Ryan
St Germain
Santini
Sarasin
Scheuer
Schneebeli

Schroeder
Schulze
Sebelius
Seiberling
Sharp
Shipley
Shriver
Simon
Sisk
Smith, Iowa
Smith, Nebr.
Solarz
Spellman
Staggers
Stanton
Stanton,
J. William
Stark
Stokes
Stratton
Studds
Talcott
Taylor, N.C.
Thompson
Thone
Thornton

Traxler
Treen
Tsongas
Ullman
Vander Jagt
Vander Veen
Vanik
Walsh
Wampler
Weaver
Whalen
Wilson, Bob
Wilson, O. H.
Wilson, Tex.
Winn
Wirth
Wolff
Wright
Wylder
Wylie
Yates
Yatron
Young, Ga.
Zablocki

NAYS—75

Archer
Ashbrook
Bafalis
Bauman
Beard, Tenn.
Brinkley
Burke, Fla.
Burlison, Tex.
Burlison, Mo.
Butler
Byron
Carter
Clancy
Clawson, Del
Crane
Daniel, Dan
Daniel, R. W.
Dickinson
Downing, Va.
Duncan, Tenn.
Edwards, Ala.
English
Eshleman
Evins, Tenn.
Flynt
Gaydos

Haley
Hansen
Hébert
Holt
Hungate
Hutchinson
Ichord
Jarman
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Kelly
Kemp
Ketchum
Landrum
Lloyd, Tenn.
Lott
Lujan
McDonald
Miller, Ohio
Montgomery
Moore
Moorhead,
Calif.
Mottl
Myers, Ind.

Myers, Pa.
Nichols
O'Brien
Passman
Poage
Risenhoover
Roberts
Robinson
Rose
Roussellot
Runnels
Satterfield
Skubitz
Slack
Snyder
Spence
Steed
Steiger, Ariz.
Symms
Waggoner
Whitehurst
Whitten
Wiggins
Young, Fla.

NOT VOTING—83

Abzug
Adams
Addabbo
Anderson,
Calif.
Andrews, N.C.
Andrews,
N. Dak.
Armstrong
Aspin
Badillo
Barrett
Bell
Bevill
Blaggi
Blester
Boggs
Boland
Bolling
Bowen
Burke, Calif.
Collins, Tex.
Conlan
Conyers
de la Garza
Dent
Devine
Duncan, Oreg.
Eckhardt

Esch
Flowers
Ford, Mich.
Guyer
Harsha
Hayes, Ind.
Hays, Ohio
Heinz
Henderson
Hinshaw
Holland
Kasten
McCloskey
McCollister
Macdonald
Madigan
Mathis
Meeds
McCher
Michel
Mineta
Mitchell, Md.
Mosher
Moss
Murphy, Ill.
Nix
Nolan
O'Hara
Pepper

Peyser
Quillen
Randall
Rees
Riegle
Rodino
Rostenkowski
Sarbanes
Shuster
Sikes
Stanton
James V.
Steelman
Steiger, Wis.
Stephens
Stuckey
Sullivan
Symington
Taylor, Mo.
Teague
Udall
Van Deeren
Vigorito
Waxman
White
Young, Alaska
Young, Tex.
Zeferetti

The Clerk announced the following pairs:

Mr. Badillo with Mr. Adams.
Mr. Addabbo with Mr. Peyser.
Mr. Zeferetti with Mr. Harsha.
Ms. Abzug with Mr. Andrews of North Dakota.
Mr. Barrett with Mr. Heinz.
Mr. Macdonald of Massachusetts with Mr. Holland.
Mr. Waxman with Mr. Quillen.
Mr. Sarbanes with Mr. Steelman.
Mr. Pepper with Mr. James V. Stanton.
Mr. Sikes with Mr. McCloskey.
Mrs. Boggs with Mr. Michel.
Mr. O'Hara with Mr. Bevill.
Mr. Mitchell of Maryland with Mr. Bell.
Mr. Boland with Mr. Guyer.

Mr. Conyers with Mr. Kasten.
Mr. Blaggi with Mr. Shuster.
Mr. Ford of Michigan with Mr. Stephens.
Mr. Symington with Mr. Taylor of Missouri.
Mr. Nix with Mr. Young of Alaska.
Mr. Rodino with Mr. McCollister.
Mr. Riegle with Mr. Conlan.
Mr. Teague with Mr. Devine.
Mr. Moss with Mr. Esch.
Mr. Murphy of Illinois with Mr. Eckhardt.
Mr. Randall with Mr. Blester.
Mr. Rostenkowski with Mr. Aspin.
Mr. Stuckey with Mr. Armstrong.
Mr. Vigorito with Mr. Andrews of North Carolina.

Mr. White with Mr. Madigan.
Mr. Young of Texas with Mr. Mathis.
Mr. Mineta with Mr. Anderson of California.
Mr. Melcher with Mr. Collins of Texas.
Mr. Meeds with Mr. Van Deeren.
Mrs. Burke of California with Mrs. Sullivan.
Mr. Dent with Mr. Udall.
Mr. Duncan of Oregon with Mr. Steiger of Wisconsin.
Mr. Hays of Ohio with Mr. Bowen.
Mr. Rees with Mr. Mosher.
Mr. Flowers with Mr. de la Garza.
Mr. Nolan with Mr. Hayes of Indiana.

So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 12226) just passed.

The SPEAKER pro tempore. (Mr. McFALL). Is there objection to the request of the gentleman from Pennsylvania?
There was no objection.

GUATEMALA DISASTER RELIEF ACT OF 1976

Mr. DIGGS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12046) to provide for relief and rehabilitation assistance to the victims of the earthquakes in Guatemala, and for other purposes.

The SPEAKER pro tempore. (Mr. McFALL). The question is on the motion offered by the gentleman from Michigan (Mr. DIGGS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12046, with Mr. Young of Georgia in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Michigan (Mr. DIGGS) will be recognized for 30 minutes, and the gentleman from New York (Mr. GILMAN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. DIGGS).

Mr. DIGGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the humanitarian spirit of the American people is unparalleled.

When the earthquakes killed 68,000 in Peru in May 1970, and nearly 11,000 in Nicaragua in December 1972, once again the American concern for their fellow man was demonstrated.

In 1971 when news flashed around the world that millions of people in Bangladesh suffering in a costly civil war faced mass starvation, we responded.

In 1973 as pictures appeared of gaunt babies and dead animals in the West African Sahel, victims of the worst drought in memory, the American Government shipped and airlifted food and medicines.

By 1974 hurricanes and floods in Honduras provided another opportunity for American assistance.

I rise, Mr. Chairman, to appeal to American generosity and humanitarianism once more in urging support for H.R. 12046, which authorizes the President to provide disaster assistance to the people of Guatemala.

At 3:02 a.m. on February 4, an earthquake struck Guatemala bringing with it widespread devastation.

Over 22,000 have died, 74,000 face injuries.

More than 1 million people are homeless.

Rural and major roads are blocked by landslides.

One major three-span bridge collapsed.

Telephone and power lines were disrupted.

New lakes and volcanoes were created.

Recognizing the need to set aside funds for disaster assistance, the Congress established a Disaster Assistance Fund as part of the International Development and Food Assistance Act of 1975, which makes \$25 million available in fiscal 1976 and an equal amount in fiscal year 1977.

This fund has not been adequate to meet the claims against its resources for this fiscal year. To date \$20.5 million has been obligated for direct assistance to countries in Europe, Latin America, South Asia, Africa, and the Far East suffering from floods, hurricanes, droughts, and fires. Approximately \$7.5 million of this amount has been used for Guatemala. Another \$1.6 million is reserved for disaster preparedness programs. The remaining balance of \$2.9 million is wholly insufficient to meet the relief and rehabilitation needs in Guatemala where the estimated average ranges from \$600 million to over \$1 billion.

One of the key provisions of this bill is to reimburse \$7.5 million to the disaster assistance fund, thereby making money available for assistance to other areas hit by natural or man-made calamities. The administration has requested that the balance of the funds under this bill be used for—

Providing shelter for persons in the areas, \$7.5 million.

Rebuilding rural community services, \$2.5 million.

Making repairs on the major export-import artery, the Caribbean highway linking Guatemala City to Puerto Barrios, \$7.5 million.

In order to rebuild safer houses, the committee passed an amendment, introduced by the gentleman from New York (Mr. SOLARZ), providing that seismic re-

sistant building materials be used for housing construction to the maximum extent possible. In the Indian Highlands where the greatest damage occurred, the adobe walls collapsed under the impact of the quake causing the heavy tile roofs to fall and crush unsuspecting victims.

Not only will the Agency for International Development supply lighter tin roofs and pole supports, but in those areas where cultural barriers make the introduction of new housing material difficult, they will encourage the use of more solid earth bricks for the house and the substitution of frame from the window to the roof.

Recognizing the important work performed by American private voluntary organizations, and as a precaution against favoritism in the allocating of aid, we have added an amendment to the bill providing that assistance made available be distributed to the maximum extent practicable by U.S. voluntary relief agencies and other international relief and development organizations. Thus far U.S. voluntary organizations have raised \$6 million for Guatemala. The outpouring of aid from private American citizens has been particularly encouraging. Three States, Alabama, North Carolina, and Oregon donated two hospitals each. A team of doctors from California volunteered their services and went out with the Army disaster survey teams to treat persons in these rural areas.

Mr. Chairman, special tribute should be paid to the U.S. country team, the 125 Peace Corps volunteers in Guatemala and the military disaster survey teams who were mobilized hours after the quake and worked tirelessly around-the-clock during the emergency relief phase. The American Ambassador's home was totally destroyed during the earthquake and for a while he slept on the floor in the home of his Deputy Chief of Mission.

While the American response has been impressive, I must stress that this is an international effort. Over 27 nations and several regional and international organizations, such as the World Bank, the Inter-American Development Bank, the Organization of American States, the European Economic Community, the Pan American Union and the U.N. system have, and continue to commit resources to Guatemala, Venezuela, Mexico, Canada, and Nicaragua have been especially active, flying in food, field hospitals, doctors and other supplies. The United Nations Disaster Relief Office, UNDRO, assumed responsibility for the coordination of international relief effort on February 25.

Most importantly the people and the Government of Guatemala have risen from the rubble to help themselves.

Immediately after the earthquake, the Guatemala Government declared an emergency and established a national emergency committee to coordinate Government and foreign relief activities. The Government has invested in a massive effort to remove landslides and provide food for people in the urban and rural areas. In addition, President Laugerud has launched a program to provide shelter for 107,000 rural and 40,000 urban families. With calm and stoicism the people of Guatemala immediately started

removing rubble and rebuilding their homes. I want to point out that the Government of Guatemala has contributed \$26 million to emergency programs since February 4, and plans to provide from its own resources, both public and private, over \$475 million of the \$746 million estimated to be needed for reconstruction.

Mr. Chairman, in this world where conflict and ill will between nations still prevails in the Middle East and Southeast Asia; where the tension between the rich and the poor countries continues unabated; and détente between the United States and its historical adversary is now being questioned, I urge, unanimous support for H.R. 12046 which provides an opportunity for the United States to demonstrate its desire and capability to respond effectively to assist fellow human beings in distress. Truly this is the way to win the hearts and minds of people throughout the world.

Mr. MOFFETT. Mr. Chairman, will the gentleman yield briefly for a question?

Mr. DIGGS. I yield to the gentleman from Connecticut.

Mr. MOFFETT. Mr. Chairman, first of all I would like to compliment the gentleman for the work he has done on this report and also compliment the gentleman for seeing to it that on page 5 of the committee report there is language with regard to relief assistance for Lebanon.

I wonder if I might ask the gentleman to clarify two points for us. No. 1, what assurance might there be that the Disaster Assistance Account, which we hope will be replenished by a positive vote on this legislation, will in fact go toward the urgent and substantial relief efforts that are necessary for Lebanon?

Second, I wonder whether there are any other plans, either within the committee or within the administration, or both, for a separate piece of legislation to provide for medical supplies and other humanitarian relief assistance for Lebanon.

Mr. DIGGS. Mr. Chairman, I thank the gentleman for providing an opportunity for legislative history and to indicate just what our intentions are here.

As I indicated, some \$7.5 million of this \$25 million is reverting back to the general disaster relief fund to replenish it for moneys already spent for Guatemala. There is an understanding between the committee and the administration's representatives, meaning AID, that the funds will be used by the President for disaster assistance to Lebanon. Although there is not at the present time a Presidential request to Congress for war disaster relief for Lebanon, I can assure the gentleman that our committee would certainly move in that direction if any inadequacies emerge indicating the necessity for a separate piece of legislation.

Mr. MOFFETT. Mr. Chairman, if the gentleman will yield further just for a moment, as the gentleman's own subcommittee has put it so well here, there have been an estimated 10,000 people killed and probably 200,000 people uprooted in what is a very tiny country.

I think the need certainly exists beyond the amount that is specified here

in the bill that might go to Lebanese assistance from the disaster assistance account.

Mr. Chairman, I would urge the gentleman in the well and other members of the committee to consider that Lebanon needs our help now. I know that the gentleman is giving this his utmost attention, and I thank him very much for the opportunity to engage in a colloquy on the matter.

Mr. DIGGS. Mr. Chairman, I thank the gentleman and assure him that I share his sentiments about the matter.

Mr. KAZEN. Mr. Chairman, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from Texas.

Mr. KAZEN. Is it my understanding that there are bills before the gentleman's committee that provide for assistance to Lebanon?

Mr. DIGGS. Yes there is; there is legislation pending. The Guatemala relief matter was a "by request" bill by the administration. I make that distinction for the gentleman.

The legislation that is pending is not on that basis.

Mr. KAZEN. Mr. Chairman, I would urge the gentleman to have his committee look into the question of aid for the reconstruction of Lebanon. If the wishes of his committee as expressed in the report at this bill are not carried out with respect to the amount of money which is going to the President with the recommendation from the committee that it go to Lebanon relief, I would urge that the gentleman's committee, at the earliest opportunity, look at the bills that are before it so that help might be forthcoming to the country of Lebanon.

Mr. DIGGS. Mr. Chairman, I assure the gentleman from Texas (Mr. KAZEN) that we are mindful of his concern and share it.

When one looks over the list of countries that have been the recipients of relief from the general disaster fund, one notes that it covers geographically and politically the whole spectrum, so if there is some concern that there might be some sensitivity because of any political dimensions in the Lebanese situation, I can assure the gentleman that there are not any as far as the committee is concerned.

From the administration of the disaster relief fund over the past few years, there is also an absence of any political considerations in that regard.

Mr. KAZEN. Mr. Chairman, I thank the gentleman for his interest and his comments.

Mr. RISENHOOVER. Mr. Chairman, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from Oklahoma.

Mr. RISENHOOVER. Mr. Chairman, I would like to associate myself with the remarks expressed in concern for the situation in Lebanon, and I am in favor of anything that the gentleman's committee might be able to do to help alleviate that situation.

I agree with and intend to vote for the measure to give relief to Guatemala.

However, Mr. Chairman, I would like to urge the administration to take a look at some of the domestic problems we

have in my district in Oklahoma. We have four counties in that district that are still waiting for relief to repair roads and bridges as a result of a flood that occurred over 2 years ago.

Mr. Chairman, I would just like to urge that while we maintain this humanitarian attitude toward countries that experience disasters throughout the world—and I am in full agreement with that attitude—that we also look at some of these domestic problems. It would make it a lot easier for me and my constituents to be more generous.

Mr. DIGGS. Mr. Chairman, I thank the gentleman for his contribution.

Mr. SOLARZ. Mr. Chairman, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from New York, a member of the subcommittee.

Mr. SOLARZ. Mr. Chairman, I just want to associate myself with the remarks of the gentleman in the well and to commend him for his very constructive and thoughtful work with respect to this legislation.

He may not know it, but I think he has acted in the best tradition of the Talmud, the foundation of Jewish law, which at one point says: "If I am not for myself, who will be? But if I am only for myself, what am I?"

Mr. Chairman, I think the gentleman can be proud of the work he has done, and I think that this committee can be proud of what it will be able to do for the people of Guatemala as a result of the passage of this very important legislation.

Mr. DIGGS. Mr. Chairman, I thank the gentleman from New York (Mr. SOLARZ), and I wish also to reciprocate his kind comments, not that they were solicited, but because it is true that the gentleman from New York made some very important contributions to our deliberations.

Mr. Chairman, I wish particularly to commend him, and I want to commend also the gentleman from West Virginia (Mr. HECHLER).

The gentleman from West Virginia visited Guatemala during the aftermath of this disaster and labored in the Indian Highlands to relieve the suffering, and upon his return was of great assistance to us in our consideration of this matter. The gentleman testified before the subcommittee and before the committee on rules. He told us of the almost unbelievable destruction that occurred and reported to us on the immediate mobilization of American and international relief agencies to assist. Also, there are many other matters concerning this situation which gained credibility because of the observations the gentleman from West Virginia has made and explained to us.

The gentleman from West Virginia (Mr. HECHLER) will offer an amendment after we complete debate which would say that no more than \$4 million of the amount shall be available for repairs to the Caribbean highway in Guatemala. The subcommittee and the full committee are prepared to accept that amendment and it has been cleared with the administration.

Based upon the foregoing, Mr. Chairman, I would urge the support by the Members of H.R. 12046, as we expect it to be amended.

At this point, Mr. Chairman, I have no further requests for time.

Mr. GILMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the legislation that is now before the House, H.R. 12046, the Guatemala Disaster Relief Act of 1976.

I too wish to commend the distinguished chairman of our subcommittee, the gentleman from Michigan (Mr. DIGGS) for so expeditiously bringing this matter before this body at such an early date following this disaster in Guatemala.

Mr. Chairman, the earthquake that struck Guatemala on February 4, 1976, has resulted in widespread devastation and human misery to over 1 million Guatemalans. In a nation of over 5.9 million people, this disaster has left more than 1,066,000 homeless, and has resulted in the death of more than 22,000 and the injury of nearly 75,000 others.

This disaster has had its severest impact on the rural poor. Due to the construction of their houses and the remoteness of their villages, it is these Guatemalans who have suffered the major portion of the death and destruction caused by the earthquake. Of the nearly 250,000 homes that were destroyed, approximately 150,000 of these were in the rural areas. In addition, more than 20,000 of the 22,000 deaths occurred outside the Guatemala City area.

The destruction caused by the earthquake extends far beyond its initial impact on the local housing. Many community facilities, such as health clinics, schools, water and power systems and farm markets were destroyed. Much of the progress that had been achieved in recent years in these areas has been lost. In addition, landslides have blocked the major transportation arteries, created natural dams resulting in the possibility of future flooding, and in at least one case have buried an entire village.

In response to allegations that the Guatemalan Government's relief effort has been politically motivated, favoring the rural areas, the Director of Central American Affairs of the Department of State testified before our subcommittee that—

There has certainly been no evident bias to us in terms of where the (Guatemala) Government has concentrated or where it has distributed its activities.

In addition, Mr. Kleine, the Assistant Administrator of the Latin American Bureau of AID stated at the same hearing that it is the policy of our Government "to follow up very vigorously on any reports that involve the diversion, misuse, abuse, of any of our equipment. We have auditors on the scene, the GAO has people on the scene." Reflecting on his experience over the last 4 to 5 years of working with large disasters, he noted that in this disaster, reports of this kind have been remarkably few. Overall, the reactions to the entire relief effort has been one of praise and non-partisanship.

Beyond the relief efforts that have been so successful in handling the transitional period immediately after the major quake, the next effort must be directed in terms of avoiding the hardships of the approaching rainy season. This crucial period, between now and the beginning of the rainy season in April, must be used to clear the destruction and rubble and to construct the needed shelter necessary to protect the people from future disasters.

With these thoughts in mind, the administration's proposal is prepared to meet these challenges in four separate ways. Of the \$25 million to be authorized by the legislation, \$7.5 million is designated for reconstruction of housing and community facilities. An additional \$7.5 million will be used for repairs to the major highway and key farm to market roads; \$2.5 million is needed to remove the landslides and natural dams that threaten further disasters. Finally, the remaining \$7.5 million will reimburse the disaster relief account for funds spent in the initial phases of the Guatemala relief effort.

With the passage of this legislation, these funds will enable the continuation of our current relief efforts and will enable the Guatemalan people to withstand the fast approaching rainy season. Through their own initiatives, the people of Guatemala have demonstrated their willingness to help themselves. They deserve our continued support.

As a cosponsor of this measure, I urge my colleagues to join with me in support of this important legislation.

Mr. DIGGS. Mr. Chairman, I have no further requests for time.

Mr. GILMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. WHALEN).

Mr. WHALEN. Mr. Chairman, I rise in support of H.R. 12046 a bill to provide emergency relief and rehabilitation assistance to the people of Guatemala in the aftermath of the disastrous earthquake and tremors which have afflicted their country. As the cosponsor of similar legislation, I am pleased that the International Relations Committee has acted so expeditiously on this measure.

According to the most recent figures, this tragedy has claimed over 22,000 lives, injured 74,000, and left 1 million homeless. By far the most devastating impact of the earthquake was on the housing of the poor. Unlike the Nicaraguan earthquake of 1972, which primarily was confined to the urban capital of Managua, the Guatemalan earthquake essentially is a rural disaster. However, the great majority of Guatemala's population resides in small towns and rural areas in adobe houses. Over 150,000 of these structures were estimated by the government of Guatemala to have collapsed. Since the initial quake occurred in the early morning hours, thousands asleep in their adobe homes were crushed when the heavy tile roofs fell in.

Within hours after the first earthquake on February 4, the U.S. country team in Guatemala and AID's Foreign Disaster Center began continuous relief operations. U.S. equipment, supplies, and personnel were sent in quickly, includ-

ing a U.S. military disaster assistance survey team, DAST, from Panama; a fully equipped and staffed 100-bed military field hospital; an engineering survey team to assess road, bridge, and rail damage; 18 helicopters; eight two-man medical/communications teams; physicians; and pharmacists. In addition, 24 other countries, several international organizations, and various voluntary agencies have made substantial contributions to the relief effort.

Following an on-the-scene report from Daniel C. Parker, Administrator of AID and Special Coordinator for International Disaster Relief Assistance, the President requested \$25 million for emergency assistance to Guatemala. The Guatemala Disaster Relief Act represents the response of the International Relations Committee to that request. The bill authorizes appropriations of \$25 million for earthquake disaster relief and rehabilitation activities in Guatemala, including reimbursement for obligations already incurred for this purpose.

First, \$7.5 million is to be used for the rehabilitation of housing and community facilities. This funding is intended to restore vital community services and to obtain materials and tools for the construction of up to 100,000 rural and small community homes. In this regard, it should be noted that the committee adopted an amendment providing that the housing construction assistance is to be used, to the maximum extent possible, for housing which is constructed of seismic-resistant materials or which will otherwise minimize the danger of injury to occupants during future earthquakes.

Second, \$7.5 million will be used for temporarily restoring Guatemala's main highway and for reopening several farm-to-market roads in the Indian highland. The Guatemala City-Puerto Barrios Highway, the primary link from the capital to the Caribbean coast, was cut by numerous landslides. Nearly 100,000 small farmers depend upon this highway to transport their produce to Guatemala City.

Third, \$7.5 million is designated for the reimbursement of the disaster assistance account for funds spent in the initial emergency relief.

Fourth, \$2.5 million is to be made available to solve problems resulting from landslides and other topographical changes caused by the earthquake.

The Government and the people of Guatemala have responded courageously in the wake of the disaster. The challenges of coordinating the relief assistance and attempting to make order out of nature's chaos have been faced with a spirit of determination and confidence. Their efforts clearly merit the support provided by this legislation.

I urge my colleagues to vote in favor of H.R. 12046, an expression of the solidarity of the United States with the plight of the Guatemalan people.

Mrs. BOGGS. Mr. Chairman, I rise today to express my strong support for H.R. 12046 which authorizes \$25 million for relief and rehabilitation assistance to victims of the disastrous earthquake in Guatemala.

As we all know, the earthquake which occurred on February 4, was devastating.

It claimed over 20,000 lives and left many more injured. The best estimates indicate that at least 1 million people have been left homeless. The U.S. Government reacted swiftly and well to the initial request of the President of Guatemala for our help.

The medical supplies, portable hospitals, generators, water pumps and tanks, family size tents, helicopters, and large numbers of health, disaster, and engineering personnel sent were in response to the most immediate needs of those suffering. I am very proud of the prompt and abundant manner in which our Government responded to Guatemala's emergency and I understand that some \$7.5 million of the funds which H.R. 12046 would authorize represents provision for reimbursement of funds already expended.

This aid, coupled with an outpouring of private donations of fantastic amounts of food, medical supplies, clothing, and blankets was another example of our unique American voluntarism shown so readily in times of distress. The amount of private contributions throughout the country was heartwarming and certainly gives evidence of widespread support for the policy of assistance pursued by our Government.

I would like to share with you my particular pride in the magnificent generosity shown by Louisianians. In the first few days, at least 400,000 pounds of non-perishable food was gathered in New Orleans and stored in warehouse space donated for the purpose; \$40,000 of moneys collected locally financed the chartering of planes to insure that these much needed contributions would reach their destination. In the ensuing days and weeks, many more hundreds of thousands of pounds of food and thousands of dollars were contributed in an expression of ongoing concern for the welfare of our neighbors. The Agency for International Development eventually coordinated their shipments through New Orleans and I like to think that this represents a recognition of the particularly abundant generosity of Louisianians and the excellent direction given to the collection, cataloging, warehousing, and shipment of goods by the local committee headed by Lt. Gov. James Fitzmorris.

Now that many of the immediate needs have been met, it is time to focus on the devastated country's efforts to rehabilitate and rebuild housing and community facilities, to rebuild highways and the railroad, and to remove landslides and make repairs to the port. The President of Guatemala has indicated a desire to make extensive use of local resources and labor and President Ford has asked us to authorize \$25 million to aid Guatemala in its repairs and rebuilding. I am sure we all want to give this further indication of our wonderful American spirit of helpfulness and generosity, and I urge all my colleagues to join me in supporting H.R. 12046.

Mr. BROOMFIELD. Mr. Chairman, the Guatemala Relief Act cries out for prompt, favorable action rather than extended oratory. The provisions of the legislation and the magnitude of the disaster it is intended to relieve are apparent. There can be no question about the

need for or the appropriateness of this resolution.

In rising to support H.R. 12046 I again extend my heartfelt sympathy to the people of Guatemala on the catastrophe that has befallen their nation. I commend the administration and the Committee on International Relations for the prompt submission and consideration of this resolution. The sum of \$25 million, of course, will not begin to repair the devastation in Guatemala. No amount of money could relieve the suffering and the tragedy of the bereaved. But the United States, through its rapid, effective, and generous response to this calamity, is demonstrating a profound humanitarian concern for a sister republic in this hemisphere. We have an opportunity today to reinforce one of the noblest and most consistent traits of the American character: a willingness to rally our resources to support a friend in need.

Mr. Chairman, Guatemala has suffered a tragedy of immense proportions. The tragedy will be compounded if the rehabilitation effort does not get underway before the rainy season begins this spring. I join my colleagues in urging support for H.R. 12046, and I wish the Government of Guatemala every success in their efforts to rebuild their country.

Mr. SIKES. Mr. Chairman, I support H.R. 12046, which would authorize \$25 million for fiscal 1976 to provide assistance for the relief and rehabilitation of the victims of the earthquake which recently struck Guatemala. This disaster was the worst in that country in more than two centuries; 22,000 persons were killed, 74,000 injured and 1 million left homeless. Property damage was estimated upward of \$600 million.

While the United States played a leading role in providing immediate and effective assistance to the victims, much remains to be done. It is especially urgent to provide shelter for the homeless and reopen major transportation arteries before the onset of the rainy season in Guatemala which begins in May.

The \$25 million which was requested by the President will provide \$7.5 million for rehabilitation of housing and community facilities, \$7.5 million for repairs to the major Guatemala City-Puerto Barrios highway, \$2.5 million for removal of landslides, and \$7.5 million for reimbursement of funds already spent for Guatemala disaster relief.

I have had a special place in my heart for Guatemala, along with the many people of the United States who have been fortunate enough to visit this beautiful and hospitable country. Over the years, the people of Guatemala have made encouraging progress in the economic, political, and social spheres. In that effort, the United States has demonstrated its own good will time and again to a strong people.

The stories coming out of Guatemala indicate that the government of General Laugerud is doing a magnificent job in the face of heavy odds and physical obstacles; likewise, the people of Guatemala are demonstrating their traditional courage and determination to surmount suffering and physical deprivations.

Mr. Chairman, this legislation is neces-

sary in order to provide the relief and assistance needed now by our friends in Guatemala. I hope my colleagues will join in enthusiastic support of this proposal.

Mr. DERWINSKI. Mr. Chairman, I rise in support of the legislation now before us, H.R. 12046, the Guatemalan Disaster Relief Act of 1976.

The effects of the earthquake and its major aftershocks on the country of Guatemala have been catastrophic. The focal point of the major quake was located in a sparsely populated area of about 150 kilometers in length and 50 kilometers in width. In this area, between 80 and 90 percent of the people were left homeless with more than 22,000 dead and 75,000 injured. In some areas, entire towns and villages were destroyed.

Normally, when a nation suffers a disaster of that magnitude, the economic and social trauma is overwhelming. Fortunately, the Guatemalans are a brave people, determined to reconstruct their country. The Guatemalan Government has taken the lead in recognizing that it must bear the major portion of the burden for the rehabilitation of its nation and that its self-help measures will ultimately determine the amount of external support it will receive.

The major thrust of our efforts has been directed to help those most affected by this tragedy, the rural poor. In seeking to provide immediate relief and clear away the destruction, we find that these people are willing to help themselves. The main portion of our assistance is focused upon the urgent delivery of needed building materials and simple handtools to enable the people to reconstruct their homes. This idea is incorporated in this legislation by providing the funds for building materials to enable some 100,000 rural families to rebuild.

Due to this sense of responsibility on behalf of the Guatemalan people and as a result of the close cooperation of their government and our disaster relief teams, the American relief effort has been an impressive success in its swiftness and efficiency without being tied in any way to political considerations.

Traditionally, our two nations have shared close economic, social and political interests. In the international arena, Guatemala has supported many of the same views and efforts as this country. In the face of this crisis, the Government and the people of Guatemala have responded well. They deserve our continued help and support during their hour of need.

The American people can be proud of the role that we have played in assisting the Guatemalan people in the traumatic aftermath of this tragedy. It is a tribute to the humanitarian history of our country. The passage of this legislation will enable the American people to continue to help the Guatemalans to help themselves.

As a sponsor of a bill identical to H.R. 12046, I urge all my colleagues to join me in support of this much needed legislation.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

H.R. 12046

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 "Guatemala Disaster Relief Act of 1976".

SEC. 2. The President is authorized to provide assistance, on such terms and conditions as he may determine, for the relief and rehabilitation of the people who have been victimized by the recent earthquakes in the Republic of Guatemala. Such assistance may be provided in accordance with the policy and general authorities applicable to or available for the furnishing of assistance under section 491, relating to international disaster assistance, of the Foreign Assistance Act of 1961.

SEC. 3. There is authorized to be appropriated to the President to carry out the purposes of this Act \$25,000,000 for the fiscal year 1976, which amount is authorized to remain available until expended. Obligations incurred prior to the enactment of this Act against other appropriations or accounts for the purpose of providing relief and rehabilitation assistance to the people of Guatemala may be charged to the appropriations authorized by this Act.

SEC. 4. Not later than ninety days after enactment of appropriations to carry out this Act, and on a quarterly basis thereafter, the President shall transmit reports to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and to the Speaker of the House of Representatives on programing and obligations of funds under this Act.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, after line 18, add the following:

"Sec. 5. In order to limit the extent of deaths, injuries, and destruction in future earthquakes, assistance provided under this Act which is used for the construction of housing in the Republic of Guatemala shall, to the maximum extent possible, be used for housing which is constructed of seismic resistant materials or which will otherwise minimize the danger of injury to occupants during future earthquakes; and the President should encourage the Government of the Republic of Guatemala to promote the use of such materials.

"Sec. 6. Assistance made available under this Act shall be distributed to the maximum extent practicable through United States voluntary relief agencies and other international relief and development organizations."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. HECHLER OF WEST VIRGINIA

Mr. HECHLER of West Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HECHLER of West Virginia: On page 2, line 7, strike the period and insert a comma and the following: "except that not more than \$4,000,000 of this amount shall be available for repairs to the Puerto Barrios Highway in Guatemala."

Mr. HECHLER of West Virginia. Mr. Chairman, I am currently engaged in another activity which I will not mention to my colleagues. But suffice it to say, nobody in Guatemala can vote in the West Virginia primary. Nevertheless, I think this is a piece of legislation which deserves strong support from both sides

of the aisle. I commend the chairman of the subcommittee, the gentleman from Michigan (Mr. DICES), and the ranking minority member, the gentleman from New York (Mr. GILMAN), and the gentleman from New York (Mr. SOLARZ) and others who have worked so hard on bringing this legislation to fruition.

Very shortly after the earthquake struck on February 4, I received a telephone call from one of my constituents, Mr. Sam Wilmoth, whose wife was born in Guatemala, and who expressed great concern about her relatives in Guatemala City. I paid our way on a commercial flight to Guatemala during the period of the Lincoln and Washington's Birthday recess. I did have an opportunity, as the gentleman from Michigan so generously observed, to work for several days in the small Indian Village of Santa Maria Cauqué, in the highlands some 25-30 kilometers from Guatemala City. This village had a population of 1,600 people and 78 people were killed, and there was almost 100-percent destruction of the homes in that area. I worked with the local people, clearing rubble, bringing in sacks of food and grain, distributing blankets and assisting in numerous other ways during that tragic period.

I also had an opportunity to become acquainted with the work of American volunteer organizations like CARE and the American officials from Ambassador Meloy down were all very effective in that area. I was very impressed with the Director of CARE, Mr. William Salas and also the Director of CARE Honduras—Mr. Jerry Lewis, and the Assistant Director of CARE Honduras—Mr. Charles Kises.

The question of the highway from Guatemala City to Puerto Barrios is a very important one, because this highway certainly is the lifeline of Guatemala. It is the lifeline for the export-import trade and affords the opportunity for the coffee, bananas, cotton, and sugar and other products that are produced in Guatemala to move into the export-import trade.

So far as I am concerned the disaster in Buffalo Creek, W. Va., in 1972 saw much effort concentrated on a new highway before the efforts were made to rebuild the housing and rebuild the water and sewer systems and take the other measures to help people. Should a large proportion of American aid go into a highway rather than helping people directly? The West Virginia Turnpike, one of the most dangerous highways in the Nation, annually kills and injures many drivers from all over the Nation. The turnpike has been incorporated into the interstate system. How can we justify spending funds for a highway in Guatemala when there is serious need for Federal funding to bring this 2-lane turnpike up to interstate standards?

My amendment would cut by \$3.5 million the amount for the highway. The amendment would not reduce the total authorization of \$25 million, and it would allow utilization of the balance of the fund on the other necessary people-oriented relief and rehabilitation in Guatemala, which is after all the main design of this legislation.

I attach an article which I wrote for the Charleston, W. Va., Gazette on my experiences in Guatemala, and also the testimony which I presented to the Subcommittee on International Resources, Food and Energy on February 18:

[From the Sunday Gazette-Mail, Charleston, W. Va., Feb. 22, 1976]

NEEDS OF THE PEOPLE SHOULD BE NO. 1 GOAL

(Rep. KEN HECHLER, D-W. Va., spent three days earlier this month on a work detail in the small Indian village of Santa Maria Cauqué, which was destroyed by the Feb. 4 earthquake in Guatemala.)

The powder-thin dust swirled in the wind. As the sun rose over the jagged mountain peaks, the 40-degree cold was slightly softened.

Amid the rubble and ruins off her adobe home, an Indian woman dressed in red and gold was making tortillas, those delicious corn cakes topped with meat. The pat-pat of the tortilla-makers could be heard from adjoining heaps of rubble which were once homes.

Her wide, dark eyes looked up at a visitor as she continued the shaping of the thin, round tortilla which occupies half the life of every Indian woman. Suddenly, her eyes darted to her children, and across the ruins as if to recall a husband whose lifeless body lay in the rubble a few days earlier. Her stoicism broke down, as her body shook with sobs.

All over Guatemala today the wounds are as deep as the gashes in the land which the Feb. 4 earthquake opened up. Statistics are a cold measure of the disaster which ripped capriciously across this land of eternal spring, the southern-most of the Central American bounties. 23,000 dead and one million homeless out of a population of 5.8 million is comparable to 2.8 million dead and 38 million homeless in the United States.

In downtown Guatemala City, most of the wealthy homes and tall buildings survived. The makeshift shacks of the urban poor disintegrated. But it was in the rural areas where the full force of the quake took its toll. When the adobe walls collapsed, heavy red clay tile roofs fell in on sleeping victims, their load pulled down quicker by the little cache of corn and other food hanging from the top of the huts.

President Laugerud is army-trained, having served at the command and general staff college at Fort Leavenworth, Kansas. He and his army responded quickly, in military style. He was worried about security of the capital city, the largest city in Central America, and for the first few days the army troops concentrated on prevention of looting and they distributed Guatemalan foodstocks. Fearing that many refugees might pour into the capital, the authorities secured the capital and did not venture out into the countryside until a few days later.

The American reaction was swift, thorough and reflected great credit on the private relief agencies moving in to assist earthquake victims. Assistance poured in from 25 nations and many private and internal organizations. Two notable instances of waste occurred. The Americans flew in at great expense the 47th Field Hospital from Fort Sill, Okla., complete with very expensive equipment and a staff of 200. The hospital set up near Chimaltenango in the heart of the disaster area. When I visited the hospital, it was bristling with armed guards, had a terrifyingly bureaucratic atmosphere, and had only three patients for 100 beds! The Indians preferred to go to less sanitary local hospitals where friendly doctors talked their language, allowed families to sleep and cook meals with the patients, and where shots and drugs weren't always being administered (the rumor in some areas circulated that the Americans were giving shots to sterilize the Indians!) The

decision to phase out the hospital was made on Feb. 16.

Another big waste was the food distribution method used by the Guatemalan army. CARE used a "food for work" system in rural areas, giving out food in reward if the citizens would band together and help clean up the rubble. The army ran up big trucks and long lines would immediately form, resulting in several members of a family drawing rations beyond their needs.

The earthquake cut the main Atlantic road from Guatemala City to the Caribbean. Guatemala's lifeline for exports of coffee, cotton, bananas and sugar. A three-span bridge was destroyed, and landslides made passage very difficult. President Laugerud appealed to the U.S. government for assistance in repairing and rebuilding the road and destroyed bridges, especially asking for U.S. engineer assistance. Every American official stressed the need for this road. U.S. AID Administrator Daniel Parker, of Parker Pen fame, asked Congress for \$25 million, including \$7.5 million for repairing the Atlantic road.

I am certain that this road must be rebuilt. But the greatest economic value will be to the government in power and the wealthy exporters and importers. I cannot help but recall the analogy with Buffalo Creek, where the first priority was building the highway for the benefit of the coal trucks, while the people waited and waited for water, housing, land and the chance to return to the area where they had once lived. It occurs to me that forces for rebuilding the Atlantic highway are so strong as not to be denied. Many West Virginia communities would welcome the expenditure of these American tax funds for their own roads. Furthermore, the top priority must be placed on people and meeting human needs for housing, both to protect against the 40-degree nights in the Highlands, and also to build temporary shelter prior to the start of the rainy season in April.

Land reform is another issue which the American government gingerly avoids. The Indians who comprise 45 per cent of the population have little representation in the high Guatemalan government councils, live mainly in isolated villages and rural areas, are at the bottom of the poverty scale, and barely subsist on the corn and beans they grow. Although the United Fruit Co. was once the largest landholder in Guatemala, some progress has been made in land distribution. Still, when 2 per cent of the wealthy families owns 65 per cent of the land, there is much room for improvement. If the United States is going to extend massive help in the rebuilding of Guatemala, certainly our government should nudge the Guatemalan government in the direction of land reform and improvement of the condition of the poverty-stricken people.

When the British stormed up the steps of the United States Capitol and burned that ramshackle edifice during the War of 1812, it was the first great urban renewal project because it paved the way for the magnificent building we have today. In Guatemala, the almost total destruction also may pave the way for rebuilding a nation on sounder foundations of human justice, where the needs of the people will come ahead of the huge profits of a small group of entrepreneurs.

STATEMENT OF HON. KEN HECHLER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WEST VIRGINIA

Mr. HECHLER. Thank you, Mr. Chairman. I will be very brief and include rather than an analysis certain conclusions. Your remarks are absolutely on target, the poor have suffered the most. This is the point that Mr. Parker underlined in his report to the President. I spent 2½ to 3 days primarily in the area that you mentioned in your statement,

the Indian highlands of the Chimaltenango area. The destruction there, of course, is almost unbelievable, and the response of American agencies is very heartening. There is a very crucial period between now and the 1st of April when the rainy season starts that many of these people in the highlands, Indian communities, where the temperature goes down to 35 or 40° at night, are desperately in need of shelter. They are also in need of some of the basic tools to clear up the rubble, to construct the kind of shelter necessary to protect them both against the present cold and the future rains and also to get their crops in the ground.

Mr. Parker has very accurately covered through his analysis the details of the disaster, in his report to the President, which I have read. I would like to make a couple of observations, however, that in some respects differ and in some respects support Mr. Parker's report. Just in commenting on the manner in which supplies are distributed, I was tremendously impressed by the activity of American organizations such as CARE and international organizations also. I would make this one critical comment about the manner in which some of the food stuffs were distributed by the Guatemalan Army. I cannot make a thorough analysis but I did observe a number of instances where lines of six or eight blocks long of people were going up to trucks laden with food, and people who were obviously well dressed were sharing in the freebies, as they took the food off the trucks. They appeared to have other members of their families that were drawing on the free supplies indiscriminately. I think the whole relief effort has to be coordinated carefully to prevent this type of development. There is a lot of very useful material but also some useless goods coming in from people all over the world. I think the best thing that individuals can do now is to contribute monetarily to organizations that are on the spot that can purchase these necessary tools, rather than sending materials, because among the things in the warehouse at the airport, for example, are the high-heeled shoes and the doctors' drug samples cleared off their shelves. This clogs up the distribution system and those people who are trying to get the blankets and necessary emergency supplies out to the Guatemalan people spend a lot of time trying to separate out this junk. It would be a great idea to encourage American communities to adopt a community in Guatemala of the type of Chimaltenango or other communities.

I spent quite a good deal of time working in Santa Maria Cauqué, which is a little Indian village of about 1,600 people, some 20, 25 kilometers outside of Guatemala City. Such a relationship can result in donation of money, blankets, and the specific items necessary, the needed materials for that community. Down the road this could lead to the exchange of persons and visits by people from both countries.

There is also a latent resistance, Mr. Chairman, to foreign aid and foreign giveaways. Yet right now we are at a point where many people in this country want to help the people of Guatemala, and they can help by this means even beyond what they are doing. In addition to the priority of effort which is expressed in Mr. Parker's report to repair the bridges and that crucial section of the Atlantic Highway—the lifeline of Guatemala out to the Caribbean.

I would hope that an even higher priority could be placed on the human needs of the people of Guatemala. Along that line, if we are going to be offering American aid for a highway, it seems to me that we could somehow or another nudge Guatemala toward a little more land reform. Right now there are a few very wealthy families, perhaps 2 per cent of the farms comprise 60 percent of the total arable land that is occupied by that small number of farms.

It seems to me now is an opportunity if a lot of this area is destroyed and is in a state of flux to see if we can't move positively and constructively toward land reform in Guatemala. These are just a few of the observations I have. Of course, I am filled with a strong feeling toward the people of Guatemala and after I had been working for about an hour and a half in this Indian village carrying timbers around, one of the local residents looked at me and asked me what my name was. And I said "Gringo," and that broke the ice and everybody laughed. Some day I would like to go back with a coat and tie and tell them who "Gringo" really was.

Thank you, Mr. Chairman.

Mr. DIGGS. Well, thank you very much, Congressman Hechler for your concern and for the practicality of your recommendations. We all certainly know who Hechler is, and who Gringo is.

I yield to the gentleman from New York.

Mr. GILMAN. Thank you, Mr. Chairman. I want to commend the gentleman from West Virginia for his concern and interest in the problems of the people of Guatemala and for having taken the time out of his busy schedule to go down there and also to take time out from his schedule to benefit us with his views concerning the problems there.

Did you, while you were there, observe any waste by any of our efforts?

Mr. HECHLER. It is very difficult to define waste as such when there is an emergency that requires very, very quick action. I don't think that I would be in as good a position as Mr. Parker to indicate where any waste or duplication actually occurred. I would like to repeat the observation that I think the food distribution by our own people was superior to that done by the Guatemalans, because there was some waste by the Guatemalan Army in getting food out to the people who really needed it.

Mr. GILMAN. Was assistance getting out into the rural areas beyond the Guatemalan cities?

Mr. HECHLER. It was, but not as fast as I guess it should have. I don't think anyone, either in Guatemala or anywhere, realized the full extent of the impact in the rural areas until Maj. Merritt Wilson who heads up the Army Special Forces and came up from Panama did a special flight over some of the rural areas and made a quick report that this was indeed a major disaster in those areas. As you know, the first reports came in that 2,000 were dead and then it went up to 5,000 and then escalated until we finally began to get the full impact of what was happening there. So the aid did get out very slowly, unfortunately, into the rural areas in the first few days. I think we have to do a little bit more in training teams that can get even beyond where helicopters drop materials in some of the isolated mountain areas, for example. There are several backpacking teams that were taking medical supplies up to the mountains by backpack where jeeps couldn't even reach. But they started about a week or 10 days after the disaster so it was a little bit slow in reaching those very isolated rural areas. The concentration at the start was perhaps too heavily on Guatemala City because people could see this destruction around them.

Mr. Don Bailey of Williamson, W. Va. was one of the members of a back-packing team who delivered medical supplies and ministered to the needs of people in communities stricken hardest in isolated areas.

Mr. GILMAN. I thank the gentleman for his comments. Thank you, Mr. Chairman.

Mr. DIGGS. Mr. Solarz.

Mr. SOLARZ. I just want to commend the gentleman from West Virginia for his interest and for taking the time to travel there for a firsthand inspection. My only regret is that I didn't know that he was going, be-

cause I would very much have liked to go with him. How long were you there?

Mr. HECHLER. About 3 days.

Mr. SOLARZ. Do you think at this point it would be useful for any additional congressional visits to the area to follow up on your own visit to Guatemala?

Mr. HECHLER. I think it would be useful for a congressional group of some type to go down there and assess just what needs to be done. In the phase now that we are moving from relief and rehabilitation toward reconstruction, I think this is a crucial decision that must be made by Congress as to the extent of reconstruction. I think it would be useful to have such a visit.

Mr. SOLARZ. Thank you, Mr. Chairman.

Mr. DIGGS. Well, in the context of the question of the gentleman from New York, Mr. Gilman, about waste, he meant that I am sure in a constructive vein and I am wondering if you saw any duplication of efforts?

Mr. HECHLER. Oh, yes.

Mr. DIGGS. From other areas; from other donor nations; within that context?

Mr. HECHLER. Oh, yes, I am glad you asked that question, because your opening statement expressed the need for coordination. I think it is very clear that we must have a more coordinated effort instead of the kind of competition which inevitably arises when you have an unplanned disaster and everybody wants to move in quickly and help. Certainly I am sure that a disproportionate amount of aid initially in the first few days went to Guatemala City. Now, naturally, they were concerned there about the security problem, they were concerned also about the possibility that too many refugees might be coming in, but that didn't actually happen. I guess you will get into that. Mr. Parker will probably also comment on the U.S. field hospital. We spent an awful lot of money airlifting a field hospital from Fort Sill, Okla., that by the time I got there they only had three patients for a 100-bed hospital and 200 employees. The hospital performed some useful work in the first few days after the earthquake struck. But even passing by the Guatemalan guards at the gates of the hospital, would make any Indian scared to go in there. It sort of looked like a place where you were on your last stop before passing on to the beyond. Maybe that was a case of waste by hindsight. But we were trying to do what was necessary and in airlifting that hospital in we thought we were doing what was necessary. Yet I feel that probably could be written down as somewhat of a waste.

Mr. DIGGS. Well, I want to join my colleagues on the panel in thanking the gentleman again for his constructive contributions.

Mr. HECHLER. Thank you, Mr. Chairman.

Mr. DIGGS. Thank you very much.

Mr. GILMAN. Mr. Chairman, I commend the gentleman for his interest in this problem and for having taken the time to go to Guatemala and to personally inspect the destruction and there help and assist the people of Guatemala, and for then coming back to the Congress and reporting to us his recommendations and helping with this measure. I think it was certainly a worthy endeavor on his part.

In like manner I would like to say the amendment proposed by the gentleman from West Virginia is a worthy amendment and we have no objection.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Chairman, I wonder if the gentleman would comment a little bit on this amendment. I

read something that troubled me. I understand this may be the correction of that troublesome aspect.

Mr. HECHLER of West Virginia. I hope there are no troublesome aspects to my amendment.

I would advise my good friend and colleague, the gentlewoman from New Jersey, that my amendment merely limits or reduces the proposed expenditure and authorization of \$7.5 million to \$4 million and authorizes the \$3.5 million thereby saved for people-oriented relief, rehabilitation and construction of community facilities, housing, water systems, and the other aspects of the bill.

Mrs. FENWICK. That is not what I was worried about. As I understood it, there is some question whether this road is entirely a valuable and necessary part of any aid.

Mr. HECHLER of West Virginia. I am convinced, I will advise my colleague, the gentlewoman from New Jersey, that there are higher priorities than the highway, and I seriously question the expenditure of a large amount of money on this highway. Therefore, my amendment would reduce the priority and put the priority higher on measures which directly help people. That is the thrust of my amendment.

Mrs. FENWICK. Mr. Chairman, I thank the gentleman from West Virginia.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia (Mr. HECHLER).

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. McFALL) having assumed the chair, Mr. Young of Georgia, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12046) to provide for relief and rehabilitation assistance to the victims of the earthquakes in Guatemala, and for other purposes, pursuant to House Resolution 1089, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. McFALL). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KELLY. 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.

The vote was taken by electronic device, and there were—yeas 357, nays 3, not voting 72, as follows:

[Roll No. 120]

YEAS—357

Abdnor	Eshleman	Lehman
Alexander	Evans, Colo.	Lent
Allen	Evans, Ind.	Levitas
Ambro	Evins, Tenn.	Litton
Anderson, Ill.	Fary	Lloyd, Calif.
Andrews, N.C.	Fascell	Lloyd, Tenn.
Annuizio	Fenwick	Long, La.
Archer	Findley	Long, Md.
Ashbrook	Fish	Lott
Ashley	Fisher	Lujan
Aspin	Fithian	Lundine
Bafalis	Flood	McClary
Baldus	Florio	McCormack
Baucus	Flynt	McDade
Bauman	Foley	McEwen
Beard, R.I.	Ford, Tenn.	McFall
Beard, Tenn.	Forsythe	McHugh
Bedell	Fountain	McKay
Bennett	Fraser	Madden
Bergland	Frenzel	Madigan
Bingham	Prey	Maguire
Blanchard	Fuqua	Mahon
Blouin	Gaydos	Mann
Boland	Gialmo	Martin
Bonker	Gibbons	Mathis
Brademas	Gilman	Matsunaga
Breaux	Ginn	Mazzoli
Breckinridge	Goldwater	Melcher
Brinkley	Gonzalez	Metcalfe
Brodhead	Goodling	Meyner
Brooks	Gradison	Mezvisky
Broomfield	Grassley	Mikva
Brown, Calif.	Green	Milford
Brown, Mich.	Gude	Miller, Calif.
Brown, Ohio	Hagedorn	Miller, Ohio
Broyhill	Haley	Mills
Buchanan	Hall	Mineta
Burgener	Hamilton	Minish
Burke, Fla.	Hammer	Mink
Burke, Mass.	schmidt	Mitchell, Md.
Burleson, Tex.	Hanley	Mitchell, N.Y.
Burlison, Mo.	Hannaford	Moakley
Burton, John	Hansen	Moffett
Burton, Phillip	Harkin	Mollohan
Butler	Harrington	Montgomery
Byron	Harris	Moore
Carney	Hawkins	Moorhead, Calif.
Carr	Hays, Ohio	Moorhead, Pa.
Carter	Hébert	Morgan
Cederberg	Hechler, W. Va.	Mosher
Chappell	Heckler, Mass.	Mottl
Chisholm	Hefner	Murphy, N.Y.
Clancy	Helstoski	Murtha
Clausen,	Henderson	Myers, Ind.
Don H.	Hicks	Myers, Pa.
Clawson, Del.	Hightower	Natcher
Clay	Hillis	Neal
Cleveland	Holt	Nedzi
Cochran	Holtzman	Nichols
Cohen	Horton	Nowak
Collins, Ill.	Howard	Oberstar
Conable	Howe	Obey
Conte	Hubbard	O'Brien
Corman	Hughes	O'Neill
Cornell	Hungate	Ottinger
Cotter	Hutchinson	Passman
Coughlin	Hyde	Patten, N.J.
D'Amours	Ichord	Patterson,
Daniel, Dan	Jacobs	Calif.
Daniel, R. W.	Jarman	Pattison, N.Y.
Daniels, N.J.	Jeffords	Perkins
Danielson	Jenrette	Pettis
Davis	Johnson, Calif.	Pickle
Delaney	Johnson, Colo.	Pike
Dellums	Johnson, Pa.	Poage
Dent	Jones, Ala.	Pressler
Derrick	Jones, N.C.	Preyer
Derwinski	Jones, Okla.	Price
Devine	Jones, Tenn.	Pritchard
Dickinson	Jordan	Quile
Diggs	Karh	Railsback
Dingell	Kastenmeier	Regula
Dodd	Kazen	Reuss
Downey, N.Y.	Kelly	Rhodes
Downing, Va.	Kemp	Richmond
Drinan	Ketchum	Rinaldo
Duncan, Tenn.	Keys	Risenhoover
du Pont	Kindness	Roberts
Early	Koch	Robinson
Edgar	Krebs	Roe
Edwards, Ala.	Krueger	Rogers
Edwards, Calif.	LaFalce	Roncalio
Ehlberg	Lagomarsino	Rooney
Emery	Letta	Rose
English	Leggett	

Rosenthal	Smith, Nebr.
Roush	Snyder
Rousselot	Solarz
Roybal	Spellman
Runnels	Spence
Ruppe	Staggers
Russo	Stanton
Ryan	J. William
St Germain	Stark
Santini	Steed
Sarasin	Steiger, Ariz.
Satterfield	Stokes
Scheuer	Stratton
Schneebell	Studds
Schroeder	Sullivan
Schulze	Talcott
Sebelius	Taylor, N.C.
Seiberling	Thompson
Sharp	Thone
Shipley	Thornton
Shriver	Traxler
Simon	Treen
Sisk	Tsongas
Skubitz	Ullman
Slack	Vander Jagt
Smith, Iowa	Vander Veen

Vanik	Waggoner
Walsh	Walsh
Wampler	Wampler
Weaver	Weaver
Whalen	Whalen
Whitehurst	Whitehurst
Whitten	Whitten
Wiggins	Wiggins
Wilson, Bob	Wilson, Bob
Wilson, C. H.	Wilson, C. H.
Wilson, Tex.	Wilson, Tex.
Winn	Winn
Wirth	Wirth
Wolff	Wolff
Wright	Wright
Wyder	Wyder
Wyllie	Wyllie
Yates	Yates
Yatron	Yatron
Young, Alaska	Young, Alaska
Young, Fla.	Young, Fla.
Young, Ga.	Young, Ga.
Young, Tex.	Young, Tex.
Zablocki	Zablocki

NAYS—3

Crane	McDonald	Symms
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NOT VOTING—72

Abzug	Erlenborn	Quillen
Adams	Esch	Randall
Addabbo	Flowers	Rangel
Anderson,	Ford, Mich.	Rees
Calif.	Guy	Riegle
Andrews,	Harsha	Rodino
N. Dak.	Hayes, Ind.	Rostenkowski
Armstrong	Heinz	Sarbanes
AuCoin	Hinshaw	Shuster
Badillo	Holland	Sikes
Barrett	Kasten	Stanton,
Bell	Landrum	James V.
Bevill	McCloskey	Steelman
Biaggi	McCollister	Steiger, Wis.
Biester	McKinney	Stephens
Boggs	Macdonald	Stuckey
Bolling	Meeds	Symington
Bowen	Michel	Taylor, Mo.
Burke, Calif.	Moss	Teague
Collins, Tex.	Murphy, Ill.	Udall
Conlan	Nix	Van Deerlin
Conyers	Nolan	Vigorito
de la Garza	O'Hara	Waxman
Duncan, Oreg.	Pepper	White
Eckhardt	Peyser	Zerfetti

The Clerk announced the following pairs:

Mr. Addabbo with Mr. Adams.
 Mr. Sikes with Mr. Esch.
 Mr. Zeferetti with Mr. Quillen.
 Mr. Macdonald of Massachusetts with Mr. Anderson of California.
 Mr. Murphy of Illinois with Mr. Guyer.
 Ms. Abzug with Mr. Rees.
 Mr. Sarbanes with Mr. Andrews of North Dakota.
 Mr. Badillo with Mr. Harsha.
 Mr. Pepper with Mr. Shuster.
 Mr. Waxman with Mr. Taylor of Missouri.
 Mr. Barrett with Mr. Michel.
 Mrs. Boggs with Mr. Landrum.
 Mr. Rangel with Mr. Holland.
 Mr. Biaggi with Mr. Armstrong.
 Mr. Nix with Mr. AuCoin.
 Mr. Ford of Michigan with Mr. Heinz.
 Mr. Rodino with Mr. Steelman.
 Mr. Symington with Mr. Bell.
 Mr. Conyers with Mr. Biester.
 Mr. O'Hara with Mr. McCloskey.
 Mr. Riegle with Mr. Peyser.
 Mr. Moss with Mr. Udall.
 Mr. Rostenkowski with Mr. McCollister.
 Mr. Vigorito with Mr. Bowen.
 Mr. Duncan of Oregon with Mrs. Burke of California.
 Mr. Teague with Mr. Meeds.
 Mr. White with Mr. Collins of Texas.
 Mr. Randall with Mr. Eckhardt.
 Mr. Flowers with Mr. Conlan.
 Mr. Bevil with Mr. de la Garza.
 Mr. James V. Stanton with Mr. Erlenborn.
 Mr. Stuckey with Mr. Stephens.
 Mr. Van Deerlin with Mr. Steiger of Wisconsin.
 Mr. Nolan with Mr. Kasten.
 Mr. Hayes of Indiana with Mr. McKinney.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. McFALL). Pursuant to the provisions of House Resolution 1089, the Committee on International Relations is discharged from the further consideration of the Senate bill (S. 3056) to amend the Foreign Assistance Act of 1961 to provide emergency relief, rehabilitation, and humanitarian assistance to the people who have been victimized by the recent earthquakes in Guatemala.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. DIGGS

Mr. DIGGS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Diggs moves to strike out all after the enacting clause of the Senate bill (S. 3056) and to insert in lieu thereof the provisions of H.R. 12046, as passed, as follows:

That this Act may be cited as the "Guatemala Disaster Relief Act of 1976".

SEC. 2. The President is authorized to provide assistance, on such terms and conditions as he may determine, for the relief and rehabilitation of the people who have been victimized by the recent earthquakes in the Republic of Guatemala. Such assistance may be provided in accordance with the policy and general authorities applicable to or available for the furnishing of assistance under section 491, relating to international disaster assistance, of the Foreign Assistance Act of 1961.

SEC. 3. There is authorized to be appropriated to the President to carry out the purposes of this Act \$25,000,000 for the fiscal year 1976, which amount is authorized to remain available until expended, except that not more than \$4,000,000 of this amount shall be available for repairs to the Puerto Barrios Highway in Guatemala. Obligations incurred prior to the enactment of this Act against other appropriations or accounts for the purpose of providing relief and rehabilitation assistance to the people of Guatemala may be charged to the appropriations authorized by this Act.

SEC. 4. Not later than ninety days after enactment of appropriations to carry out this Act, and on a quarterly basis thereafter, the President shall transmit reports to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and to the Speaker of the House of Representatives on the programing and obligations of funds under this Act.

SEC. 5. In order to limit the extent of deaths, injuries, and destruction in future earthquakes, assistance provided under this Act which is used for the construction of housing in the Republic of Guatemala shall, to the maximum extent possible, be used for housing which is constructed of seismic resistant materials or which will otherwise minimize the danger of injury to occupants during future earthquakes; and the President should encourage the Government of the Republic of Guatemala to promote the use of such materials.

SEC. 6. Assistance made available under this Act shall be distributed to the maximum extent practicable through United States voluntary relief agencies and other international relief and development organizations.

The motion was agreed to.

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

The title was amended so as to read: "A bill to provide for relief and rehabilitation assistance to the victims of the earthquakes in Guatemala, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 12046) was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

GENERAL LEAVE

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the bill (H.R. 12453).

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

There was no objection.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1977

Mr. FUQUA. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12453) to authorize appropriations to the National Aeronautics and Space Administration for research and

development, construction of facilities, and research and program management, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. FUQUA).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12453, with Mr. MCKAY in the Chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Florida (Mr. FUQUA) will be recognized for 30 minutes, and the gentleman from Kansas (Mr. WINN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. FUQUA).

Mr. FUQUA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, for 7 of the past 10 years the budget for the National Aeronautics and Space Administration has declined. The budget for fiscal year 1977 in the areas of space science and applications is in total somewhat less than the NASA request—\$3,930,000.

Although, in the total NASA budget, there is a slight increase over last year, inflation cancels out the approximate 4½-percent increase.

Even under these circumstances we consider this a sound conservative space program budget that has been brought to the floor under the leadership of the distinguished gentleman from Texas (Mr. TEAGUE), chairman of the Committee on Science and Technology.

As chairman of the Space Science and Applications Subcommittee, I want to

commend the members of the subcommittee on both sides for their effective effort in developing this bill. Particularly, I want to recognize the contributions of the gentleman from Kansas (Mr. WINN), the ranking minority member of the subcommittee who applied his skill and knowledge to this legislation throughout hearings in Washington, at the NASA field centers and key industrial contractor facilities.

All of the subcommittee members have labored with care and diligence in recommending 10 changes in budget line items, 3 language changes, and 8 committee views. These recommendations in the area of space science and applications have had the effect of—

First, decreasing the fiscal year 1977 NASA budget request by \$3,930,000;

Second, redefining the Earth resources satellite program by including a new line item;

Third, initiating the development of a space telescope;

Fourth, increasing the research and development budget while not increasing the total NASA budget request; and

Fifth, providing evaluation of eight areas of comment—committee views—for emphasis or improvement through which the committee would seek to insure a strong national space program.

I urge adoption of the bill as recommended by your committee.

For the benefit of my colleagues, I am including in the RECORD a table which summarizes the budget actions recommended by the committee in the area of space science and applications for fiscal year 1977:

FISCAL YEAR 1977 NASA AUTHORIZATION

The following table summarizes the budget actions taken by the Committee on Science and Technology on the Fiscal Year 1977 authorization request:

[In thousands of dollars]

Item	Fiscal year 1976 House authorization	Transition quarter House authorization	Fiscal year 1977 NASA request	Subcommittee action	Item	Fiscal year 1976 House authorization	Transition quarter House authorization	Fiscal year 1977 NASA request	Subcommittee action
Space Shuttle.....	\$1,206,000	\$321,000	\$1,288,100	\$1,288,100	Space research and technology.....	76,900	\$22,300	82,000	92,100
Space flight operations.....	203,100	\$55,100	205,200	198,200	Energy technology applications.....	5,900	11,500	258,000	254,000
Expendable launch vehicle.....			151,400	151,400	Tracking and data acquisition.....	240,800	\$66,400	7,900	8,400
Advanced missions.....	3,000	\$500			Technology utilization.....	9,000	2,000		
Physics and astronomy.....	156,800	\$46,600	165,800	169,800	Total R. & D.....	\$2,508,830	\$653,800	\$2,569,825	\$2,576,425
Lunar and planetary.....	258,900	\$73,300	191,100	193,100	Construction of facilities.....	\$121,058	\$8,050	\$95,070	\$88,140
Life sciences.....			22,125	22,125	Research and program management.....	\$641,800	\$176,800	\$667,855	\$664,255
Launch vehicle procurement.....	166,900	\$40,400			Total.....	\$3,271,688	\$838,650	\$3,332,750	\$3,328,820
Space applications.....	181,530	\$54,700	\$184,700	185,700					
Earth resources operational systems.....			13,500	13,500					
Aeronautical research and technology.....	175,350	46,800	189,100	192,100					

1 General R. & D. reduction of \$30,000,000.
2 \$13,500,000 transferred to new line item.

3 Space Science and Applications Subcommittee.

Mr. Chairman, the Subcommittee on Space Science and Applications held a total of 27 hearings in November 1975, and January and February 1976 in Washington, at NASA centers and key industrial contractors to review the NASA fiscal year 1976 budget performance and fiscal year 1977 budget request. In addition, the subcommittee undertook a comprehensive evaluation of the national space program in the July-September 1975 period culminating in conclusions and recommendations part of which are incorporated in this budget recommendation. Testimony was also taken from the

U.S. Air Force, and the European Space Agency on NASA related programs. The aeronautical programs were covered separately by the Subcommittee on Aviation and Transportation R. & D.

For the use of the Members some of the financial indicators of the NASA fiscal year 1976 and fiscal year 1977 programs are included.

NASA's operating plan for fiscal year 1976 remains essentially the same—\$3.555 billion—as requested for fiscal year 1976. A decrease of less than \$4 million exists between the original request and the operating plan through July

1976. Transfers among line items in the budget during fiscal year 1976 reflect shifting three programs to different programs offices without net increases or decreases.

Unobligated balances for program for fiscal year 1976 are following normal patterns. Only one program, Life Sciences, has substantially less than half of fiscal year 1976 funds obligated as of December 31, 1975.

Inflation continues to erode the NASA budget. NASA estimates that an additional \$1.162 billion—added to the \$3.676 billion planned outlays for fiscal year

1977—would be required in fiscal year 1977 to equal in buying power the \$3.4 billion NASA budget projection of January 1972.

NASA's estimate of total development costs for 10 major programs show growth in the Space Shuttle, HEAO and LANDSAT-C programs. A slight decrease in the early fiscal year 1976 estimate for Viking is expected while both the solar maximum mission and SEASAT estimates are preliminary since prime contracts have not been awarded. However, internal NASA estimates for SEASAT have increased since fiscal year 1975.

The fiscal year 1977 NASA budget to Congress—\$3.697 billion—represents a \$182.6 million reduction in the NASA request to the Office of Management and Budget—OMB—\$158.5 million of this reduction was taken from research and development requests. A deferral of \$84.4 million will delay start of the third Space Shuttle Orbiter 1 year and increase subsequent production costs an estimated \$60 million.

A similar deferral of \$15.6 million in development cost on the Space Shuttle will increase runout costs on the program by an estimated \$20 million. NASA, therefore, states its total runout cost commitment to the Congress for the Space Shuttle as \$5.22 billion—1971 dollars—up \$20 million from fiscal year 1976. Seventeen additional reductions in NASA budget requests to OMB were taken. The aggregate effect of funding these deleted programs in fiscal year 1977 is \$58.5 million with a follow-on cost of \$70–\$90 million in fiscal year 1978. Deferral of the start of development of the Space Telescope—\$12 million—was the largest single item in this group. Notable, however, is the fact that these reductions delayed or eliminated significant payload development effort although the required funding was small.

Total NASA Center request to NASA Headquarters for research and development was \$426.5 million more than the request to OMB.

You will note from the summary that your committee recommends 15 changes to budget line items and one new line item—Earth resources operational systems. The total net dollar change to the NASA request is \$0.93 million which is comprised of \$21.6 million of increases—including an increase of \$3 million in the aviation area—and \$22.53 million of decreases. These changes are as follows:

SPACE FLIGHT OPERATIONS

An increase of \$1 million in advanced programs to fulfill the recommendations of the subcommittee from hearings on future space programs.

A decrease of \$8 million in development, test, and mission operations to hold level of effort at approximately fiscal year 1976 level, or funding.

PHYSICS AND ASTRONOMY

An increase of \$3 million for the initiation of the development of a space telescope at low level.

An increase of \$1 million in supporting research and technology to strengthen a declining base of research needed for future programs.

LUNAR AND PLANETARY EXPLORATION

An increase of \$2 million to initiate studies of a Jupiter orbiter planetary probe.

APPLICATIONS PROGRAM

A transfer of \$13.5 million to a new line item of the LANDSAT-C program.

An increase of \$1.0 million in research in weather and climate observation and forecasting specifically for severe storm research.

EARTH RESOURCES OPERATIONAL SYSTEMS

A transfer of \$13.5 million to this new line item to establish and recognize the operational character of the LANDSAT-C program.

SPACE RESEARCH AND TECHNOLOGY

An increase of \$1.6 million to strengthen the amount and composition of advanced propulsion research.

An increase of \$3.5 million for energy technology identification and verification to assure a continuation of NASA study of space related energy applications.

An increase of \$5.0 million for solar satellite power system advanced studies at the technology level.

TRACKING AND DATA ACQUISITION

A decrease of \$4.0 million in recognition of the projected workload in fiscal year 1977.

TECHNOLOGY UTILIZATION

An increase of \$0.5 million to enhance the industrial and technology applications effort with the public.

CONSTRUCTION OF FACILITIES

A deferral of \$2.8 million for construction of a lunar curatorial facility.

A deferral of \$2.0 million for modification to launch complex 39, Kennedy Space Center.

A decrease of \$0.35 million for carrier aircraft mating facilities by transfer of available steel to the Kennedy Space Center.

A deferral of \$1.0 million for modification of solid rocket booster facilities at the Kennedy Space Center.

A deferral of \$0.78 million for modification for crew training facility at the Johnson Space Center.

RESEARCH AND PROGRAM MANAGEMENT

A decrease of \$3.6 million in categories other than personnel and related cost in recognition of the reduction of planned total civil service personnel.

Your committee reviewed the bill before you today section by section. Only five sectional changes in language were proposed which differ from the previous bill enacted:

Section 7 adds one level V position to the NASA organization in recognition that the Comptroller of NASA is a senior manager. The subcommittee recommends this change.

Section 8 provides for granting the same per diem rates for the Aerospace Safety Advisory Board as other NASA boards and committees. The subcommittee recommends this change.

Section 9 states the sense of the Congress to maintain and improve certain aeronautical test facilities.

Section 10 adds to the Space Act of 1958 a responsibility for ground propulsion systems research and development.

Section 11 provides technical definition of ground propulsion systems.

I urge support of this legislation.

The specific actions taken by the committee in the space science and applications area include:

SPACE FLIGHT OPERATIONS

NASA requested \$205,200,000 for space flight operations in fiscal year 1977. Within this line item your committee decreased development, test and mission operations \$8,000,000 and increased advanced programs \$1,000,000 resulting in a total recommended authorization of \$198,200,000 for the space flight operations for fiscal year 1977.

Development, test and mission operations—The committee reviewed the fiscal year 1977 request for development, test and mission operations comparing the funding history of this line item with previous years. It was noted that in addition to the reduction of \$5,000,000 specified by this committee for fiscal year 1976 that NASA elected to reduce transition quarter funding by \$2,100,000 in this account. Therefore, the committee recommends a total of \$161,900,000 for development, test and mission operations for fiscal year 1977, a reduction of \$8,000,000 from the NASA request.

Advanced programs—NASA requested \$18,000,000 for advance programs for fiscal year 1977. The committee increases this amount \$1,000,000 for a total of \$19,000,000 for advanced programs for fiscal year 1977. This increase is based on recommendations derived from oversight hearings of the Subcommittee on Space Science and Applications on future space programs citing the need for improved advanced program structuring and development. The relevant recommendations are quoted below from the subcommittee report, entitled "Future Space Programs—1975," to provide guidance to the National Aeronautics and Space Administration:

A. The Subcommittee believes that NASA should demonstrate a sense of urgency in its future program planning and development. The Subcommittee further believes it is absolutely essential to the continued vitality of the space program and consequently to its potential for increased contributions to the welfare of society that the nation and NASA focus on an overarching concept. This concept should represent one or more mind-expanding endeavors which would challenge the imagination and capability of the country. The key element of such a program should be substantial return on past and current investments in space through clear and immediate benefits to the society on earth in the form of greatly expanded services and direct contributions to solution of earth-bound problems.

B. New opportunities in national and international space programs should be examined by the Executive and introduced into the budget cycle including comprehensive planning and implementation of a five year program to provide space systems for educational and medical satellite services and earth resource surveys—maritime, agriculture, geological, and demographic.

C. To aid in assuring a breadth of vision while maintaining a vital shorter term space program, NASA should strengthen its annual future program planning effort and on a periodic basis (every 3–4 years) initiate an ad hoc review of its planning process and future programs, drawing upon both national and international expertise from a broad cross-

section of society. This ad hoc examination should review projected space activity 20-30 years in the future to determine to the extent possible:

1. How well does the short range (0-10 year) planning and mid-range (10-20 year) planning coincide with the current assessment of the longer range future?

2. What planning and resources allocation adjustments, in the short and mid-range, should be made to accommodate the latest thinking on long term opportunities?

3. What new research and development initiatives are necessary to support long term opportunities?

F. Re-evaluation of the organizational and management arrangements, relative emphasis and program content for space processing and manufacturing should be made within the next year with the intent of assuring that options for commercial utilization of space are developed.

H. In withdrawal from an area of Federal space research and development, a formal procedure similar to that for initiating new programs should be adopted to assure that the effect of such withdrawal of effort will be positive. For example, NASA should assure that the necessary advanced satellite communication technology is being developed to assure continued U.S. leadership before withdrawal from the area.

I. NASA should develop and implement a comprehensive cost benefit analysis for each major program which will include the relative social and economic benefits as well as the potential for public support and international cooperation.

The committee requests the National Aeronautics and Space Administration to report to the committee by January 1977, on progress toward meeting the objective of these recommendations.

PHYSICS AND ASTRONOMY

NASA requested \$165,800,000 for physics and astronomy programs in fiscal year 1977. Within this line item the committee increased supporting research and technology programs by \$1,000,000 and added \$3,000,000 for the space telescope resulting in a total recommended authorization of \$169,800,000 for physics and astronomy for fiscal year 1977.

Supporting research and technology—The committee reviewed the fiscal year 1977 request of \$14,700,000 for supporting research and technology and compared the funding history of this line item with previous years. The supporting research and technology budget has been almost constant for a number of years, resulting in a net decrease in the amount of research that can be carried out within it. The efforts supported by these funds help assure the viability of future research in physics and astronomy. Therefore the committee recommends a total authorization of \$15,700,000 for supporting research and technology for fiscal year 1977, an increase of \$1,000,000 to the NASA request.

Space telescope—The NASA requested funds for the space telescope from the Office of Management and Budget. These funds were deleted from the submission to Congress. The committee carefully reviewed the merits of this program recognizing that this program represents a significant opportunity to study the origin and evolution of the universe, as well as phenomena such as "black holes" and high energy sources including pulsars and quasars. The space telescope has consistently received broad support from

the scientific community, having received highest priority from the National Academy of Science, Space Science Board.

The committee recognizes the benefits of preserving the present scientific and industrial study teams and views the space telescope as a logical next step in physics and astronomy. Therefore, the committee recommends an addition of \$3,000,000 in support of the space telescope to initiate the development program.

The committee recommends \$9,000,000 less than the National Aeronautics and Space Administration submitted to Office of Management and Budget based on a program structured to provide for a slow buildup in the early 2 or 3 years in order to allow initiation of other Shuttle payload activities while minimizing peak year funding. The committee further observes that it is in the best interest of the Government to complete the design competition currently underway and select the appropriate contractor thus minimizing costs of a prolonged competition.

LUNAR AND PLANETARY EXPLORATION

NASA requested \$191,100,000 for lunar and planetary exploration in fiscal year 1977. Within this line item the committee increased planetary advanced programs \$2,000,000 resulting in a total recommended authorization of \$193,100,000 for lunar and planetary exploration in fiscal year 1977.

Planetary advanced studies—NASA requested \$1,200,000 for planetary advanced studies in fiscal year 1977. The committee examined the future of the lunar and planetary science programs and noted that there has been only one new program in the past five budget years. As a result there will inevitably be a gap in lunar and planetary effort following the Pioneer Venus missions in 1978. Such a gap will likely create an inefficient employment of resources. Therefore, the committee recommends an increase of \$2,000,000 for a total recommended authorization of \$3,200,000 for planetary advanced studies in fiscal year 1977. This will provide for definition study efforts for a Jupiter Orbiter which represents the next step in the long-range planning for systematic exploration of the solar system.

APPLICATIONS PROGRAM

The committee approved the full amount of NASA's request for the space applications area adding \$1,000,000 to the weather and climate subline item. A transfer of \$13,500,000 was taken to place the LANDSAT-C program in a new line item entitled Earth resources operational systems.

This increase in the weather and climate area reflects the committee's concern that NASA take full advantage of its technical expertise and facilities to continue a high degree of support to severe storm research. Therefore, the committee recommends \$185,700,000 for the space applications line item for fiscal year 1977.

EARTH RESOURCES OPERATIONAL PROGRAM

The committee included a new line item entitled Earth resources operational system in the fiscal year 1977 NASA au-

thorization request which included funding of \$13,500,000 requested for the space applications area under the item currently listed as LANDSAT-C. This new line item and accompanying funding is no increase to the NASA authorization request.

The committee takes the position that the development of remote sensing technology as evidenced by the outstanding success of LANDSAT 1 and 2 programs justifies moving forward to an operational remote sensing system to assure various users timely and accurate land use data, crop forecasting, and better management of our Nation's resources.

The insertion of this new line item should not be interpreted as an inhibition on continuing research and development activity for the improvement of this Nation's remote sensing technology and capability as embodied in such programs as thematic mapper, heat capacity mapping mission and other application and demonstration activity. Therefore, the committee recommends \$13,500,000 for Earth resources operational systems for fiscal year 1977.

SPACE RESEARCH AND TECHNOLOGY

NASA requested \$82,000,000 for space research and technology programs in fiscal year 1977. Within this line item the committee increased the research and technology base \$1,600,000 for advanced propulsion technology, added \$3,500,000 for energy technology identification and verification, and added \$5,000,000 for solar satellite power system studies resulting in a total recommended authorization of \$92,100,000 for space research and technology programs.

RESEARCH TECHNOLOGY AND BASE

NASA requested \$62,100,000 for research and technology base activities in fiscal year 1977. The committee increased this amount \$1,600,000 for a total of \$63,700,000 for research and technology base programs. This increase is based on a conclusion and recommendation from oversight hearings of the Subcommittee on Space Science and Applications on future space programs citing the need for increased advanced propulsion technology effort. The relevant conclusion and recommendation is quoted below from the subcommittee report entitled "Future Space Programs—1975":

O. To realize a number of longer term space program opportunities a major advance in propulsion is necessary to augment chemical propulsion capability.

G. NASA should embark on an expanded program of fundamental research and exploratory development in new propulsion concepts.

ENERGY TECHNOLOGY IDENTIFICATION AND VERIFICATION

The committee recommends a \$3,500,000 addition for technology identification and verification to relate NASA technology capability to energy R. & D. needs and to assure that the ability to use space is fully and completely understood in energy related applications. The committee recognizes that at an appropriate time the development or operational decision should rest with ERDA. However, if NASA is to effectively participate and apply its capabilities to energy

needs, they must be permitted some minimum flexibility to structure, define and package the capabilities represented by NASA for eventual consideration by ERDA, the administration and Congress. These funds provide a focus for NASA's energy application efforts.

SOLAR SATELLITE POWER SYSTEMS STUDIES

The committee added \$5,000,000 for solar satellite power systems studies to significantly broaden the system definition effort and to initiate a comprehensive environmental impact and benefit analysis. These funds will provide for a ground-based phased array antenna for microwave experiments and will provide for definition of the technology advances required in large structures, attitude control, transportation, and space assembly and maintenance operations.

TECHNOLOGY UTILIZATION

The committee approved the NASA fiscal year 1977 authorization request of \$7,900,000 and added \$500,000 for greater emphasis on industrial and technology applications.

The committee observes that progress has been made in this office in its efforts to provide the public and private sector with a mechanism for transferring NASA developed technology to commercial applications and encouraging additional participation in using the large base of useful knowledge.

The committee, therefore, recommends a total of \$8,400,000 for the technology utilization area for fiscal year 1977.

TRACKING AND DATA ACQUISITION

The committee decreased the tracking and data acquisition program budget request of \$253,000,000 for fiscal year 1977 by \$4,000,000 as a result of a thorough review of anticipated workload of both the STDN and DSN systems.

The committee commends the Office of Tracking and Data Acquisition for their continued excellent performance while recognizing their ability to achieve greater economies in this area. Therefore, the committee recommends that a total of \$254,000,000 be authorized for the fiscal year 1977 for the tracking and data acquisition program.

RESEARCH AND PROGRAM MANAGEMENT

NASA requested \$814,055,000 to cover the civil service staff needed to perform in-house research and to manage the R. & D. programs, and other institutional elements such as utilities, travel, maintenance, operation of facilities, technical, and administrative support.

The committee is concerned with the continuing trend which finds an increasing percentage of NASA's total budget being applied to institutional support. In fiscal year 1977 selected areas of the R. & P.M. budget request have grown at rates far greater than previous years, while the total number of employees has been reduced. Accordingly the committee reduced the amount for research and program management for other than salaries and benefits, by \$3,600,000 for a total authorization of \$810,455,000 for fiscal year 1977.

CONSTRUCTION OF FACILITIES

The total for construction of facilities included in the NASA fiscal year 1977 authorization request is \$124,020,000. Of

this amount, \$95,070,000 falls within the jurisdiction of the Subcommittee on Space Science and Applications. The balance of \$28,950,000, is under the purview of the Subcommittee on Aviation and Transportation Research and Development.

The NASA \$95,070,000 request for other than aeronautical facilities included proposals for construction in support of programs involving space flight, space science, tracking and data acquisition, and field center operations, in addition to agencywide programs for rehabilitations, minor new construction, and facility planning and design.

The program reviewed by the subcommittee involved 18 major construction projects at the Ames, Dryden, Johnson, Kennedy, Langley, Michoud and Goddard space centers; 56 rehabilitation and modification projects at 19 various locations; and 25 minor new construction projects at 14 various locations. The subcommittee conducted detailed analyses, received considerable testimony on all construction requests and actually visited the sites involved for 70 percent of the projects included in the request. We feel we have reviewed this segment of the NASA request in infinite detail and are confident that our recommended adjustments are sound.

The subcommittee recommends adjustments to five projects contained in the NASA Construction of Facilities request:

NASA has again proposed an addition to the lunar curatorial facility at the Johnson Space Center in the amount of \$2.8 million. This project was proposed last year and deferred on the basis that further dispersion of lunar samples should be effected and that further consideration should be given to the relocation of these activities to other federally owned facilities less vulnerable to potential natural and man-caused hazards. NASA has persisted in the need for this requirement at the Johnson Space Center and has submitted an identical project for consideration in the fiscal year 1977 request. Although some dispersal of lunar samples has been accomplished the subcommittee considers that the proposed project is overdesigned, too costly, and that adequate consideration has not been given to further dispersal and the use of other Government-owned facilities for these purposes. The subcommittee recommends that the \$2.8 million request again be deferred.

Two requirements at the Kennedy Space Center in support of Space Shuttle launch operations were proposed in the amount of \$29,555 million. The subcommittee is convinced that the need for further modifications to Launch Complex 39 and modifications for solid rocket booster facilities is valid, however we question whether the amount being requested can actually be obligated during fiscal year 1977. Accordingly, the subcommittee recommends a reduction to the requests of \$2 million in the project for the modification of complex 39, and a \$1 million reduction in the project for modifications for the solid rocket booster facilities.

NASA has proposed the construction of a third mating/demating facility at the

Kennedy Space Center estimated at \$2,050,000. This proposal envisions a device for the placement of the shuttle orbiter on top of a B-747 for ferrying operations. Two of these facilities were authorized last year; one at Palmdale and one at the Dryden Flight Research Center. Construction is underway at the Dryden Flight Research Center, and the steel and hoists for the facility at Palmdale has been procured. Our analysis reveals that the facility at Palmdale will not be required, due to a change in operational plans, and that the steel and hoists for that facility can be diverted to Kennedy. Accordingly, the subcommittee recommends that the Kennedy project be reduced by \$350,000.

The fiscal year 1977 NASA request for construction includes a project for a crew training facility at the Johnson Space Center in the amount of \$780,000. The proposal involves the construction of a water immersion facility for astronaut training in a near-weightless environment. The subcommittee does not question that such a facility may be required during the operational phase of the shuttle, however we believe that the neutral buoyancy facility at the Marshall Space Flight Center, presently underutilized, can be used for these purposes during the D.D.T. & E. phase of the shuttle program. Accordingly, the subcommittee recommends that the construction of this facility be deferred.

Based upon the foregoing proposed adjustments, the subcommittee recommends that the NASA request for facilities falling within our jurisdiction be reduced from \$95,070,000 to \$88,140,000.

SPACE SHUTTLE

Mr. Chairman, during the year a number of questions have again been raised with respect to the Space Shuttle development program. So that the record may be clear and accurate I will review key aspects of the current Space Shuttle development plan, the history of Space Shuttle cost estimates and the basis of Space Shuttle economic analysis.

The Space Shuttle development plan provides a balanced program with reasonable probability of meeting schedule, performance and cost goals. In any program of this magnitude and complexity, numerous changes and adjustments are necessary throughout the design and development period. In the past year, detailed reviews were made to assure us that our program was both technically sound and cost effective. As a result, some tests were deleted and deferred because more cost effective alternatives were defined and implemented without loss of confidence in hardware verification or increased technical risks. Test/verification policies and philosophy applied in the Space Shuttle program follow closely those implemented in the highly successful Skylab program. Too much testing can be costly. A proper balance between test and analysis is based on mature technical judgment which NASA has acquired over the years.

In the case of the Shuttle, NASA deleted some large module testing. In these cases the tests were found to be redundant, or alternate verification methods were defined which were more cost effective. The major systems tests are not

qualification tests, but are primarily verification tests—verifying data obtained earlier in the program by analytical and scale model techniques. Major problems are not anticipated in the full-scale testing so that large schedule pads would not be cost effective.

Manufacturing and checkout times have for the most part been extended from earlier program estimates. The same is also true for the major systems tests where additional time has been planned over previous schedules. Selected compressions that have occurred have been mostly in the posttest period where it was determined that some reductions in time could be safely accommodated. NASA is confident that sufficient time still exists to handle the development problems that occur in any program.

Examining the history of Shuttle cost estimates the NASA commitment on Shuttle development of \$5.150B was estimated in March 1972 in support of the fiscal year 1973 NASA budget. The actual fiscal year 1973 budget estimate for Shuttle D.D.T. & E. submitted to Congress in January 1972 was \$5.500B in 1971 dollar based on the liquid booster—pressure fed—configuration. The \$5.150B was substituted when the solid booster configuration was selected.

NASA has updated this estimate annually since fiscal year 1973 to reflect increases due to inflation through the current budget year and the estimated effects of inefficiencies in the program resulting from reductions in the fiscal year

1975 and fiscal year 1977 budgets. To maintain track with the commitment, the amount of the increases have been stated in 1971 dollars as well as included in current budget year estimates. NASA has also projected the impact of inflation on shuttle runout costs based on various assumed inflation rates for the runout years. Below is the current estimated real year dollar values of the space transportation system cost elements assuming a rate of 7 per cent through runout for all elements except construction of facilities which has been projected at 10 per cent:

	RY\$
Shuttle D.D.T. & E.....	6.964
Shuttle investment.....	2.153
NASA facilities.....	.454
WTR facilities.....	.996
Expendable L. V. modification (IUS) ..	1.278
Tug D.D.T. & E. & investment.....	1.539

¹ Represents current estimate for DOD development of the Interim Upper Stage (IUS) plus NASA unique GSE and other requirements. DOD \$241M—NASA \$37M.

The direct cost of shuttle design development, test and evaluation, and the facilities costs are specifically budgeted and managed as Shuttle requirements. In addition, there are across-the-board activities in NASA which contribute to the accomplishment of the Shuttle program. These activities are oriented primarily toward continuing the basic competence and capabilities which enable NASA to conduct high technology programs including manned space flight development

and operations. The Shuttle planning and commitment were based on continued availability of the capabilities of the NASA Centers.

If one were to estimate a reasonable proration of the across-the-board NASA activities, the approximation would be \$2,284 million in the dollars of the fiscal year 1977 budget. The activities prorated include continuing basic engineering, technical, scientific research efforts required to conduct NASA's operations and to accomplish the Agency's objectives in aeronautics and space. I am summarizing this estimate for the RECORD as follows:

FISCAL YEAR 1977 BUDGET—SHUTTLE D.D.T. & E. AND FACILITIES OUTLAYS AND ESTIMATED PRORATED NASA EFFORTS

Fiscal year	Shuttle D.D.T. & E.	Facilities	Estimated prorated application of NASA effort
Prior.....	689	35	531
1975.....	798	39	245
1976.....	1,093	70	358
Transition quarter.....	300	26	101
1977.....	1,233	64	388
1978.....	1,172	63	332
1979.....	769	54	216
1980.....	432	41	97
1981.....	178	23	16
1982.....		17	
Total.....	6,664	432	2,284

¹ These estimates would be required to continue basic NASA capabilities and operations whether the shuttle were developed or not.

	NASA March 1972 estimate—1971 dollars	NASA fiscal year 1974 budget estimate		NASA fiscal year 1975 budget estimate		NASA fiscal year 1976 budget estimate		NASA fiscal year 1977 budget estimate	
		1971 dollars	Dollars of fiscal year 1974 budget	1971 dollars	Dollars of fiscal year 1975 budget	1971 dollars	Dollars of fiscal year 1976 budget	1971 dollars	Dollars of fiscal year 1977 budget
Shuttle D.D.T. & E.....	5.150	5.150	5.394	5.200	5.687	5.200	6.350	5.220	6.664
Shuttle investment.....	1.000	1.000	1.050	1.000	1.102	1.000	1.267	1.200	1.654
NASA facilities.....	.300	.300	.330	.300	.390	.300	.395	.300	.432
WTR facilities.....	1.500	1.500	1.550	1.500	1.679	1.500	1.789	1.500	2.710
Additional investment to fly 581 mission model: Expendable L.V. modification.....	.291	.291	.306	.291	.321	.291	.368	.291	.224
Tug D.D.T. & E. and investment.....	.809	.809	.849	.809	.891	.809	1.023	.809	1.116
Total.....	8.050	8.050	8.479	8.100	9.070	8.100	10.192	8.192	10.800

¹ Not official DOD estimates.

² Preliminary DOD estimate, GAO report 1976.

³ Current estimate of IUS DOD development and NASA unique GSE and other requirements:

	DOD	NASA	Total (M)
1971 dollars.....	\$139	\$24	\$163
Fiscal year 1977 budget.....	191	33	224

The Shuttle economic study published in January 1974 showed savings of \$14 billion for a 725 flight mission model projected for the period 1980-91.

Sensitivity analyses have shown that the economic superiority of the STS will be sustained over a wide range of assumptions including reduced flight rates, fewer payloads; that is, lower budgets and increased cost growth above current Agency targets. For example, at a reduced flight rate of 25 per year, compared to 60 in the baseline model, the Shuttle remains a good investment with a 10-percent rate of return. Other variations have shown that even after substantially reduced payload quantities; for example, above 200 below the baseline model, the Shuttle savings are still greater than \$12 billion over the 1980-91 period. The Shuttle development and

investment cost could grow by as much as \$7.4 billion and still return 10 percent on the investment. Although the savings through use of the STS are largely in the payload area, significant reductions will also be realized in the costs of launching during the operational phase. In 1975 the GAO found the STS cost benefit analysis was one of three studies which qualified as a legitimate cost-benefit study.¹

For a concise review I am including some summary statistics from the mission models as part of the RECORD.

A recent General Accounting Office report on the Space Shuttle also posed certain questions with respect to the program. Answers to these questions are

¹ GAO Report B-115398, January 14, 1975—Civil agencies Make Limited Use of Cost-Benefit Analysis in Support of Budget Requests.

included in the hearing record on the bill before us.

In summary, the Space Shuttle represents a major step forward in our space program. It is on schedule and within cost and continues to merit the support of the Congress and Nation.

The material follows:

NASA SHUTTLE ECONOMIC SUMMARIES

581 MISSION MODEL

Tug 1985 (Use expendables as interim stages prior).

No Sortie.

Operational Period 1979-1990.
Assumed Average \$3.4B NASA Budget Level Constant '716.

581 Flights: 354 ETR, 227 WTR, 130 w/expendable upper stage, 173 w/tug.

673 Payloads Up, 455 Payloads Down.

265 NASA Payloads.

128 Non-NASA Payloads.

280 DOD Payloads.

ECONOMICS

[1971 dollars]

	Pay- loads	Trans- porta- tion	Nonrec. de- velop.	Total
Expendable.....	35.1	11.4	1.7	48.2
Shuttle.....	26.7	8.1	8.0	42.8
Benefits.....	8.4	3.3	-6.3	5.4
Net benefit discounted at 10 percent.....				2.0B

Net benefits STS, \$5.4B.

Rate of Return, 13%.

Fit. Required to earn 10% rate of return, 30 per yr.

Allowable Growth in DDT&E with 10% rate of return, \$2B.

725 MISSION MODEL

Interim Tug, 1980-1983.

Full Tug, 1983-1991.

Spacelab included as ESA Development.

Operational Period, 1980-1991.

WTR IOC 1982.

Assumed Average \$3.3B level NASA Budget Constant "725".

725 Flights; 516 ETR, 209 WTR.

289 Tug Flts.

986 Payloads Up, 275 Automated Down.

336 Shuttle Down.

507 NASA Payloads.

175 Non-NASA Payloads.

304 DOD Payloads.

ECONOMICS

[1972 dollars]

	Pay- loads	Trans- porta- tion	Nonrec- reational develop- ment	Total
Expendable.....	46.3	13.2	3.9	63.4
Shuttle.....	31.6	8.8	8.9	49.3
Benefits.....	14.7	4.4	-5.0	14.1

Net benefits STS, \$14.1B.

Rate of Return, 19%.

Fit. Required to earn 10% rate of Return, 25 per yr.

Allowable Cost Growth in DDT&E with 10% Rate of Return, \$7.4B.

A number of areas of significance within the bill which we are considering today warrant further comment.

The Office of Applications requested \$198,200,000 for fiscal year 1977 and the committee made several changes. The first change was the removal of the LANDSAT-C—Earth resources technology satellite—from the earth resources detection and monitoring area and placing it in a separate line item entitled "Earth resources operational systems." The corresponding moneys of \$13,500,000 were also transferred to this new line item. The committee felt that the time has come to elevate this most successful program to an operational status which also will encourage private and institutional participation as well as the many user agencies within the Federal Government.

The committee also added \$1,000,000 to the weather and climate observation and forecasting area specifically for severe storm research. Testimony before the committee reflected the excellent cooperation and effort between NASA and NOAA and encouraged further activity to help with this serious problem.

The objective of the space applications effort is to conduct research and development activities that demonstrate space-related technology which can be effectively applied and used in the civil sector. In no other area does the space program technology spinoffs and benefits evidence itself more.

These applications programs affect each and everyone of us in our daily lives ranging from accurate weather forecasting to monitoring crop inventories and disease while monitoring the atmosphere to warn us of pollution. I am pleased to report to this body the fact that many applications programs are starting to pay dividends as evidenced by LANDSAT and I look forward to reporting additional positive results in the near future.

The tracking and data acquisition program continues to provide vital support to more than 40 individual programs. Two hundred and fifty-eight million dollars was requested for fiscal year 1977 with \$206,800,000 of the total request scheduled for operations support.

The committee made a general reduction of \$4,000,000 from the total request based upon an analysis of the future systems and operational activity for fiscal year 1977. It was also noted that the Office has experienced a dramatic increase in inflation at some locations such as Madrid, Spain, and Alaska. Hopefully, NASA can achieve sufficient economies to balance this inflationary spiral and continue to provide outstanding support operations. The committee will review NASA's analysis covering the benefits to the government in leasing a tracking and data relay satellite system for tracking services versus procuring the system through purchase. Prior to any contract award, NASA will present a cost-benefit to the committee.

The Technology Utilization Office continues to find ways to better transfer space-developed technology into the economic and commercial stream of the civil sector. The fiscal year 1977 budget request is \$7,900,000 and the committee felt that an increase of \$500,000 was in order to allow for an increase in industrial applications and technology activity which could provide even quicker results in the technology transfer process. The committee continues to be impressed with NASA's initiative in this area and encourages its continuation.

For research and program management, NASA requested \$814,055,000 for fiscal year 1977. This line item provides for the civil service staff necessary for in-house research and development, and the manpower required to plan, manage and support the R. & D. program. It also provides for the operation, maintenance and administrative support of the NASA headquarters and 10 major field centers.

The committee reviewed the NASA request for these purposes in considerable detail. The budget for 1977 is \$18,577,000—2.3 percent—more than the current operating plan for fiscal year 1976. The number of permanent civil service positions has been reduced by 500 to 23,816.

The 1977 estimate provides for the full-year effect of increased utility rates which continue to rise rapidly. Additionally continued increases in wage rates

for support service contractors and increases in the cost of materials have caused upward budget pressures.

Costs for personnel amount to 75 percent of the total. These rose by approximately 1 percent from 1976, reflecting the reduction of 500 permanent positions as well as the full-year effect of the October 1975 pay raise. Other categories of expense in fiscal year 1977 will increase by \$4.92 million—8 percent—from the 1976 budget plan. Most of this increase is attributed to rising costs of electrical power, fuel, and support service contracts.

The committee notes with approval the recent reassessment of field center roles and missions. If performed properly, the clarification of roles and the consolidation of selected functions can yield significant personnel savings and increased management effectiveness.

A further sign that NASA is concerned with the recent drift toward increased institutional costs is the cut in overhead positions for fiscal year 1977. Of the total mandated reduction of 500 permanent civil service positions, over 200 were indirect.

To stress concern that NASA remain lean and effective, the committee is recommending a general reduction of \$3,600,000 to be applied to areas other than civil service personnel costs. It is believed that this is appropriate in light of the reduction in permanent civil service positions. I want to emphasize that this action, in no way, implies any criticism of the goals of the national space program. We continue to believe, as stated in "Future Space Programs 1975," that the use and exploration of space should be greatly expanded for the benefit of all. The committee does want to insure that NASA's strong technical capability remains dynamic and innovative so that these objectives can be realized.

Mr. Chairman, turning now to the NASA programs managed by the Office of Space Science. There are three major areas of space science managed by the Office of Space Science: Physics and astronomy, lunar and planetary, and life sciences program. These programs focus on exploring and understanding of the Earth, the solar system, the universe, and on research designed to enhance the ability of people to function effectively and safely during space flight. The NASA requested a total of \$379 million for these programs. The bill provides \$385 million with reflects additions for the space telescope, supporting research and technology, and Jupiter orbiter probe studies as already discussed. The reorganization within NASA that transferred the expendable launch vehicle programs to the Office of Space Flight—OSF—and the life sciences program to the Office of Space Sciences is also reflected in the amounts authorized. The fiscal year 1977 authorization provides primarily for continuation of ongoing programs previously authorized. It also provides for one new start, the solar maximum mission—SMM—an observatory class spacecraft to conduct detailed studies of the Sun during the most active period in the 11-year solar cycle.

The OSS budget authorization for fis-

cal year 1977 is \$49.2 million below the funding level for fiscal year 1976. This is due to reduced requirements for those major flight projects that will have passed their peak funding by fiscal year 1977. The high energy astronomical observatory—HEAO—the Mariner Jupiter Saturn 1977—MJS 77—and the Pioneer Venus, all have peak funding in fiscal year 1976. Also, the Viking project, with two healthy spacecraft on the way to Mars, continues its cost phasedown. A partial offset to this decline in project funding and activity is the initiation of the solar maximum mission, the first new start in 2 years.

I would like to present a summary of some of the important programs in the Office of Space Science. The first category I will discuss is physics and astronomy.

Astronomy, as the oldest science, represents man's attempt to understand the universe in which he lives. Recent advances in our ability to observe the universe are making it possible to study the physical conditions that exist at distant places. Although we attempt to explain those observations by extending the basic laws of physics that apply on Earth, new phenomena are frequently observed which have no terrestrial counterpart, including explosions of stars and the existence of superdense matter weighing billions of tons per cubic inch.

In June, the orbiting solar observatory 8 was successfully launched to conduct long-term studies of the Sun during its quiet period. The primary objectives of the mission are to study the structure of the relatively cool lower solar atmosphere—chromosphere and low transition region—and to investigate how energy is transported within that region and between it and the Sun's high temperature upper atmosphere, or corona.

In October and November, two atmosphere explorers—AE-D and E—were launched to conduct coordinated observations of the physics and chemistry of Earth's upper atmosphere. Responding to recent concern with the fluorocarbon-ozone-skin cancer question and the need for exact descriptions of upper atmospheric chemistry and dynamics, we added an experiment to AE-E to measure daily ozone variations.

In 1975, many important discoveries were made including the discovery of a white dwarf star that had about 20 times the surface temperature of the Sun. We also studied two novas, or exploding stars. One was the brightest optical nova observed in 30 years. The other, an X-ray nova, was discovered by Ariel 5 and became the brightest X-ray object in the sky.

We are seeing constant change in our thinking regarding the evolution of our universe. With the accelerated increase in the generation of data from rapidly developing techniques in astronomy and space physics, many of the "established" theories are being tested and may soon be replaced by a more complete understanding of specific phenomena.

The role of our closest star, the Sun, is so fundamental that in its absence, life could not exist on Earth. Though it is middle-aged and not particularly large or bright, only a few percent change in

its brightness might change most of the Earth into a dead frozen landscape or conversely, into a hot desert wasteland. The ice ages may have been caused by a decrease of only a few percent in the solar energy emission. In contrast, many stars are known to be under regular cyclic variations, some as small as a fraction of a percent in total energy output. When we study stars, we can look at objects with a wide range of properties such as surface temperature, mass, composition, and magnetic fields. From comparative studies, we hope to identify the role played by these different parameters and infer the long-term evolution of the Sun.

The 2.4-meter space telescope—ST—plays a central role in our plans for the future. With it, we will be able to study radiations in the infrared, the visible and the ultraviolet part of the spectrum. It will be more sensitive than a ground-based telescope and will record greater details about the objects under study.

Objects will be detectable from a volume of space that is one hundred times larger than is accessible now. Light from these objects will have taken many billions of years to reach us, thus we can look further into the past. With the ST, we will probably be able to determine the distance to quasars, and the absolute magnitude of the enormous amount of energy emitted by these objects. Other observations will provide additional information to help resolve the question, "Will the universe expand forever?"

Closer to home, we will be able to study individual stars in nearby galaxies. Closer yet, we can search for planets and should be able to determine whether any of the 30 nearest stars has a planet comparable in size to Jupiter. Pictures of Jupiter, Mars, and Venus taken with the ST will show detail roughly equivalent to that of the Pioneers 10 and 11 pictures of Jupiter. With the ST, however, we can take a series of pictures over a period of years, and thus study long-term cloud motions and seasonal changes. Undoubtedly, the most important contributions the ST will make to science cannot be foreseen today. As Isaac Asimov writes in "Eyes on the Universe":

It is, of course, impossible to predict exactly what the Large Space Telescope might discover—just as it was impossible to predict in advance that Galileo's telescope would detect four satellites about Jupiter, or that Rosse's Leviathan would discover spiral galaxies. . . .

In less than 20 years after the launch of the first Sputnik, we now have a better description of the Earth's near-space environment than Christopher Columbus had available of the navigable surface from all of man's previous recorded history. We are now attempting the task of understanding the forces of nature which shape this environment, which produce perplexing day-to-day changes, and which control the conditions that make life possible here on Earth.

The Sun is the most important source of the energy which surrounds us. The tenuous plasma stream, called the solar wind, is composed mostly of electrons and protons flowing at speeds upwards of 300 km/sec—670,000 miles per hour. It interacts with the Earth's magnetic field 10-15 Earth radii from the center of

the Earth in a collisionless bow shock, and then flows around the Earth somewhat like a stream of water around an obstacle. Inside this flow envelope is the magnetosphere.

During 1975, four Explorers were launched, with three successfully placed into orbit and functioning. The fourth, the dual air density—DAD—failed to achieve orbit as a result of the failure of the Scout third stage. Four more Explorers are under development, the IUE and the three International Sun-Earth Explorer—ISEE—spacecraft. Both projects are being undertaken jointly with the European Space Agency—ESA. ISEE-A, -B, and -C will be primarily concerned with the interactions at the boundary between the solar wind and the magnetosphere. ISEE-C will provide a continuous measurement of the fluctuating solar wind in interplanetary space, while ISEE-A and -B, traveling in elliptic orbits through the boundary regions, will determine the magnetospheric response to the solar wind and its variations.

The solar maximum mission—SMM—is a sophisticated solar satellite which will fly at the next predicted peak of activity in the solar cycle. The mission will focus on problems of solar activity and will particularly investigate the many complex high energy processes which together constitute the solar flare. The SSM will also contribute to our understanding of solar-terrestrial interactions by providing accurate measures of the radiative and particle flare emissions which disturb the terrestrial environment and by commencing a long-term program of accurate measurement of the total radiative flux incident on the Earth's atmosphere.

The study of flares is currently considered to be one of the most timely and important in the NASA solar physics program both by virtue of the interest in the problem and the state of readiness of the theory and technology required to solve it. Solar flares are important not only for their geophysical effects but also for the opportunity that they provide to study processes having application in the fields of astrophysics and plasma physics. These processes include energy storage and release, the acceleration of particles to subrelativistic and relativistic energies, explosive heating and evaporation, the ejection of clouds of high energy particles and shock waves and the formation and cooling of high temperature—10-50 million degree—plasmas having large physical scales.

The 1979 launch date of the solar maximum mission not only maximizes the probability of observing a large number of flares, but also provides an opportunity for collaboration between SMM and the three International Sun-Earth Explorer Missions, ISEE-A, ISEE-B and ISEE-C (Chart STS76-1568A) previously discussed.

The SMM payload will contain hard X-ray and gamma ray spectrometers to study the particle accelerations and a hard X-ray telescope to determine their physical locations. Soft X-ray, extreme ultraviolet, and ultraviolet instruments will be used to study active structure before, during, and after the event, to search for evidence of energy buildup

and to study plasma heating and cooling mechanisms. Finally, a white light coronagraph will provide data on the passage of shock waves through the corona and on the mass and energy of the material ejected. The necessary ground-based and theoretical support will be part of the solar maximum mission guest investigator's program (chart SG75-15400).

Unlike its predecessors, SMM is configured to enable all these measurements discussed above to be made simultaneously. It will be compatible with the Shuttle so that it may be retrieved after a suitable period of time, refurbished, and relaunched by Shuttle for other solar studies. The fall of 1979 has been selected for launch so that the mission will correspond to the projected period of maximum activity in the solar cycle. Any delay in the launch date will reduce the number of events likely to be observed during the mission and would severely degrade the scientific value of SMM.

In addition to the flare-oriented payload, SMM will carry a small solar monitoring package designed to measure the strength and variability of the solar ultraviolet and visible light emission. The purpose of this package is to enable variations in the total solar radiation—or "solar constant"—to be studied as a function of time in the solar cycle and to measure the shorter term increases in the ultraviolet and soft X-ray regions which result from activity. These data should be important to the many studies on solar terrestrial interactions that are currently underway.

The next part of my physics and astronomy discussion covers the newly established Upper Atmospheric Research Program Office which has the responsibility to develop and implement a program to better understand stratospheric physical and chemical processes.

NASA's long-term objective is to develop an organized solid body of knowledge regarding the physics, chemistry, and transport processes occurring in the stratosphere and other regions of the upper atmosphere. These objectives are being pursued through a basic science subprogram in which data are acquired from a coordinated effort in field measurements, laboratory experiments, and theoretical studies. The short-term objectives address current problems that have been identified as having the potential to cause harmful effects in the stratosphere. These are the Space Shuttle operations, the chlorofluoromethanes, and aircraft operations. These short-term objectives have been incorporated into an assessment subprogram with established schedules and times for completion.

A program structure to fulfill current research needs has been completed in fiscal year 1976. Field measurements have already produced new data on the stratospheric hydroxyl radical and hydrogen chloride concentration vertical profiles. Laboratory activities have produced new chemical reaction rate values for the atomic chlorine plus ozone reaction. Theoretical studies have produced more accurate values of the potential ozone depletion as produced potentially by the Space Shuttle.

NASA augmented the fiscal year 1976 budget by \$3.5 million through reprogramming and has requested an additional increase to a total of \$11.6 million, reflecting the financial requirements to meet the following schedule:

Assessment of the impact of Space Shuttle operations by May 1976, with reassessment and final statement by July 1977.

Issue report on assessment of aircraft effects by December 1976.

Preliminary assessment of chlorofluoromethane—CFM—effects by July 1976, with reassessment and formal report by September 1977.

Mr. Chairman, I will now turn my remarks to the second category of space science and discuss the lunar and planetary program.

This highlight of the past year in lunar and planetary programs was the successful launching of both Viking spacecraft to Mars with all instruments and subsystems fully functional and capable of meeting all primary mission objectives. We look forward to a major expansion in our knowledge of Mars this summer as we begin the first exploration directly on the Martian surface.

For the second year in a row, there are no new starts in lunar and planetary programs. In fact, NASA has obtained only one new start in the past five budget years, so that there will inevitably be a gap in lunar and planetary launches following the Pioneer Venus missions in 1978. However, previously approved projects like the Pioneer 11 flyby of Saturn, the Viking orbiting and landing on Mars, the Mariner flyby of Jupiter and Saturn, and the Pioneer orbiting and atmosphere probing of Venus will, for the next few years, maintain the momentum of the currently vigorous exploration of the solar system.

For the past decade, the lunar and planetary science programs have been consistently directed toward three long-range goals to increase our understanding of: First, the origin and evolution of the solar system; second, the origin and evolution of life; and third, the dynamic processes which affect us on Earth. A succession of highly successful Ranger, Surveyor, Lunar Orbiter, Pioneer, Mariner, and Apollo missions has produced major progress toward the first of our three goals. A unified theory for the origin of the nine planets in the solar system—chart SL76-2084—and their satellites is slowly but steadily evolving as new data are acquired, analyzed, and synthesized. Thanks to recently successful missions, we now see heavily cratered and fractured surfaces on Mercury, Mars, and the Moon, and radar evidence that similar processes have occurred on the surface of Venus.

Hence, the inner solar system is now revealed as having been a very violent place during its early years of formation about 4½ billion years ago. There was heavy bombardment during and after the accretion of the planets until most of the rocky debris of the solar system was settled onto larger bodies. The accretion period was complicated by internal melting with subsequent volcanism and chemical changes, and crustal deformation of

the planetary bodies. The Moon and meteorites are currently giving the best insight into this complex process of early revolution of the terrestrial bodies, with a growing fund of new information coming from Mars, Mercury, and Venus.

NASA experts to make a major step forward toward the second goal, that of understanding the origin and evolution of life, when our two Vikings land on Mars this summer. While Mars remains the most likely place in the solar system for finding extraterrestrial life, there is also growing biological interest in the larger satellites of the planets Jupiter and Saturn, where interesting atmospheres have already been detected and the presence of organic compounds is strongly indicated.

NASA is also making accelerated progress toward our third goal, that of better understanding the dynamic processes on Earth, through a comparative study of other planets. Problems that complicate Earth meteorology, such as a mixture of ocean and continent masses, broken cloud layers, and rapid planet rotation, are either isolated or exaggerated on Venus, Mars, and Jupiter and are therefore easier to study and understand. Areas where data from the planetary spacecraft are being applied to Earth problems include the study of Venus for the effect of solar heating in Earth's weather patterns, the study of Jupiter for the effect of rapid planet rotation on atmospheric dynamics, the use of Mars dust storm data to calculate the effect of aerosol pollution, the comparative study of all the terrestrial planets for a better understanding of Earth's magnetic field, and the continued study of the Moon, Mars, and Mercury to search for internal processes that drive the shifts in the Earth's crust and cause our destructive earthquakes.

I would like now to discuss in more detail two projects which are attempting to better understand two of our planets: Mars and Venus. The Viking project is planned to greatly advance our knowledge of Mars by landing two spacecraft on its surface in mid-1976. This will be the first time that a U.S. spacecraft has landed on another planet. The scientific objectives of this mission are to obtain data concerning the existence of life on Mars and to gather information which will help us understand the evolution of Mars and our solar system. Results from this mission may help us understand the origin of life and how life interacts with a planetary environment.

Project highlights in 1975 were the launches on August 20 and September 9 of the two Viking spacecraft by Titan/Centaur vehicles. Both spacecraft are currently on their planned trajectories to Mars and are performing satisfactorily.

The Viking 1 spacecraft will go into orbit around Mars on June 19, 1976, evaluate planned landing sites for 2 weeks, and then send its lander down to the surface in early July. The lander will conduct scientific experiments on the surface for 60 days. Viking 2 will arrive at Mars on August 7, 1976, and go into orbit. The lander for Viking 2 will land at a different site in early September and likewise conduct science experiments for

60 days. The basic Viking mission will end in mid-November 1976.

Beginning in December 1976, the Viking extended mission will start. The four spacecraft at Mars will be operated by a reduced flight team to accomplish science investigations which could not be performed during the primary mission. It may be desirable to perform another biology analysis with a long-term incubation period. Atmospheric composition and meteorological measurements will be made to understand the Martian seasonal changes. Instruments on the orbiters will concentrate on global variable features such as dust storms, polar caps, and cloud formations. If warranted by the condition of the spacecraft and the continuing value of the science results, it is planned to continue the Viking extended mission through an entire Martian year up to about August 1978.

PIONEER VENUS

The primary scientific objective of Pioneer Venus is the detailed investigation of the Venusian atmosphere, with particular attention to obtaining information that can be used by meteorologists to gain a better understanding of Earth's atmosphere. This will be accomplished with a multiple probe mission and an orbiter mission, both to be launched in 1978.

The multiple probe mission will include investigations of the nature and composition of Venus' clouds, the composition and structure of the total atmosphere, the distribution of solar energy in the atmosphere, and atmospheric circulation patterns. The latter investigation, of particular importance to Earth meteorologists, can be accomplished only by simultaneous entry of multiple probes, correlated with orbiter observations on a global scale in the same time period.

Orbiter objectives include measurement of the detailed structure of the ionosphere and upper atmosphere, investigation of interactions with the solar wind, and determination of the general characteristics of Venus' atmosphere and surface on a planetary scale.

Design and development of the spacecraft and scientific instruments, establishment of interfaces, and mission operations planning for the multiprobe and orbiter missions are continuing on schedule, and within planned costs.

System, subsystem, and unit design and development of the multiprobe and orbiter spacecraft are in progress. Detailed verification testing of electronic breadboards is essentially complete. Fabrication and assembly of the thermal and structural test models for the multiprobe and insulation support structure and window assemblies for the large and small probe pressure vessel modules is nearing completion. Testing of engineering model hardware is in progress. Fabrication and assembly of qualification and flight hardware for the probes, bus, and orbiter are continuing. Final unit design reviews are continuing. Detailed test requirements are in preparation.

Design and parts procurement for the scientific instruments of the multiprobe and orbiter missions are continuing.

I will now turn to a discussion of the

life science program, the third category under the Office of Space Science.

During fiscal year 1976, life sciences was transferred from the Office of Space Flight to the Office of Space Science. This move is one of a series of changes taking place within NASA to better anticipate the needs of the Shuttle era. The changing thrust of life sciences activities reflects this increasing impact of the Space Shuttle.

Problems which must be dealt with in direct support of Shuttle are related to the unique characteristics and requirements of the Shuttle program, specifically: First, the selection and training of nonastronaut scientist passengers—men and women of lesser physical fitness and a broader age range than our astronaut population; second, the application of reentry G forces in the long axis of the body—z axis—and at low levels for relatively long periods of time, following the circulatory deconditioning brought about by 7 to 30 days of weightlessness; and third, control of the space motion sickness problem, the onset and time span of which coincides with the 7-day Shuttle mission duration.

The problem of space motion sickness is, perhaps, the most pressing and difficult of the issues to be resolved for Shuttle. Skylab experience has shown that those individuals who will be troubled with it—five out of nine Skylab astronauts—may be expected to develop symptoms within the first few hours of flight, remain symptomatic for the first 3 days or so, and require an additional 2 days or more to recover. Such illness occurring in a Shuttle passenger or crew member could occupy a significant portion of a 7-day Shuttle mission, greatly reducing the usefulness of that individual for that mission.

NASA is looking to a year of considerable progress in the field of life sciences as it prepares future plans to provide a more compatible environment for man's role in space.

H.R. 12453 deserves the support of this body and I urge your support of this important legislation.

In addition, Mr. Chairman, I would like to express my thanks to our very fine and competent staff for the very excellent job they have done.

Mr. Chairman, I will be happy to try to answer any questions that Members may have relating to this bill.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Chairman, I want to congratulate the gentleman from Florida, the chairman of the subcommittee, Mr. Fuqua and all of the members of the subcommittee for the outstanding work they have done in not only preparing this authorization bill and program but also in addition for the excellent work they have done over the years in this particular special area.

Additionally, Mr. Chairman, I would like to make one point clear with the gentleman from Florida, if I may, for the record at this time, and that is that I understand that this authorization includes at least \$8½ million for research and development and technological de-

velopment in the field of energy applications in solar satellite energy and related subjects. Is that correct?

Mr. FUQUA. Yes, that is correct.

Mr. McCORMACK. And that this program then will be carried out in conjunction with the research and development program of NASA, although at some point in the future it may well be transferred over to the Energy Development Administration, but that for this year it is contemplated that this will be carried out in conjunction with the program of the National Aeronautics and Space Administration. Is that correct?

Mr. FUQUA. The gentleman is correct. And I might further point out that NASA has been carrying out this project for some years, and I think that to transfer this at this time would mean an interruption in the service and an interruption in the technology and the developmental program and would not be at all beneficial to the program. At some later time there may be appropriate consideration of a transfer in that area.

Mr. McCORMACK. I thank the gentleman.

Again I want to concur in the remarks made by the gentleman from Florida and that I agree thoroughly with the position the gentleman has taken and in the recommendations the subcommittee has made. Further I wish to state that I will continue to work with them in this particular area.

Again, Mr. Chairman, I congratulate the gentleman from Florida (Mr. Fuqua) and other members of the subcommittee for the work they have done.

Mr. FUQUA. Mr. Chairman, I appreciate the gentleman's remarks.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Chairman, I note that in the area of energy technology that the \$8½ million covers energy technology identification and verification, as set forth at page 119 of the report, as well as energy applications/solar satellite power systems studies, which receive \$5 million, so that \$3½ million is for energy technology identification and verification.

Is it not true that there is a very great amount of expertise in NASA which has been developed in other efforts that can now be utilized in the energy area?

Mr. FUQUA. The gentleman is absolutely correct. I think that in future years this solar satellite power will be one of the answers to our energy problems. It is in exhaustible supply and one that I think in future years could very well help solve some of the problems that this nation has—and the world, for that matter.

Mr. HECHLER of West Virginia. If the gentleman would yield further, I would point out that not only in the solar satellite power area, but there is \$3½ million for energy technology for identification and verification, which includes the examination of materials for high-temperature energy conversion systems and thermal, mechanical, and electrochemical energy storage techniques, analysis of critical technological aspects of systems design concepts and multi-

purpose gas turbine, commercial fuel cell systems, advanced surface propulsion and hydrogen energy technology, which covers the broad area even beyond the solar satellite power systems studies which have been initiated.

Mr. FUQUA. As the gentleman points out, many of the technologies that have been developed by NASA in connection with our space program are being utilized today for solving some of the problems that we have in energy, and other areas, for that matter. We are now getting the payoff that we invested in years back. It is now providing a very valuable technology base for this country.

Mr. HECHLER of West Virginia. If the gentleman would yield briefly further, I would hope that the Committee on Appropriations and all agencies of this Congress recognize that the expertise of NASA can, indeed, be utilized in these areas, that this would not involve duplication, but it would merely involve the utilization of the expertise which the gentleman from Florida so well outlined.

Mr. FUQUA. The gentleman is absolutely correct.

Mr. WINN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I wish to state my unqualified support for H.R. 12453, the NASA authorization bill for fiscal year 1977. As ranking minority member of the Space Science and Applications Subcommittee, I feel the bill represents a responsible level of funding for NASA's R. & D. in the face of tight fiscal constraints. As has been mentioned, the committee has authorized slightly less than the Agency requested but nonetheless the proposed budget will assure a vigorous space program tailored to NASA's available resources.

Other members of the committee will make considerable mention of committee actions and views. These actions and views are reflections of the unanimous sentiment of the subcommittee. I would like to elaborate on several of these items which I believe are of particular interest for the continued health of our national space program.

NASA's Space Shuttle program remains within cost and schedule despite tight budgetary constraints and past deferrals. During our series of field hearings, I became convinced that the morale of NASA personnel and their principal contractors is quite high in the face of these pressures and they are doing an excellent job on Shuttle.

As you know, this part of the Agency has been the focus for major programs geared to the needs of other agencies and State governments. NASA's applications program which has paid major dividends in weather forecasting, communications, and Earth resources is moving ahead on several fronts.

I have been very concerned about NASA playing a role in weather and climate forecasting, particularly in the area of severe storm research. Two years ago, I was successful in obtaining appropriate funding for NASA in this area of meteorological R. & D. and also, I trust, in catalyzing a more effective national effort in severe storm prediction. I think that this bill provides sufficient funds to maintain a strong effort in se-

vere storm R. & T. The ultimate benefits of such research are enormous; lower tolls of lives and property damage from such disasters.

I trust the administration will recognize the intent of the committee in inserting the new line item "Earth Resources Operational Systems." We hope that this action will help to bring about a delineation of operational system requirements by the various executive agencies. It seems clear that we must lay the groundwork for such operational capability now if the true benefits of LANDSAT-C are to be utilized. The General Accounting Office has pointed out that operational arrangements must be arrived at to fully utilize the LANDSAT system. We trust that agencies such as Agriculture and Interior will make realistic assessments of the benefits possible from this system in the context of LACIE and other large applications efforts.

In the area of space science, the subcommittee made some small additions to the budget, because of the subcommittee's strong view that inflation and funding levels were eroding NASA's long-range planning and basic research. In physics and astronomy it seems clear to us that supporting research and technology also needed additional funding. The university community had voiced their deep concern on this matter. In interplanetary programs the subcommittee was presented with dramatic evidence by the Office of Space Science that NASA was really "going out of business." To counter this trend, we have felt it urgent to replace some money which is key to planning a Jupiter probe mission for the 1980's.

The status of large programs in space science deserves some comment. Pioneer/Venus, the planetary probe and orbiter mission scheduled for 1978, is well into hardware development within cost and on schedule. The successful Viking launches and performance of the Lander and Orbiter spacecraft en route have merely whetted our appetites for the planet rendezvous and dramatic landing on Mars set for July of this year. These mind-expanding programs are of incalculable value in providing man a perspective of his position in the universe as well as in providing a climate in which innovative research and technology can thrive.

The committee has approached the initiation of funding for the Space telescope program in a careful and deliberate manner. The merits of this opportunity to survey the universe for phenomena that may be even more intriguing than the now well-established "black holes" and "white dwarfs" are clear to the committee. These merits and the recognized need to preserve the present scientific and industry study teams have convinced us that a very modest start is in order. I can assure you that our subcommittee has considered the long-range funding implications of this program and will see to it that it is properly phased so as to not impact other program commitments and new starts into the early 1980's.

I think the planned acquisition of tracking and data relay satellite sys-

tem—TDRSS—by lease or purchase to replace the majority of NASA's current ground-based tracking and data acquisition network remains a key issue. The language in this bill is identical to that contained in the fiscal year 1976 Authorization Act and permits NASA to proceed in its procurement activities to obtain TDRSS services. The unique aspect of the possible lease for these services has received attention from the committee concerning both economical merits and the methodology applied to arrive at cost comparisons. NASA has promised to review the details of its evaluation process and results of contract negotiations with the committee prior to awarding the TDRSS contract. I feel these assurances will allow for satisfactory resolution of the acquisition of this cost-effective system which will ultimately save the taxpayers hundreds of millions of dollars.

Our subcommittee was also unanimous in the action to restore NASA's funding for energy R. & D. but under space research and technology. One principal thrust for this work is to analyze ERDA program needs, identify NASA technology capability, verify it, and then assure that the appropriate proposals are made to ERDA. So far, the low levels of direct funding to NASA have been extremely effective as confirmed by the reimbursable program responsibilities assigned to NASA in wind energy, solar heating, and cooling and solar cell technology. NASA's funding from ERDA should increase by a factor of five if this flow of "seed money" is maintained. The second emphasis of NASA is in energy applications where the agency attempts to fully understand how the "use of space" may help solve energy problems directly. The main effort in this area presently is that of solar satellite power systems studies which Mr. Frey will address in some detail.

My last item is that of technology utilization which amounts to only a small portion of the Space budget. However, this program pays major dividends in terms of dissemination of technological information and transfer of advanced technology from the aerospace sector. We on the committee are well aware of the danger of "overselling" aerospace fallout and the tendency of some to view technology utilization as simply more public relations. However, we feel that the modest increase of funding here, \$500,000, will be returned manyfold in transferring NASA-developed technology to applications in the private sector and within other Government agencies. Improved mechanisms to this end should encourage additional participation in using this advanced technology base.

The redistribution of \$25 million of NASA's \$3.697 billion request by the subcommittee was simply "fine tuning" of the authorization request which we felt clearly demonstrated an optimum allocation of dollars and manpower. Mr. FUQUA and I will continue to work closely and constructively with the Agency as we have in the past. We believe that NASA is strong, well-managed, and capable of accomplishing the goals set for itself in this authorization bill. Mr.

Chairman, let me close by repeating my endorsement of this request which is both responsible and realistic; it gives NASA "the tools to do its work."

Mr. MOSHER. Mr. Chairman, will the gentleman yield?

Mr. WINN. I yield to the gentleman from Ohio (Mr. Mosher), the ranking minority member of the full committee.

Mr. MOSHER. Mr. Chairman, I agree completely with my colleagues, Messrs. Fuqua and Winn, in their strong endorsement of H.R. 12453, the NASA authorization bill for fiscal year 1977, as modified by our Science and Technology Committee.

The committee is recommending a funding level roughly a million dollars less than the administration requested. And the committee felt it appropriate to redistribute about \$25 million, chiefly from the Agency's institutional base into critical research and technology areas where innovative work needs vital "seed money." My feeling is that this is a budget which will keep NASA's technological competence at a healthy level despite the pressures of inflation.

Mr. Chairman, I will offer further comment concerning specific aspects of the bill.

The committee view is that the \$100 million administration cut from the NASA request for Shuttle funds will not impact the timing of the first orbital flight. Under these circumstances, we have approved this cut, because of the overall budgetary pressures.

This bill authorizes additional moneys for advanced planning and planetary mission studies, as well as supporting research in physics and astronomy. As the committee has strongly urged, NASA must make certain to look ahead in doing today's research and technology so that there will be new space programs for tomorrow. Inflation has continued to eat into the real level of effort expended in these areas, both in long-range planning and basic research.

The bill also contains \$3 million to initiate the Space telescope program since the committee feels that further deferral is not in the best interest of either the Agency or the contractors. This authorization is \$9 million less than NASA requested of OMB, but sufficient to initiate a segment of this program which has broad international support. The Space telescope will truly be our "window" into the past retelling events that took place billions of years ago as well as providing a view into the future of the universe. We cannot put a price tag on the new knowledge it will provide as we unravel the variety of complex interstellar and intergalactic phenomena it will expose. I think we can assure the administration that our committee plan is to stretch out this major program in a balanced fashion.

The bill also contains an important new line item which calls for no additional funding in NASA's applications programs titled "Earth Resources Operating Systems." This topic will be elaborated upon in later remarks by other members of the committee.

Let me add a personal note on the subject of NASA's role in energy R. & D. which I have strongly encouraged. The

committee felt it necessary to put \$8.5 million back in for this work after the energy technology line item had been deleted by OMB. NASA continues to develop plans for serving ERDA in technologies where it has strong and unique expertise.

But it seems to me that NASA is put in a "straightjacket" if they have no R. & D. funds for energy. We must encourage men of talent and imagination to contribute in innovative ways to meeting the national energy challenge regardless of which agency employs them.

Surely this proven technological agency cannot be constrained simply in order to compartmentalize energy research. I believe ERDA has a unique opportunity to avail itself of NASA's expertise and this authorization strengthens the ability of NASA to provide help objectively.

Also, I must mention the effort in aeronautical R. & D., which comprises only 10 percent of the NASA budget, but is such a vital factor in our balance of payments. NASA has forged a model partnership with the aircraft industry and this partnership has made that industry strong. I would suggest that ERDA explore the nature of this relationship, as a great example, in order to emulate its positive aspects in interaction also with various segments of the energy industry.

Significant cuts were made by the committee in the institutional support areas for space flight operations, the space tracking network and general institutional activities. These cuts allowed for the previously cited R. & D. additions to be made under the constraint of no net budget increase. In the light of funding histories and NASA's present needs with a contracted work force, the committee feels that these areas are proper ones for a modest reduction of effort.

The NASA construction of facilities request was reduced by \$7 million through deferral of a variety of new construction and modification projects. This area will be receiving the continued attention of the committee, because of the considerable national investment in existing NASA facilities.

My own intense experience in the effort to find new uses for NASA's Plum Brook facilities in Ohio taught me how difficult it is to properly tend this investment.

Let me close by saluting this accomplished and well-managed agency which has remained strong in the face of recent antitechnology sentiment and a declining level of resources. This Nation is entering the last quarter of this century with a growing appreciation of the need for advanced technology. I hope our leaders will never lose sight of the importance of continually advancing NASA's "cutting edge." NASA has been rolling back these technology frontiers for the 16 stimulating years which I have had the pleasure to work with the Agency.

This bill will guarantee that NASA has the resources to continue to do that in fiscal year 1977, in preparation for its major programs through the end of the century.

Mr. FREY. Mr. Chairman, will the gentleman yield?

Mr. WINN. I yield to the gentleman from Florida (Mr. Frey), a member of the full committee.

Mr. FREY. Mr. Chairman, I wish to add my support to this bill.

I think the gentleman from Florida, the chairman of the subcommittee, Mr. Fuqua, and the ranking minority member, the gentleman from Kansas (Mr. Winn) have done a super job. I think this is a good bill which deserves the support of the Members.

Mr. Chairman, I rise to offer my enthusiastic support for H.R. 12453. I would also like to compliment the committee chairman, Mr. Teague, and our ranking minority member, Mr. Mosher, and Mr. Fuqua and Mr. Winn, for their leadership in seeing that NASA has remained a vital agency under the constraints of a tight budget and continuing inflationary pressures.

Mr. Chairman, since the general NASA program and particulars of this bill have been covered rather comprehensively by the preceding speakers, I would like to discuss what I consider to be the future of our space program, the Space Shuttle.

The rollout of the Shuttle orbiter vehicle this September will usher in a new era in the evolution of man's transportation systems. I hope that man will have the good judgment to grasp this opportunity which should stretch this country's imagination for innovative research and return practical benefits to the end of this century. This era should witness the acceptance of materials processing and the assemblage of large structures in Space as routine ways of "doing business." Nor can we afford to overlook the role of Shuttle as a convenient stepping-stone to future space ventures. This transportation system will truly signal the days of the low cost exploitation of space.

It appears to me that NASA and the major Shuttle contractors have responded very well to budget austerity and are still within cost and schedule on this very challenging program. NASA has had "to do more, with less" and will suffer the loss of an additional 500 civil servants during fiscal year 1977. They deserve our congratulations for maintaining their Shuttle commitment in the face of deferrals and diminishing manpower resources including vital support contractors. I should remind my colleagues also there is no more room for stretching out Shuttle and meeting cost and schedule commitments.

I will mention some of the general advantages of Shuttle and move on to a detailed discussion of some major applications. Launch costs should drop by anywhere from factors of 5 to 20 compared to operations with the present expendable launch vehicles. In the case of communications satellites Shuttle offers dramatic savings in launch costs of as much as a factor of 20. If we assume that five communications satellites of the present kind are launched per year until the end of the century the savings in this area alone would be in the range from \$500 million to \$2.5 billion in fiscal year 1976 dollars. Payload and launch benefits can return the amortized development costs for this "plant investment" in the space transportation system and provide major

savings besides. It is estimated that the total net savings by Shuttle use in the period 1980-92 will be \$14.1 billion, accounting for the payment of system development costs. In a 1975 report, GAO cited this analysis as a legitimate cost-benefit study.

Our lives and those of our descendants will be markedly improved by developments accompanying the progress from new experiments and monitoring capability in space. Areas such as weather, agriculture, forestry, navigation, oceanography, and pollution control also will benefit immeasurably in the Shuttle age. We know this, instinctively, because man has always reaped major benefits in eras when his ability to explore increased dramatically. The Shuttle era not only marks such a "quantum jump" in man's mobility, but further it affords the unique zero-gravity environment for everyday materials processing, a new and exciting technology area.

One element of the space transportation system will be Spacelab; this development effort is being carried on in cooperation with the European Space Agency. The Europeans have backed their belief in advanced technology by a major commitment of over \$500 million in the face of inflation and recessionary pressures on the continent. It will be a versatile, reusable space laboratory outfitted to perform a variety of space science and observation experiments in a cost effective manner with the flexibility of refurbishment of the operating system. The virtues of performing environmental monitoring of Earth resources, pollution, and agricultural crops from space, on a routine basis, are obvious.

Space processing experiments have been assigned the highest priority for Spacelab. Eleven European nations have announced plans for materials processing experiments; this is some indication of the anticipated payoff. This area holds the promise of providing a fuller understanding of a whole gamut of materials properties. Let me remind you that the explosive expansion of the solid state electronics industry was born out of advances in the basic understanding and control of processes in semiconductors and related devices. The goal of NASA here is to stimulate industry to sponsor their own activities by providing successful demonstration examples as well as the opportunity for industry to conduct their own research. Such an arrangement would not be possible without the cost-effective benefits of the Shuttle system. This is a key area to demonstrate tomorrow's technology; we must seize this opportunity.

As you know, our committee has strongly encouraged NASA to engage in aggressive long-range planning for several new Space programs. There is no more appealing application of such planning than that of the solar power satellite system—SSP—a significant concept being studied for ERDA which might someday directly alleviate the terrestrial energy problem. This SSPS would tap the renewable source of solar energy outside the atmosphere and employ microwave transmission to transmit the energy to large Earth-based antenna. This system would require Shuttle or a new gen-

eration space freighter to transport materials into space for constructing the massive solar collectors. This system represents a challenge in developing technology for assembling large and complex structures and it is precisely the type of aerospace application that requires NASA's participation. The \$5 million shifted into this energy applications area will allow NASA to properly define systems concepts, identify technology, understand environmental effects, and determine overall benefits of this approach. It was too late to include this item in the ERDA budget after OMB had removed this funding from NASA's budget. The Nation deserves the benefits which might accrue from this "use of space" so this funding will assure that this investment is utilized.

The question of engineering large structures is relevant to another possible energy application, the concept of ocean thermal energy conversion—OTEC. Since the surfacing of this concept I have suggested that NASA would be the logical party to develop this system for ERDA, because of their appropriate expertise. I trust, that as the national energy plan evolves, we will see ERDA using NASA in this major program area. We on the committee recognize the fact that siting of such plants is restricted geographically but we trust that the technical responsibility will be placed where the expertise resides.

The most obvious way we see spinoffs from NASA technology is through the Agency applications program. This program has seen major payoffs in Earth resources and weather forecasting applications. The cost savings in terms of human lives is not simply quantified but I think we can safely assume that these systems and others such as those in navigation and ocean and pollution monitoring will repay development investments manifold. I believe we will see operational systems functioning in all of these areas sometime during the 1980's.

Other space spinoffs are only obvious once it is pointed out that they can be traced to technology needs of the national space program, for example, computer technology was accelerated by the space effort. NASA's utilization of technology has led to the incorporation of complex computer systems in a tremendous variety of service and manufacturing industries. Major advances in computer systems technology have resulted from the stringent requirements of speed, miniaturization, and reliability in programs such as Apollo. The computer business is most probably the most far-reaching nonaerospace development of space technology. U.S. exports of computers increased 1,400 percent in the first decade of the space age. Such growth within the computer industry has increased productivity in all industries. Advances first applied to airline reservations and ticketing have been integrated at a growing rate into retail store systems and banking transaction systems. The increased speed and accuracy of credit transactions achieved have been a result of NASA computer technology and it is clear that the industry would not have evolved nearly so rapidly without the impetus of the space program.

Finally, the role of aerospace products

in the balance of trade is striking. U.S. aerospace exports for the period 1966-75 amount to about \$49 billion or an average of \$4.5 billion per year. However, in the past 5 years the average export level has been over \$6 billion per year and there is good reason to believe this average will be maintained. Since the United States is not a major importer of aerospace products the country has reaped an average positive balance of trade of \$3 billion per year in the period 1964-74. This positive contribution to our balance of payments is exceeded only by that due to exports of agricultural products.

Mr. Chairman, I am confident that my colleagues recognize and appreciate the key role NASA plays in maintaining our technical superiority in space and for terrestrial applications. Economic studies indicate that this entire authorization is an investment which will be returning dividends at least sevenfold until the end of this century. I urge the Members to join me in voting for continued progress and increased national productivity.

Mr. FUQUA. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. MILFORD).

Mr. MILFORD. Mr. Chairman, the Subcommittee on Aviation and Transportation Research and Development held extensive hearings here in Washington, D.C., and at several NASA field centers on the aeronautical part of the fiscal year 1977 authorization bill. The subcommittee members worked long and hard in carefully reviewing the NASA aeronautical program and the 1977 budget request.

We found that although the dollar amount devoted to aeronautical R. & D. is small—\$192,100,000 this year—the payoff is very large. This is true because NASA conducts much of the basic research that industry is financially unable or unwilling to undertake due to the high degree of risk involved. Such research is a bargain when we consider that the return on our investment is reflected in billions of dollars in sales of U.S. aircraft both here and abroad and in hundreds of thousands of jobs for American workers.

Along with agricultural products, aircraft and related items represent one of the few areas that contribute favorably to our balance of payments. But, to remain competitive with the increasingly vigorous foreign competition, our next generation aircraft must be safer, more economical and, especially, more energy efficient than today's planes. Therefore, in view of the importance of a sound program of research and development to the maintenance of U.S. leadership in the international marketplace, as well as to the health of both the American air transportation and aircraft equipment manufacturing industries, the committee recommends the program contained in H.R. 12453.

The fiscal year 1977 program in aeronautical research represents a continuation of NASA's efforts to advance technology. Specifically, NASA is working in virtually all areas of aircraft technology including materials, structures, propulsion, aerodynamics, avionics, and especially fuel conservation.

Although the amount recommended

for fiscal year 1977 represents an increase of approximately 10 percent over the 1976 level, it represents a decline in actual purchasing power from the period of 1973 and 1974 and a no-gain condition with respect to last year. Nevertheless, we consider this to be a positive but conservative aeronautics budget and I urge my colleagues to support the program recommended by the committee.

NASA BUDGET REQUEST FOR AERONAUTICAL RESEARCH AND TECHNOLOGY

That part of NASA's program under the jurisdiction of this subcommittee includes three categories related to aeronautical research and technology:

First. Research and program management.

Second. Research and technology.

Third. Construction of facilities.

RESEARCH AND PROGRAM MANAGEMENT

The research and program management funds related to aeronautics are requested to provide the civil service manpower for in-house research, planning, management, and support of R. & D., as well as the costs of operating, maintaining, and supporting research center installations. The funds related to aeronautics are not identified separately in the budget request and have been discussed in Mr. Fuqua's statement; therefore, I will not go into program details.

RESEARCH AND TECHNOLOGY

The amount requested by NASA for aeronautical research and technology for fiscal year 1977 is \$189,100,000. The committee approved this amount and recommended an addition of \$3,000,000 for a total of \$192,100,000. The additional amount is to accelerate the variable cycle engine components technology program.

Propulsion technology is the major technology barrier to more fuel-efficient, quiet, and nonpolluting aircraft of the future. In view of the mounting threat from abroad to U.S. leadership in aeronautics, the committee recommended an acceleration of the work in this extremely promising engine component technology area.

The objectives of the B. & T. program are to advance technology to make possible safer, more economic, and environmentally acceptable air transportation systems which are responsive to current and future national needs; to maintain a strong competitive position of the United States in the international aviation marketplace; and to support the military in maintaining the superiority of the Nation's military aircraft. NASA will maintain a strong research effort in the areas of materials, structure, avionics, propulsion, aerodynamics, and man-vehicle interactions to provide advanced technology to meet the future needs of civil aviation.

The aeronautical program also includes a major effort aimed at reducing aircraft energy consumption and the undesirable environmental effects of noise and pollution. This effort is directed at providing the technology for quiet, clean, and efficient propulsion systems; the reduction of aerodynamic drag; the application of active control concepts, and advanced materials and structural concepts to aircraft to reduce weight and improve operating efficiency; and an examination of new types of fuel.

Another major area of emphasis is concerned with improving aircraft terminal operations and safety through development of technology in areas such as avionics systems, operating procedures, crash worthy aircraft structures, and fire-resistant aircraft interior materials.

All of these technology efforts are integrated with various systems studies to provide the technical basis for future advanced long-haul and short-haul transportation aircraft—which, of course, is the ultimate reason for NASA engaging in aeronautical research and development.

The aeronautical research and technology program is divided into four major efforts. First, there is the research and technology base which is discipline-oriented and has the overall objective of establishing a solid foundation for the evaluation of advanced concepts. The second area—systems studies—provides a systematic basis for decisions on what to emphasize in the research and technology base and identifies and evaluates potential applications of advanced concepts. The third area—systems technology programs—contains technical demonstration and proof-of-concept activities which have matured to the point where they are ready for systems integration and demonstration, or the project definition phase of potential future experimental programs. Fourth, there are the experimental programs which involve multidisciplinary concept demonstration and major research vehicle development.

CONSTRUCTION OF FACILITIES

The construction of facilities request for aeronautics by NASA was \$28,950,000 for fiscal year 1977. It is important to emphasize that the great bulk of our civil aviation research and development facilities were constructed in the 1940's. Such money as has been invested over the past 30 years has been largely devoted to modifications for upgrading capabilities.

But such extensions of capabilities can go only so far. To meet the requirements of doing R. & D. for future generations of aircraft—and for improving current aircraft—we must face the fact that the Nation will have to build some new aeronautical R. & D. facilities in order to maintain its leadership in aviation. I have already noted the major contributions to our trade balance with other nations made by the sale of aircraft and parts.

Between 75 and 80 percent of aircraft flying today in the non-Communist part of the world were built in this country. If we wish to retain this leadership—which also means hundreds of thousands of jobs—we must provide the kind of research and facilities necessary to maintain technical leadership.

For such reasons as these, the committee recommends approval of the requested amount which includes the first increment of the National Transonic Facility.

This project provides a high Reynolds number transonic tunnel which will satisfy the research needs of NASA, the military, and industry. The facility will provide a much-needed capability to test a broad spectrum of aeronautical and space vehicles. A summary of the justifi-

cation, main features, cost, and schedule is as follows:

There is an urgent need, established over a number of years, for a new ground-based capability for aerodynamic testing at transonic speeds under conditions more closely resembling actual flight conditions than is now possible.

This need is supported by the U.S. Department of Defense and the U.S. aerospace community. This need stems from the recognition that experimental data obtained from existing low Reynolds number transonic wind tunnels often lead to erroneous conclusions on flight vehicle performance predictions.

A wind tunnel which will permit accurate experimental measurements at transonic speeds approaching flight Reynolds number is, therefore, necessary to the continuing development of high-speed aircraft technology which is the base for national leadership in efficient, energy conservative aircraft design and for the superiority of U.S. military flight vehicles. Thus, the urgency for the new testing capability stems from national leadership and suggests that this facility should be available at the earliest possible time.

The initial amount required for fiscal year 1977 is \$25 million, with \$27 million and \$13 million required in successive years, for a total of \$65 million. The facility will become operational in late 1979.

LANGUAGE CHANGE

In view of the urgent need to maintain the U.S. economic and military leadership in aeronautics and the vital contribution of modern test facilities to such maintenance, the committee added language to stress the critical importance of expediting the completion of two specific national facilities. Modernization of the 40- by 80-foot subsonic wind tunnel at Ames Research Center which was authorized in fiscal year 1976 and construction of the National Transonic Facility which is included in this year's authorization are needed now by both military and civilian aircraft designers. They are needed to confirm and improve current design concepts to insure greater fuel efficiency, economy, and safety in future aircraft.

As described in the foregoing the Nation's aeronautical test facilities are no longer adequate for modern high performance, fuel-sensitive aircraft. The inability to test modern designs on the ground is especially detrimental to growth in the American helicopter industry. Meanwhile, foreign nations are pressing ahead and rapidly eroding America's position in the world helicopter market. In just 10 years, the U.S. share of that market has been cut in half.

The 40 by 80 will provide an increased capability for full-scale testing of various advanced types of aeronautical vehicles. The new capability would provide an increase in test speed from 200 knots to 300 knots by replacing the existing wind tunnel drive motors and fans with new, more powerful ones.

This will permit the testing of advanced rotorcraft at their higher cruise speeds and full-scale wind tunnel testing of V/STOL vertical and short takeoff and landing aircraft.

This requirement has become critical during the past decade during which both civil and military rotorcraft have advanced significantly in speed capability; and consequently, they can no longer be adequately evaluated in any existing test facility. The limitations of current test facilities were recognized in 1967 by the Aeronautics and Astronautics Coordinating Board—AACB—when it initiated studies that have ultimately led to this plan to repower the 40 by 80 foot wind tunnel.

The economic justification for this full-scale wind tunnel test facility lies in the demonstrated savings that have accrued in aircraft development programs when full-scale wind tunnel tests were conducted early in the development program and before expensive commitment to flight tests. Discovering problems during the flight-test program has sometimes had catastrophic consequences. For example, the AH-56A Cheyenne helicopter program, which did not include full-scale wind tunnel tests, was terminated after a \$400 million investment, against which the cost of this facility modification appears reasonable indeed. Three other rotorcraft types—XV-1, XH-51A, and XV-5—failed during wind tunnel tests and before flight tests. All of these failures involved the complicated interface between aerodynamics, dynamics, and structures. Therefore, tests of the full-scale hardware were the only way that these problems could have been discovered.

Therefore the committee wants to strongly urge that these facilities be initiated as soon as possible.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. MILFORD. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Chairman, I commend the gentleman from Texas (Mr. MILFORD) who chairs the Aviation and Transportation R. & D. Subcommittee for bringing these issues to the fore, because I think it is an excellent investment. I commend the gentleman for his leadership of the Aviation Subcommittee, which I formerly chaired.

Mr. MILFORD. I appreciate the gentleman's remarks.

Mr. WINN. Mr. Chairman, I yield 1 minute to the gentleman from Maine (Mr. EMERY).

Mr. EMERY. Mr. Chairman, I have felt for a long time that the Congress has not placed proper emphasis on the space program, because I think the record will show that the taxpayers receive as much for their dollars in this program as from any that the Congress has financed over the last 15 or 20 years, advances in medicine, computer science, many fields that we do not normally think of when we watch a space shot on television.

Mr. Chairman, I wish to lend my enthusiastic support to H.R. 12453, the NASA authorization bill, and congratulate the Committee for holding the budget to the administration request with some slight reordering of spending priorities. In my remarks, I would like to focus on an aspect of NASA's long-range research that our subcommittee found to be critically important in its

implications for tomorrow's technologies. I refer to the research and technology in advanced propulsion concepts.

Advanced space propulsion is the critical hinge upon which our capability for extensive use of space turns toward tomorrow's major ventures. If we are to truly sail upon this "new ocean" as we now do on Earth, we must implement sound propulsion concepts which cut the size and cost of launch vehicles by dramatic proportions. Realization of these concepts can mean convenient interorbital transportation for delivery of large space structures to geosynchronous or lunar orbits. Certain advanced propulsion ideas also promise the realization of journeys through the solar system in times no longer than those experienced by sailing vessels on the seas of the Earth. We cannot simply measure these potential advances quantitatively in terms of reduced cost and trip time. The promise of payoff is so great that impossible missions could become practical with these advanced propulsion systems.

The research in advanced propulsion covers a spectrum of the science and engineering of matter from ultrahigh pressures to magnetism and cryophysics—very low temperatures—under ultrahigh vacuum. One of these approaches calls for squeezing hydrogen in a unique "press" until it becomes metallic at several million atmospheres. The implications of this vast energy storage are so enormous that a single stage rocket with the payload of Shuttle could weigh as little as one-tenth of the Shuttle system at launch.

Excited states of matter are also being investigated for the storage of propulsive energy. Atomic hydrogen can be trapped in the "grasp" of high magnetic fields at low temperature with sufficient energy to drive efficient rocket engines with specific impulses, or "kick," two to three times that of conventional rockets. Electronically excited helium is an even more appetizing prospect for this high magnetic field trapping with promise of impulses five to six times today's most powerful hydrogen-oxygen engines.

Other rockets for consideration could scoop up fuel from atmospheres of distant planets just like gas turbine engines take in air. Laser-heated rockets can provide energy remotely so they can provide thrust while avoiding the penalty of powerplant weight.

NASA's current program also emphasizes novel ways for using the potential of nuclear energy for space propulsion. Efficient thermionic and Brayton cycle power conversion systems are being looked at for power and propulsion applications.

We should not overlook the broad range of spinoff from this research and technology. Such studies in the fundamental behavior of matter are not bounded by any single technology. Metallic hydrogen may be a superconductor at room temperature—that is, carry current with no electrical power input. Such a breakthrough would revolutionize the electrical power industry. Other advances in energy storage could create novel approaches for travel here on Earth.

Space nuclear systems concepts may

offer some attractive features for terrestrial nuclear powerplants in terms of improved efficiency, safety, and security.

So, in summary, let me remind every citizen that he has a stake in this research which the subcommittee has singled out as an area for a modest but important increase in funding.

Mr. Chairman, let me close by reminding my colleagues of the stakes in advanced research. NASA has been forced to engage in less long-range work by inflation and budget levels of recent years. This bill contains funding to allow a look "around the corner" in research and technology and I trust my colleagues will join me in voting for it.

Mr. TEAGUE. Mr. Chairman, the Committee on Science and Technology has made an intensive review of the National Aeronautics and Space Administration budget request for fiscal year 1977. Members of the committee on both sides of the aisle have played key roles in perfecting this bill. The distinguished gentleman from Ohio (Mr. MOSHER), the ranking minority member of the committee, the gentleman from Florida (Mr. FUQUA), and the gentleman from Texas (Mr. MILFORD) along with the other committee members have painstakingly examined the programs embodied in H.R. 12453. I thank them all for their effort. Hearings have been held in Washington, at the NASA field centers and key industrial contractors on the programs included in the bill before us.

From 1966 to 1975, the Federal outlays for our national space program have declined 38 percent without considering the additional erosion of inflation. The funding proposed for this coming fiscal year will exceed that of the previous year for only the third time in a decade. To return this budget to a level budget plan endorsed in 1972 would require an increase of \$1.16 billion to the amount requested in this bill. Even so, the bill which is before us today is \$930,000 less than the administration request.

Yet, even in this stringent financial situation, the achievements of NASA in bringing practical benefits and new knowledge to our society remain a major stimulant to our economy and our quality of life.

It is significant to note that during 1976 out of the 19 NASA launches 15 will be funded by commercial organizations, other Federal agencies or other nations. In 1977, 17 launches out of an expected 23 will be non-NASA. This is an indication that the strong science and technology base developed by NASA is making space not only a place of scientific exploration but also a place of commerce.

To assure that space serves as well as a place of commerce, requires that we maintain an innovative research base for our space program development effort. Our high technology is totally dependent on good science. Increasing our investment in space-related science between now and 1980 is imperative if we are to realize the full measure of space benefits available to us at the beginning of the Space Shuttle era.

The bill before you provides for a strong practical applications program; for continuation of the development of

a low cost, reusable space transportation system; and for support to continue a selective but well conceived scientific satellite effort. It is significant to note that your committee is recommending a modest but important program to develop a space telescope for use in the 1980's. A new line item has also been introduced in this bill—earth resources operational system—to provide the opportunity to the administration to perfect the organizational and managerial mechanisms necessary to assure maximum benefit from Earth resource satellites in the years ahead.

Space program—derived technology and space-based systems both have a significant roles to play in the ultimate solution of our energy problems. NASA's continued participation in this work is mandatory. The committee recognized this imperative by providing a relative small—\$8.5 million—but essential amount of funds for the "seed money" necessary to identify space-derived technology applicable to energy systems development.

Substantial oversight activity during the year has allowed the committee to evaluate in a comprehensive manner the future opportunities and needs in a well-ordered space program. A number of committee actions in this bill are based on this effort and the applicable conclusions and recommendations are quoted. We, as a nation, can derive far more benefit from our space program than we are realizing today if adequate and increased support is provided to NASA. Both the short-term and long-term economic benefits of our space program are clear; \$100 million spent on NASA programs generate about 10,000 jobs, direct and indirect. The systems derived from such expenditures continues to contribute to our economy over at least a 10-year period. The economic multiplier over that period is \$7 returned to our economy for every dollar invested. The high technology and direct benefits of our space program are indeed impressive.

I can report to the Congress today that: the Space Shuttle is on schedule and within cost; the European Space Agency is committed to a \$400-\$500-million program to provide a first Spacelab for the Space Shuttle; we continue a good but modest space science program with planetary probes and landers, including our Viking Mars lander this summer; use of space continues to expand in earth resources survey; weather and climate; materials processing; environmental quality; and communication.

This bill supports these activities. I urge your support of this legislation.

Mr. Chairman, the bill before you today, H.R. 12453, is to authorize appropriations for the National Aeronautics and Space Administration for fiscal year 1977. This bill was reported out by the committee on March 3, 1976, by unanimous rollcall vote of those present. The committee report contains no minority or separate views but does contain nine views adopted by the full committee.

For the benefit of the committee, I will summarize the bill and the committee actions taken.

The National Aeronautics and Space Administration requested a new authorization of \$3,697,000,000 for fiscal year 1977. This amount is \$111,127,000 or 3 percent more than authorized in fiscal year 1976. The actions recommended by the committee on the fiscal year 1977 budget would yield a net reduction of \$930,000.

You will note from the summary attached that the committee recommends 15 changes to budget line items and one new line item—Earth resources operational systems. The total net dollar change to the NASA request is \$0.93 million which is comprised of \$21.6 million of increases and \$22.53 million of decreases. These changes are as follows:

SPACE FLIGHT OPERATIONS

An increase of \$1 million in advanced programs to fulfill the recommendations of the subcommittee from hearings on future space programs.

A decrease of \$8 million in development, test and mission operations to hold level of effort at approximately fiscal year 1976 level of funding.

PHYSICS AND ASTRONOMY

An increase of \$3 million for the initiation of the development of a space telescope at low level.

An increase of \$1 million in supporting research and technology to strengthen a declining base of research needed for future programs.

LUNAR AND PLANETARY EXPLORATION

An increase of \$2 million to initiate studies of a Jupiter Orbiter planetary probe.

APPLICATIONS PROGRAM

A transfer of \$13.5 million to a new line item of the LANDSAT-C program.

An increase of \$1 million in research in weather and climate observation and forecasting specifically for severe storm research.

EARTH RESOURCES OPERATIONAL SYSTEMS

A transfer of \$13.5 million to this new line item to establish and recognize the operational character of the LANDSAT-C program.

AERONAUTICAL RESEARCH AND DEVELOPMENT

An increase of \$3 million for research and development effort on variable cycle engine component technology.

SPACE RESEARCH AND TECHNOLOGY

An increase of \$1.6 million to strengthen the amount and composition of advanced propulsion research.

An increase of \$5 million for solar technology identification and verification to assure a continuation of NASA study of space related energy applications.

An increase of \$5.0 million for solar satellite power system advanced studies at the technology level.

TRACKING AND DATA ACQUISITION

A decrease of \$4 million in recognition of the projected workload in fiscal year 1977.

TECHNOLOGY UTILIZATION

An increase of \$0.5 million to enhance the industrial and technology applications effort with the public.

CONSTRUCTION OF FACILITIES

A deferral of \$2.8 million for construction of a lunar curatorial facility.
A deferral of \$2 million for modifica-

tion to launch complex 39, Kennedy Space Center.

A decrease of \$0.35 million for carrier aircraft mating facilities by transfer of available steel to the Kennedy Space Center.

A deferral of \$1 million for modification of solid rocket booster facilities at the Kennedy Space Center.

A deferral of \$0.78 million for modification for crew training facility at the Johnson Space Center.

RESEARCH AND PROGRAM MANAGEMENT

A decrease of \$3.6 million in categories other than personnel and related cost in recognition of the reduction of planned total civil service personnel.

The committee added language in two sections to the bill recommended by NASA and three sections recommended by the Committee as follows:

LANGUAGE CHANGES TO THE BILL

H.R. 12453

Section 7 adds one level V position to the NASA organization in recognition that the Comptroller of NASA is a senior manager.

Section 8 provided for granting the same per diem rates for the Aerospace Safety Advisory Board as other NASA boards and committees.

Section 9 provides that it is the sense of the Congress that the modernization of aeronautical testing facilities is essential.

Section 10 provides for the inclusion of ground propulsion systems research and development as part of the charter of NASA.

Section 11 provides technical changes to the basic act to define "ground propulsion systems" as associated with Section 10 of the bill.

COMMITTEE VIEWS ADOPTED BY THE COMMITTEE

After considering the NASA program in depth the committee reflected upon the operation and direction of a number of activities within the agency. A number of committee views were developed and I will now review each of these.

SPACE PROCESSING

The committee notes with approval the projected growth of the space processing technology program and NASA's effort to identify potential applications of this important new technology.

The low cost systems being planned for the space processing utilizing sounding rockets offers the potential for sound technical results with modest expenditures. It further affords the opportunities for commercial users to conduct proprietary experiments at low cost.

The committee commends the National Aeronautics and Space Administration for recognizing materials processing in space as a forward-looking activity which will help bring the benefits of technology to the entire public.

TRACKING AND DATA RELAY SATELLITE SYSTEM

The committee wishes to reemphasize the importance it attaches to NASA's lease versus purchases analysis to be presented to the committee on the proposed tracking and data relay satellite system prior to contract award. The committee commends NASA for initiative in developing such a system capable of handling the very high data rates required

when the space transportation system becomes operational. The committee urges NASA to assure a complete analysis of lease versus purchase issues and to report their findings to the committee at the earliest possible time.

TECHNOLOGY UTILIZATION

The committee wishes to reemphasize that more should be done in fostering the transfer of NASA-developed technology into the commercial marketplace. The committee is pleased to see in the fiscal year 1977 NASA authorization request a modest increase of emphasis both in scope and funds for the technology utilization program. The committee, therefore, requests NASA to provide a cost-benefit followup analysis, including the past technology transfer activity, utilizing measurable examples wherever practicable, prior to the end of fiscal year 1977.

REHABILITATION AND MODIFICATION OF FACILITIES

The program for rehabilitation and modification of facilities NASA-wide has now been in existence since the first annual increment was approved in the fiscal year 1970 Authorization Act. Through fiscal year 1976 and the transition quarter, a total of \$97.3 million have been authorized for these purposes.

The committee has enthusiastically endorsed and supported this program basically because it provides a mechanism for reducing the backlog of costly deferred facilities maintenance at the various field centers. Visits to NASA installations have substantiated our belief that this program pays dividends in terms of maintenance economies and esthetics, as well as more effective and economical space utilization.

However, the committee is concerned about the increasing numbers of projects included in the annual requests for these purposes, which appear to be incrementally funded or phased over 2 or more years. At the outset of this program, based upon NASA's revised facilities management procedures, it was the committee's understanding and intent that major rehabilitation and modification projects costing in excess of \$500,000 would be programed as discrete line items in the annual authorization request. The committee's intention in this regard remains unchanged and NASA is urged to abide by the original concept in future requests for annual authorization.

UTILITY CONTROL SYSTEMS

The committee wishes to commend NASA for its initiative in introducing centralized and computerized utility control systems at the various field centers. These programs and projects are in consonance with the intent of the legislative and executive branches in the control, conservation, and economy of operations concerning energy consumption.

The committee notes that modifications to facilities for these purposes at certain field installations has grown to a current level of over \$6.9 million with future projections for facilities modifications currently estimated in excess of \$3 million. The committee is not convinced that entire utilities systems need to be computerized for control purposes.

Other more simplified measures, such as timing devices, may in fact serve the same purpose, and result in the same levels of economy of operations.

Consequently, the committee requests NASA to review its plans for these types of systems, validate potential reductions in electric power, oil, gas, and manpower and submit a report of its findings to the committee by December 30, 1976.

INSTITUTIONAL BASE

The committee wishes to reaffirm its long-standing and enthusiastic support for the goals of the national space program. It continues to believe, as expressed in its report on "Future Space Programs, 1975," that the use and exploration of space should be greatly expanded for the benefit of all. The committee wants to insure that NASA's strong technical capability remains dynamic and innovative so that these objectives can be realized. To do this effectively, it is imperative that the institutional structure remain lean but also efficient.

Since fiscal year 1966 NASA funding, in constant fiscal year 1977 dollars, has dropped by approximately two-thirds. Civil service and support service contractor personnel has dropped to almost one-half. During the same period the amount required to support the institutional base as a percentage of NASA has grown appreciably. The committee has viewed this trend with concern, notes with approval the recent reassessment of field center roles and missions. If performed properly, the clarification of roles and the consolidation of selected functions can yield significant personnel savings and increased management effectiveness.

A further sign that NASA is concerned with the drift toward increased institutional budgets is the cut in overhead positions for fiscal year 1977. Of the total mandated reduction of 500 permanent civil service positions, over 200 were indirect.

Nevertheless certain adverse indicators persist. Among these is the growth of the headquarters staff, relative to the size of the NASA budget. Since 1973 NASA's total purchasing power, as measured in constant fiscal year 1977 dollars, has declined by over 24 percent. Yet, during the same period, headquarters strength has declined only 10.7 percent. The committee urges NASA to find new ways to increase the proportion of its effort that is devoted to production of the space and aeronautics product.

The committee believes that the "roles and missions" effort can be extended to achieve significant additional consolidation. An example of possible savings that appears to have been underestimated is expendable launch vehicle acquisition. Currently three centers are engaged in the acquisition of four basic launch vehicles—Scout, Delta, Atlas-Centaur, Titan-Centaur. In addition there is activity at NASA Headquarters and Kennedy Space Center. The process of launch vehicle acquisition has matured substantially in recent years. Yet the number of civil service positions has remained relatively constant. The committee believes that considerable economies could

be realized by consolidating all launch vehicle procurement activity.

The percentage of middle and top management personnel has continued to rise in recent years. The committee is concerned that this trend may limit NASA's ability to effectively manage in the years ahead. Therefore, the committee requests that the Administrator of NASA examine this and other issues outlined and report his findings and recommendations to the Committee on Science and Technology not later than October 1976.

EXTERNAL AFFAIRS

The recent establishment of an office of external affairs is a positive step by NASA in carrying out the mandate of the Space Act of 1958 which states the will of the Congress that NASA disseminate the beneficial results of its technology to the public wherever practicable.

This new office brings together both the public affairs and technology utilization activities and should provide the opportunity for achieving maximum benefits to the public of the high technology derived from NASA programs. The committee is encouraged by this change and encourages NASA to continue its initiative in trying to improve the public awareness of the space program contributions.

Aeronautical test facilities—Most of the Nation's existing aeronautical test facilities were built during the 1930's and 1940's. At that time they were the finest available anywhere in the world, and they were at least partially responsible for securing for this country a position of unchallenged leadership in aeronautics.

Today, however, both military and civilian designers urgently need improved test capabilities to confirm and improve current design concepts to insure greater fuel efficiency, economy and safety in future aircraft.

In view of the urgent need to maintain the U.S. economic and military leadership in aeronautics and the vital contribution of modern test facilities to such maintenance, the committee wishes to stress the need to upgrade the national test capability in certain critical areas.

In particular, it is widely agreed that three new national facilities are needed now: First, the aeropropulsion systems test facility—ASTF—which is included in the fiscal year 1977 military construction authorization bill; second, the National Transonic facility at Langley which is included in this bill; and third, modernization of the 40 by 80 foot subsonic tunnel at Ames. This tunnel was authorized in fiscal year 1976 by this committee, but was not funded. This year, it did not survive the President's fiscal year 1977 budget.

Modernization of the 40 by 80 is long overdue.

Rotocraft and V/STOL aircraft now coming off the drawing boards continue to outstrip the capabilities of our test facilities, increasing the chances for failures.

Meanwhile, other nations are vastly eroding America's share of the world aviation market. Nowhere is this more evident than in helicopter sales, where

the U.S. share of the market has been cut in half in just the past 10 years.

In view of the constrained condition of Federal expenditures, the committee recognizes that it is not reasonable to expect that specific funds will be made available for both the NTF and the 40 by 80 in fiscal year 1977. Nevertheless, the Committee wishes to strongly encourage NASA to use any opportunities for reprogramming that may emerge to initiate modernization of the 40 by 80 during fiscal year 1977. Furthermore the committee wishes to recommend favorable action on the ASTF in the fiscal year 1977 military construction authorization bill.

Mr. Chairman, NASA is committed to improving its work opportunity within NASA.

The goals of the NASA equal opportunity programs are the removal of discrimination in fact and appearance, and the implementation of affirmative action programs to insure the broadest possible participation of women and minorities in NASA programs.

These goals are being accomplished because of—

First. Commitment, support and monitoring from NASA's top management.

Second. Increase in resources and personnel to carry out the task.

Third. Involvement of installation line managers and supervisors in the planning and implementation of affirmative actions.

Fourth. Establishment and achievement of numerical goals and timetables, and the placement of more minorities and women in professional jobs of the agency.

Fifth. Implementation of special affirmative action programs such as those for women and Spanish speaking, the upward mobility program, aerospace fellowships, and programs directed toward minority businesses, minority colleges, and the broader communities of minorities and women as well as special minority recruitment programs.

Sixth. More communication between management and employees about equal opportunity—EO—and processes by which employees can obtain adjudication of alleged discrimination.

Seventh. Involvement of top, middle and lower managers and supervisors as well as employees in self-evaluation and planning of future EO objectives.

Minorities and females have increased in number and percent over the past 2 years in the total work force and in the professional and nonprofessional categories. Minorities now make up 7.3 percent of the total NASA work force, and females now represent 18 percent. The percent of minorities and women in the professional work force has also increased, and now stands at 5.3 percent and 6.8 percent respectively:

	June 30, 1973		Jan. 31, 1976	
	No- vem- ber	Per- cent	No- vem- ber	Per- cent
Total work force.....	25,955	100.0	24,204	100.0
Minorities.....	1,346	5.2	1,762	7.3
Females.....	4,315	16.6	4,347	18.0
Professional work force.....	15,725	100.0	15,140	100.0
Minorities.....	565	3.6	800	5.3
Females.....	812	5.2	1,030	6.8

The increased percentages of minorities and females among the NASA work force are accomplished because the agency sets targets or goals for itself which exceed the accomplishments of the previous year.

Hiring goals for fiscal year 1976 plus the transition period—15 months from July 1, 1975 through September 30, 1976—are similarly aggressive. The agency has set guidelines that approximately 40 percent of its professional hires will be minorities and females and approximately 35 percent of its nonprofessional hires will be minorities. This may result in as many as 320 minority and female professionals and up to 250 minority nonprofessionals being hired at NASA. However, reduced work force ceilings and fewer vacancies will lessen these numbers considerably.

For the first 7 months of this fiscal year—July 1, 1975 through January 31, 1976—32.1 percent or 95 of the total professional hires were minorities and females, and 29.0 percent or 105 of the nonprofessional hires were minorities.

This progress is less than the targets set by the agency; however, because intensive recruitment activities take place during the spring, and hiring peaks usually occur later in the fiscal year, we anticipate that the goals will be met by September 30, 1976.

Mr. LLOYD of California. Mr. Chairman, I rise in support of H.R. 12453. As a member of both of the subcommittees that have jurisdiction over space and aeronautics respectively, I would like to comment on two important NASA projects, one in each area. First, the fuel conservation technology program.

AIRCRAFT ENERGY EFFICIENCY PROGRAM

The aircraft energy efficiency program has as its primary objectives and focus the development of technology that will lead to more energy efficient transport aircraft. In developing the plan, NASA has worked closely with the aircraft and engine manufacturers and with the airlines to identify technological opportunities with the greatest probability of resulting in substantial reductions in air transport fuel consumption. Five major activities are included in the aircraft energy efficiency program:

First, improved engine components which could be in production in 1980 and reduce fuel consumption by 5 percent;

Second, fuel conservative engines that could be ready for use on new aircraft introduced into service around 1990 and could result in a reduction in fuel consumption of at least 10 percent;

Third, new aerodynamic design and active control technology ready for application to new aircraft designs in the early 1980's which could provide a fuel savings of 15–20 percent;

Fourth, laminar flow control to reduce drag in the aircraft of the 1990's and which could provide a 20 to 40 percent fuel savings; and finally,

Fifth, primary structure composite materials to reduce weight and could translate into a fuel savings of 10–15 percent in the future generation aircraft of the 1990's.

The technological developments that could result from these activities will be

used in different ways on aircraft designed for various missions. However, if these technologies were used to the fullest extent in the design of future transport aircraft, those new aircraft would require only about 50 percent of the fuel required by today's most efficient aircraft.

It will take time for these new aircraft to enter the U.S. fleet in significant numbers. First, the technology itself has to be developed and demonstrated; and then, after the technology is available, the airline industry must invest large sums of money in new aircraft, and the manufacturers must design, build and test these aircraft in response to airline demand. When all this happens, however, the United States could expect to be saving about one million barrels of refined aircraft fuel per day. This in turn will reduce the operating costs of our civil air transportation system and help to maintain the U.S. competitive position in the world transport aircraft market.

The second project that I wish to comment on is one with which you are all familiar and one which I have grown to know intimately and that is the Space Shuttle program.

I would like to state to my colleagues that the Space Shuttle program is proceeding on schedule and within the originally projected cost—in 1971 dollars—despite budget constraints which have required a deferral of initiation of procurement of the third orbiter by 1 year. This year's budget is no different than the past for this program; it is tight, but NASA is holding to the major development milestones and I am confident that they will be met.

Mr. LAGOMARSINO. Mr. Chairman, the House presently has before it for consideration H.R. 12453, the NASA authorization bill for fiscal 1977. I believe it would be fair to say that the space program has been among the most successful joint public and private ventures this Nation has ever engaged in. Fifteen years ago, President Kennedy stood before this body and declared it this Nation's goal to put a man on the Moon before the end of the decade. Despite Russian superiority in the development of space technology at the time, we accomplished this goal which still today eludes them.

This crowning achievement of American will and determination brought renewed confidence in our abilities as a people and was extolled by millions abroad. But at the same time, it provoked new calls for solutions to problems here on Earth. For these people the space program represented nothing more than an expensive rock-collecting expedition. But the truth is the spinoff benefits from this program have significantly affected almost every segment of our society and every culture throughout the world. I do not have the time here today to even begin listing all of these side benefits—they are catalogued in a book over six inches thick—but I do want to point to some dramatic examples of what I am talking about.

I doubt if few of us could remember how haphazard weather forecasting was before the development of satellites. It still is at times—especially in the Wash-

ington area—but the 36-hour predictions of today are as accurate as the 12-hour forecasts issued 10 years ago. Communication satellites have linked the continents of the world, extended education and medical care to remote regions, and reduced the cost of overseas phone calls. In the future, they will help us manage our natural resources more efficiently as well as help urban planners design cities to alleviate traffic congestion. The savings from good weather forecasting to persons such as farmers is by itself estimated to be as much as \$5.5 billion yearly in the United States and \$15 billion for the entire world.

The medical field is adapting the zero gravity chamber used to simulate the weightless condition of outer space as a device to enable handicapped people to walk and relearn muscular coordination following such occurrences as stroke. The astronaut's space suit which isolated him for the adverse elements of space is being used to provide a germ-free environment for children with aplastic anemia, leukemia, and other disorders requiring a sterile environment. With this system, these children can move about in the world rather than being confined to a hospital room.

These are just a sampling of the technological developments resulting from the space program. Besides these social benefits, NASA programs have had a positive and direct impact on our economy. One study has shown that for each dollar invested annually on space research and development, \$23 will be returned over a 10-year period. That is an annual return on investment over the 10-year period of more than 40 percent. For Americans that means more jobs, greater productivity, and an improved balance-of-payments situation in world trade.

With this budget authorization for fiscal 1977, we will be funding a number of new NASA programs designed to bring even more practical returns to the American taxpayer through more efficient use of space technology. One of these programs, the Space Shuttle, is a transportation system which will enable us to deliver space vehicles into near-Earth orbits at a cost considerably lower than has been the case in the past. This is because the Shuttle craft itself is reusable, it will have the versatility of being able to perform two or three or more missions from one launching, and it will be able to take greater payloads into space than is the case today. Crews on the Shuttle will service satellites thereby extending their usable life which will mean great savings. One promising technological development which may come from this program in the future is a guidance system making it possible for commercial aircraft to land like a glider. This would alleviate most the noise pollution now occurring around the major airports.

Within the aeronautics and technology field, NASA is researching ways of designing more lightweight, energy conserving aircraft. The technology developed from this research will insure that this Nation remains the leading aircraft maker in the world.

Since World War II the United States

has advanced itself economically because it has been in the vanguard of technological development. Over the last 15 years, many of our scientific breakthroughs have resulted from NASA programs. To turn our back on success such as this, would be economically foolhardy. But to those who still insist this money could be better used to take care of more mundane problems, I might remind them of the old maxim:

Give a man a fish and you feed him for a day. Teach him how to fish and he can feed himself. But give him a better fishing pole and he will feed himself and others.

The NASA programs have been helping to do just that.

Mr. FLOWERS. Mr. Chairman, I rise in support of H.R. 12453, a bill to authorize appropriations for the National Aeronautics and Space Administration. This bill provides a continued basic program for space applications and scientific exploration. My remarks will center on three elements of our space program. The first reviews the Space Shuttle economics, the second reviews progress on the Spacelab, and finally my views on the payloads that will be carried on the Space Shuttle.

The Space Shuttle is the key element of an economical space transportation system that will provide a wide variety of national and international users with round-trip access to space beginning in the 1980's. The Shuttle will be the first reusable space vehicle and will be configured to carry many different types of payloads to and from low Earth orbit. Its development will provide economical space operations for Earth applications, scientific, defense and technological payloads. The Shuttle is, however, much more than just a transportation vehicle. It will offer unique capabilities that cannot be achieved with today's expendable launch vehicles—to retrieve payloads from orbit for reuse; to service and repair satellites in space; to transport, to orbit, operate and return space laboratories; and to perform rescue missions. These capabilities will result in savings in the cost of space operations, while greatly enhancing the flexibility and productivity of the missions.

Although NASA has clearly indicated that the economic advantage of the STS is not the primary justification for the Shuttle program, extensive economic analyses have been made which demonstrate the dominant cost benefits of the STS compared with the competing alternative systems.

The comprehensive Shuttle economic study published in January 1974 showed savings of \$14 billion for a 725 flight mission model projected for the period 1980-1991.

The sensitivity analyses have shown that the economic superiority of the STS will be sustained over a wide range of assumptions including reduced flight rates, fewer payloads, that is, lower budgets and increased cost growth above current agency targets. For example, at a reduced flight rate of 25 per year, compared to 60 in the baseline model, the Shuttle remains a good investment with a 10-percent rate of return. Other variations have shown that even after sub-

stantially reduced payload quantities, for example, about 200 below the baseline model, the Shuttle savings are still greater than \$12 billion over the 1980-1991 time frame, also that the Shuttle development and investment cost could grow by about \$7.4 billion and still return 10 percent on the investment. Although the savings through use of the STS are largely in the payload area, significant reductions will also be realized in the costs of launching during the operational phase.

In a 1975 report following an analysis of more than 50 cost-benefit analyses conducted throughout civil agencies of the Federal Government, the GAO found the STS cost-benefit analysis was one of three studies which qualified as a legitimate cost-benefit study—GAO report B-115398, January 14, 1975, "Civil Agencies Make Limited Use of Cost-Benefit Analysis in Support of Budget Requests"—see page 6.

The Space Shuttle will make space operations less complex and less costly. The cost benefits can be primarily attributed to: First, major parts of the Shuttle system being reused rather than thrown away; second, lower launch costs; third, increased launch vehicle reliability; fourth, payloads having the capability of being supported in orbit, retrieved and reused; and fifth, the Shuttle launch environment and large cargo carrying capabilities permitting lower cost payload designs.

The Space Shuttle will extend man's ability to do useful work in space while contributing to the economy of space operations. The Shuttle will also encourage far greater participation in space flight. The Shuttle will be built and pressurized so that passengers, such as scientists, engineers and others, will be able to go into orbit to supervise and check on their space experiments.

By lowering the cost of space operations, the Shuttle will encourage not only our country but other nations to participate in space activities. The Space Shuttle will make launching payloads into Earth orbit a virtually routine event.

As you know the Spacelab is being developed by the European Space Agency for use with the Space Shuttle. The term "Spacelab" is applied to a unique Shuttle payload designed to enhance the capabilities of the Shuttle for conducting on-orbit research. The Spacelab is not an independent spacecraft but rather an extension of the Shuttle Orbiter itself. It is, in reality, a generic term that is applied to any of several system configurations which can be mounted in the Shuttle payload bay. In its most recognizable form the Spacelab consists of a pressurized module with tunnel access to the cabin area of the Shuttle. Here we can create a laboratory environment in which man can work in a shirtsleeve atmosphere. It will provide an extension of the experimenter's ground-based laboratories with the added qualities which only space flight can provide, such as a long-term gravity-free environment, a vantage point from which Earth can be viewed and examined as an entity, and a platform above the atmosphere from which the celestial sphere can be

studied. Much of the work which benefits from these latter two qualities requires that the instruments be exposed to the space vacuum for reasons of size, viewing angle, or to remove the requirement to view through optical windows. To accommodate these requirements, the Spacelab has an alternate palletized configuration where the instruments are controlled from the payload specialist's station within the cabin of the orbiter or remotely from the ground.

A third configuration of the Spacelab combining the features of the previous two configurations is available to experimenters consisting of a shortened pressurized volume with a shortened pallet. This configuration is advantageous when the complexity of the interface between the instruments and their controls is such that reliability and turnaround time can be improved by delivering and installing a completely integrated and checked-out payload together with its associated controls and data handling system. Additional flexibility is provided for by the modularity of both the pressure module and pallet elements in order to accommodate varying size requirements.

With the achievement of an operational Spacelab planned for the time the Shuttle becomes operational, we will have completed the transition from purely experimental flying to fully use-oriented flight missions. The sole purpose of the Mercury program was to test man's ability to survive and function in the space environment. Whatever scientific experimentation was carried had to be small and self-contained, was fitted into whatever space could be found and experienced the very lowest priority. The Gemini program still emphasized the extension of our knowledge of man's limitations while developing our flight capabilities. Experimentation was carried out but still was subordinate to other program objectives. The Apollo lunar program was the first mission-oriented manned program and was tremendously successful in its scientific and exploratory activity.

With the recently concluded Skylab effort, we experienced our first Earth-orbital manned program where a great deal of the mission was directed toward improving, or seeking means to further improve, life on Earth. The spectacular achievements from Skylab, increasing dramatically with each mission, give some indication of the frontiers of space utilization which can be conquered as a reusable space laboratory and transportation system come into being. Space will be available to a wide variety of users to seek out new benefits of the space environment or to develop and refine identified applications. Furthermore, because of the greatly increased opportunity for flight we are able to relax some of our past rather severe reliability requirements for experimental hardware. This relaxation of reliability standards for nonsafety related equipment contrasts with the previously costly testing program associated with our manned flights. The cost of each Apollo and Skylab launch made any significant experiment component or system failure un-

acceptable. Precluding this dictated the extensive quality control, testing, and qualifications programs which have become associated with space flight. Now with the recurring opportunities for flight in Shuttle-launched Spacelab missions, we can balance the cost of re-flight against such validation programs and conduct a much more cost effective space applications effort. In addition, the Spacelab module Earth-like atmosphere may make it possible to use lower cost ground-type hardware in both the experiment as well as in the subsystems of the Spacelab itself.

The Spacelab will be used as a space platform to perform investigations in disciplines which benefit from being above the Earth's atmosphere or from a zero-g environment. For example, short wavelength infrared and ultraviolet astronomy requires a space platform for observation since these stellar emissions are absorbed by the Earth's atmosphere. X-ray astronomy also owes its existence to the space age when X-ray detectors were put on satellites.

Many life science and biological functions are influenced by zero gravity, radiation, and circadian rhythms, factors which are inherent in the space flight environment. Materials science and technology will capitalize on the weightlessness experienced in zero-g and the vacuum of unlimited capability available in space to exploit the production and manipulation of mixtures that are not stable in normal gravity. Processes utilizing the enhanced control over heat and mass transfer that is made possible by the convectionless behavior of weightless fluids will also be investigated.

International involvement has come a long way in the past year from the standpoint of both the development of the Spacelab itself and the involvement in its utilization. The European Space Agency will furnish the first Spacelab flight unit and associated support equipment to the United States at no cost, whereas the United States will purchase additional units to meet mission needs. Mr. Roy Gibson, Director General, European Space Agency, appeared before the Subcommittee on Space Science and Applications and presented the status of the European Spacelab program. He reported a sound financial situation and strongly assured us of the commitment of Europe for the success of this program. Although the program is not without problems, I feel confident from the testimony that the European Space Agency will bring the program to a successful conclusion.

I would now like to focus my attention on other payloads which can be launched with the Space Shuttle. The Space Shuttle will have the capability to carry to Earth orbit payloads up to 15 feet in diameter and 60 feet long and weighing 65,000 lbs. Payloads up to 32,000 lbs. can be returned from orbit to Earth for refurbishment and reuse. In conjunction with an interim upper stage, to be developed by the Air Force, payloads can be placed in geosynchronous orbits or launched to deep space. With the exception of the Apollo lunar missions, the Space Shuttle, in conjunction with the

interim upper stage had it been available, would have been capable of launching any of the space missions which the United States has launched in the past 17 years.

The types of payloads that will be placed in geosynchronous orbit include communication satellites and payloads designed to repetitively view the same areas of the Earth in order to identify changes with time with emphasis on the atmospheric, oceanographic, and land-use monitoring. The monitoring capabilities of these payloads will support weather prediction, weather dangers and disaster warnings, fisheries resources management, maritime activities, mineral and land resources, agriculture, forestry and range resources, and environmental quality and control.

As a launcher of automated satellites the Shuttle can deliver spacecraft for all scientific and application disciplines including astronomy, solar physics, atmospheric and space physics, high-energy astrophysics, biological sciences, Earth observations, Earth and ocean physics, and space technology. The Large Space Telescope, for instance, is being designed for launch by the Shuttle and, after several years in orbit, can be recovered, returned to Earth, refurbished, and reused. This scenario will be followed by many other payloads.

In conclusion I would like to state that the Space Shuttle is the backbone of the space transportation system of the 1980's and is being designed to be compatible with the full range of anticipated payload requirements as they can be identified today. With a low cost transportation system a larger proportion of the dollars for the program will be devoted to payloads.

Mr. Chairman, the bill before us warrants the support of this entire body.

Mr. SYMINGTON. Mr. Chairman, I rise in support of the National Aeronautics and Space Administration authorization bill H.R. 12453 and I strongly urge my colleagues to join me in voting its passage. I have the privilege to serve as a member of the Subcommittee on Space and Science and Applications which has jurisdiction over the nonaeronautical NASA activities and I can therefore personally attest to the amount of effort that went into the preparation of this bill for your consideration today. I would like also to compliment the distinguished chairman of the subcommittee, Mr. Don Fuqua of Florida, and the capable ranking minority member, Mr. LARRY WINN of Kansas, for their exemplary leadership during the many weeks of intensive hearings.

This is a reasonable budget, not elaborate in its moneys for NASA, but one I feel that NASA can endure under the constrained economic conditions we are facing today. There are no frills nor fat in this budget, only moneys for essential ongoing programs and a few new starts as mentioned previously.

We can take pride in the many accomplishments of the NASA space program, not only in the spectacularly successful Apollo lunar landing program of the last decade and subsequent manned space program but also the many achievements of the diverse automated space programs.

In the last Congress, we had three subcommittees overseeing the NASA space programs. I had the pleasure of serving as chairman of the subcommittee responsible for authorizing the NASA space science and space applications programs. In these years of reviewing NASA programs I have developed a special appreciation for the outstanding accomplishments of NASA in these two areas.

Mr. Chairman, today I want to discuss some of NASA's space science programs. These programs are focused toward exploring the unknown. The urge to explore is a fundamental characteristic of humanity which includes the quest for and expansion of human knowledge.

At the outset I would like to discuss some of the factors which have been identified by the Space Science Board of the National Academy of Science and should be considered when judging the relative priorities of scientific experiments. These decisions in space science involve not only the comparison of substances as unlike as chalk and cheese but also of topics as diverse as photons and planets.

The achievement of balance and continuity must be a goal in our development of quality space science programs. Maintaining momentum in these programs is critical to their success. Science, even in its search of the unknown, is an ongoing enterprise. Results will never appear unless there are skilled and devoted people, adequate instruments, problems set by previous knowledge, and whole disciplines of study that are based on past results. Gaps of many years and peaks and valleys in programs waste a resource more precious than money: that is, the lives and careers of outstanding and experienced scientists. At the same time, this argument alone is not sufficient justification for the future of any mission. What we seek in space science, as with other scientific research, is to achieve a quantitative understanding of the physical processes governing our solar system. In fact, in space physics a quantitative understanding of the Earth's outer environment is within our reach.

The work of science is very much a battlefield, with nature as the tireless, and sometime, capricious adversary. Sometimes the state of knowledge has made a recent advance or breakthrough. It is then clear that such a field will be paid more attention. At other times we have, rather than new results, new instruments or techniques as the most promising avenue to follow such as the space telescope. Sometimes a finding gives us a glimpse at some quite new and unexpected problem—for example—the active magnetosphere of Jupiter, with its suggestion of pulsarlike behavior.

Mr. Chairman, I would like to now turn my attention away from the philosophical aspects and address some of the specific areas of the space science program.

PLANETARY EXPLORATION

One space science project with which we are all familiar is Viking. Last summer two Viking spacecraft were launched and are now more than half way into their 1-year voyage to Mars.

After each Viking spacecraft inserts into Martian orbit, the lander module will detach and execute a soft landing on Mars. The first of these two spacecraft is planned to land on Mars on July 4, 1976 the Bicentennial birthday of our country. There are a broad range of scientific experiments carried aboard each Viking spacecraft. Of special interest is the biology package, which will conduct several experiments using samples of the Martian soil, searching for evidence of low-level life on Mars.

The Viking program has been a bold, aggressive, and, perhaps, the most technically challenging program undertaken in our space program to date. This project represents man's most forward attempt to search for life on another planet in our solar system. Over 4,000 American people have been diligently working for 5 years toward the achievement of this noble goal. The Viking lander is an engineering marvel in which a geochemical laboratory, a meteorology station, an organic chemistry laboratory, a seismology station, a sophisticated biology laboratory, and an imaging station have been miniaturized to fit in a volume of just a few cubic feet.

Other significant planetary exploration programs are well underway. Funding is provided in this bill for continued development activity on the Mariner Jupiter/Saturn spacecraft to be launched in 1977 and the Pioneer Venus orbiter and atmospheric probes to be launched in 1978.

Pioneer-Venus is a two-spacecraft project scheduled to be launched in May and August of 1978. One spacecraft is an orbiter and the other contains probes which will be injected into the Venus atmosphere. This two-spacecraft project will collect data on Venus which will have profound significance with respect to one of the objectives of the NASA planetary program, namely, that of "determining the dynamic processes that shape Earth's environment by investigation of other bodies of the solar system."

The Pioneer-Venus project was initiated under authorizations and appropriations approved for fiscal year 1975. For 2 years before that, it had been regarded by NASA and all of their scientific advisers as the top priority next step in the exploration of the inner planets, but had been deferred because of budgetary constraints. The 1978 launch opportunity happens to be more favorable than future opportunities in 1980 and later years because Venus will be somewhat closer to the Earth at the 1978 opportunity. Therefore, less energy is required and the spacecraft has been designed to maximize the science return and take advantage of the economies possible with a lower energy mission.

Data from the several planetary and lunar exploration programs support a growing field of scientific activity called comparative planetology. Scientists tell us that by comparing the atmospheres, the gravity fields, the radiation belts, the surface conditions of the various planets, we are developing a better understanding of the complex physical processes that control our environment here on Earth. I support these postflight

data-analysis activities. I am pleased to report that this bill provides adequate funds for data analysis to insure that we obtain maximum return from the data collected by the successful flight programs.

Mr. Chairman, although I feel that NASA's lunar and planetary program is adequately funded in this bill, I must add some words of caution for future years. As a result there will inevitably be a gap in the lunar and planetary effort following the Pioneer-Venus missions.

Astronomy has received new impetus from data gathered by spacecraft. High energy ultraviolet and X-ray radiation do not penetrate our atmosphere and can not be observed on the Earth surface. With orbiting observatories, intense X-ray sources from outer space have been discovered. Some of the most intense radiation comes from directions in space that have no visible light. Astronomers have called these phenomena black holes. The theory is now that these are collapsed stars, packed so densely and with gravity so strong that light can not escape. However, the higher energy X-rays do escape into deep space and indeed reach Earth.

X-ray astronomy is an example of a pure science investigation whose future benefit to mankind is hard to forecast. Scientists tell us that the energy coming from a black hole is so intense, that it may be caused by an energy process more powerful than nuclear fusion. Perhaps someday in the future, understanding these processes in space may help solve our energy problems here on Earth.

To obtain much higher quality data on these outer space X-ray sources, NASA is developing the high energy astronomy observatories which will be launched in 1977, 1978, and 1979.

A necessary next step in astronomy is the development of a space telescope—ST. The Space Science Board of the National Academy of Science calls the space telescope the highest priority new start in space science. The space telescope will be one of the unique payloads placed into orbit and serviced by the Space Shuttle. A large telescope gathers more light or other radiation and hence can see much further into deep space. Also, above the distortion of the Earth's atmosphere, the resolution is much better. As a result, the space telescope will have the ability to see 6 to 10 times further into space with about 10 times better resolution than the best.

In conclusion, I would like to focus on NASA's upper atmospheric research program which has been created to develop a better understanding of the physical and chemical processes occurring in the upper atmosphere, with immediate emphasis on the stratosphere. The stratosphere is an almost cloudless and relatively quiescent region of Earth's atmosphere that is especially susceptible to contamination. The stratospheric physics and chemistry are extremely complex, and their study has become increasingly significant in view of the possible perturbing effects caused by natural and man-made activity. The NASA goal is to determine the normal composition of the upper atmosphere with emphasis on understanding the dynamic processes oc-

curing and perturbation resulting from both natural and man-caused events. The problems of upper atmospheric pollution are believed to be of such concern that immediate attention is being given to assessing the degree, cause, and effect of ozone reduction. This is a prime example where scientific expertise developed in the study of planetary and Earth atmospheric physics is being focused on a potential threat to all of mankind.

Mr. Chairman, the Space Act is charged with the responsibility of preserving the role of the United States as a leader in space science. I urge my colleagues to join me in supporting a strong space science and space program to assure the continuance of this leadership role.

Mr. HALL. Mr. Chairman, I rise in support of the National Aeronautics and Space Administration authorization bill H.R. 12453 and I strongly urge my colleagues to join me in voting its passage. I have the privilege of serving on both the Space Science and Applications Subcommittee and the Aviation and Transportation Research and Development Subcommittee; so I was in a position to observe both pieces of this bill move through the legislative process. I can attest to the thorough review that it received, starting with hearings last October.

As an educator and a member of the Committee on Science and Technology, I would like to spend a moment and tell you about a very exciting experimental program taking place right now.

On May 20, 1975, the application technology satellite, ATS-6, successfully completed its first year of operation. During this time, the satellite performed many unique and valuable experiments involving broadcast of high quality, color television programming to small, inexpensive ground receivers located in remote regions of this country. Some experiments involved the broadcasting of otherwise unavailable educational material and medical aid information to people in remote areas in Alaska, Appalachia, and the Rocky Mountain States. Also included were voice communications and position determination for ships and airplanes. In May, the ATS-6 was moved to 35°E, arriving on station July 1, 1975. Shortly after arriving on station over Africa, and prior to beginning the Indian satellite instruction television experiment—SITE—on August 1, 1975, the ATS-6 was the communications link that permitted live television coverage of the Apollo-Soyuz test project mission—ASTP—and the meeting in space of the Russian and American crews. The SITE experiment will run for 1 year and is being conducted by the Indian Government to provide instructional television to about 5,000 Indian villages.

Areas of instruction include family planning, health and hygiene, agriculture and other vocational information, child education and national development. Mr. Chairman, I am happy to report that the experiment has proceeded well with, generally, excellent performance by the Indian developed receiving sets and enthusiastic participation by the villages. Let me also say at this juncture that such a system as this promises to be

particularly valuable to developing countries with widely dispersed population and minimal established ground communications networks.

In August 1976, the ATS-6 will start its return to a position close to the United States to resume its experimental broadcasting in support of user applications. NASA is currently working with the user community in the United States to structure a follow-on experimental program in the areas of education, health care and social services using both the ATS-6 and the recently launched—January 17, 1976—cooperative Canadian/United States communications technology satellite—CTS—which will begin its experimental program in March 1976. This program is a cooperative effort with Canada, in which NASA provided an advanced, high powered communications transmitter, spacecraft testing and launch services in return for half-time use of the spacecraft. This program, Mr. Chairman, has the potential to provide even greater dramatic results than that of ATS-6 and I commend NASA for its initiative in this area.

A second area that I wish to touch on is NASA's relationship with the educational community. Universities are considered as partners with NASA and industry in the Nation's aerospace program. More than 430 universities in every State in the Union have participated in NASA's university research activities. Since 1959 NASA has spent nearly \$2 billion on university research.

NASA currently funds about 2,000 project-oriented research grants and contracts at 282 universities. Obligations to universities have remained relatively constant over the past few years. Of the grants and contracts awarded to universities each year, about 43 percent are for new projects. NASA's funding of university research falls mainly in the areas of physical sciences—40 percent; environmental sciences—23 percent; engineering—15 percent; life sciences—6 percent; and others—16 percent.

NASA depends heavily on universities, to provide experimenters for the preparation of experiments or analyses of data from balloon, sounding rocket, satellite, and deep space flights; analyzing lunar samples and other scientific and engineering endeavors.

Mr. Chairman, as the Space Shuttle program begins to mature into the test phase of the development program, it is most crucial to identify unforeseen problems that can often arise in such a complex undertaking. Both NASA and industry will be challenged by the requirements and commitments of the Space Shuttle program during the next year.

Close scrutiny of the program by the subcommittee will continue and is particularly important during this phase of the Space Shuttle development.

As we move toward the Shuttle era, the Spacelab development in Europe is progressing well and we are beginning to see the designs and development of hardware required for experiments in the areas of Space Science, Earth-oriented applications, and space technology that take full advantage of the unique capa-

bilities provided by the Space Shuttle and Spacelab.

Mr. Chairman, the rollout of the Space Shuttle Orbiter is planned for September of this year, leading to approach and landing tests at the Hugh L. Dryden Flight Research Center beginning in 1977. The second orbiter will fly the first manned orbital mission in 1979. I continue to be impressed with the effort by both NASA and industry and I think the program management of both should be commended for their efforts.

Mr. DOWNING of Virginia. Mr. Chairman, I fully support the Committee on Science and Technology upon which I have the pleasure to serve and recommend passage of H.R. 12453 which authorizes appropriations to NASA for fiscal year 1977.

The National Aeronautics and Space Administration stands today as one of the best examples of Government that works. Created in 1958 to pull together a wide range of fields and to accomplish a task set before it, it did just that.

The temptation is great to say that the task is over and we can now forget the whole thing since we went to the Moon and returned safely. The temptation is especially strong when we are facing severe budget constraints such as we face today. The temptation is to say "no" to space when we are facing down-to-earth problems of the magnitude and complexity of today.

But that is not the case. Our two futures, Space and Earth, are now intertwined. We use space for communications, to map and chart our lands, to study earthbound natural disasters, to prepare for them and to direct the clean-up after them.

We are now confronted with tasks as critical as seeing if that miracle of modern convenience, the aerosol can, is destroying the Earth's natural protective shield against harsh radiation. These are down-to-earth problems, but the answers lie up in space, and it is the National Aeronautics and Space Administration which has the duty to ferret out those answers.

In a different tone, throughout all history man has never been more magnificent than when he dared to "reach for the stars." This could be in daring to dream of helping the less fortunate, of daring to create a free society, of daring to question established beliefs, of daring to reach out and expand his knowledge of the universe.

It sounds melodramatic, but I think that as we consider where to spend our Federal budget, we should not forget the role of the dreamer and the reacher in the advancement of mankind—and we should not forget that NASA is an integral part of that dream.

And, along those same lines, I would dare to suggest that we might wish parts of the NASA budget had an even more generous slice. I am speaking here of portions which support space applications programs.

The objective of the space applications effort is to conduct research and development activities that demonstrate space-related technology which can be effectively applied and used in the civil sector. In no other area does the space

program technology spinoffs and benefits evidence itself more.

The research and development activities of the space applications area are grouped in the following general areas: Earth dynamics monitoring; Earth dynamics monitoring and forecasting; ocean condition monitoring and forecasting; environmental quality monitoring; weather and climate observation and forecasting; materials processing in space; space communication; information management; and finally, applications explorer missions. In each of these areas, programs are being conducted and planned to make substantive contributions to solving pressing national, as well as international, problems and needs. Allow me to take a moment, Mr. Chairman, and tell this body a little about these various areas:

EARTH RESOURCES DETECTION AND MONITORING

The effective utilization of the world's finite natural resources requires that their extent and accessibility be surveyed, their changes be monitored and that systems for wisely managing their exploration be developed. NASA has established two objectives in the Earth resources area in order to perform this mission: First, develop the capability for remotely sensing the Earth's resources from aircraft and spacecraft in order to perform global surveys and second, apply the results to oceanography, geology, hydrology, geography, and cartography. If NASA is successful, this technique would provide an information base that can be used in the management of the world's resources.

NASA's accomplishments to date have been outstanding in this area as evidenced by the Landsat 1 and 2—Earth resources technology satellite—programs. Landsat 1 has been in orbit for over 3 years, Landsat 2 was launched and complementing Landsat 1 and both are providing data to the various Government and private users as well as the institutional community in utilizing data for soil mapping application in mining and reclamation, water quality studies, and watershed monitoring and geological mapping. The demand for Earth resource satellite data is increasing every day and I solicit your support for the bold follow-on step the committee took in establishing a new line item in the bill to be known as Earth resources operational systems.

Mr. Chairman, the committee felt that the technology associated with Earth resources survey has been developed to the stage that the system should now enter an operational phase. Landsat-C, the third development satellite, more sophisticated than Landsat 1 and 2 has been chosen as the operational system satellite and all funds associated with this satellite—\$13,500,000 have been transferred to the new line item. There is an emerging commercial industry developing and we hope this action will stimulate even further user support for this system. In the meantime, while this operational system is growing, the committee expressed its desire that NASA continue research and development of better systems to enter the operational system program when developed. NASA is presently looking at some further advances such

as the thematic mapper satellite and the heat capacity mapping mission to further improve this whole field. I am continually impressed by NASA's initiative and strongly encourage its continuance.

OCEAN CONDITION MONITORING AND FORECASTING

This program provides a focus for the use of space platforms and related research efforts to acquire data on the dynamic qualities of the oceans. The SEASAT-A satellite, now under development, is a significant forward step in achieving this predictive capability to benefit ship routing, storm damage avoidance and coastal protection and development.

ENVIRONMENTAL QUALITY MONITORING

NASA is trying to develop and demonstrate a system capable of identifying and measuring pollutants in the air and water on a global basis as well as regional scales. Project SAGE—stratospheric aerosol and gas experiment—will fly a single instrument to detect and map stratospheric aerosols and gas concentrations.

WEATHER AND CLIMATE OBSERVATION AND FORECASTING

This effort is directed toward the application of satellite data to problems in detection, prediction, and early warning of severe storms and the improvement of our capability for mid-range—1-14 days—and long-range—climatic—weather prediction. NASA and NOAA are working very close in this area and are beginning to show dramatic results. The committee further emphasized its concern by adding another \$1,000,000 for research and development in this area.

MATERIALS PROCESSING IN SPACE

An exploitation of the unique characteristics of zero gravity to prepare and process materials in ways that are not possible or economically practical on Earth. Mr. Chairman, this area is being explored on an international level because of its potential and I feel confident that we will hear more and more about this exciting technology.

There are many many more facets of this area that have tremendous potential for helping the country solve some of its problems but I just do not have the time to cover them all. There is the potential search and rescue satellite system, the satellite solar power concepts plus others that may provide the answer we are seeking for problems in energy, rescue and communications.

Mr. Chairman, in conclusion let me say that I think this bill is somewhat austere but reasonable under the circumstances and I urge my colleagues to support it.

Mr. GOLDWATER. Mr. Chairman, I would like to lend my support to H.R. 12453, the NASA fiscal year 1977 authorization bill. My remarks are directed to an area of NASA effort which receives much less attention than is warranted by its national impact, that of aeronautical R. & D.

Dramatic evidence for the crucial role of aeronautical R. & D. was presented by NASA when they submitted their budget request to the full committee. The strong correlation between R. & D. spending and U.S. aircraft sales is unmistakably due to the strong partnership of NASA

with both the aircraft industry and DOD. The research and technology base that NASA provides for industry to advance technology as well as their critical support to DOD in development of high-performance aircraft are key in maintaining this country's ability to compete internationally. The importance of the NASA partnership with the aircraft engine and airframe manufacturers cannot be overestimated. My concern is that the agency program be maintained in a healthy state so that the aircraft industry does not go the way of the railroads. Many friends of aviation believe it is at a crossroads caught between its inability to raise capital and the urgent need to develop advanced technology to meet environmental constraints while conserving fuel.

I have been particularly interested in maintaining a strong relationship between NASA and the Air Force so that they can derive optimum mutual benefit from interagency programs. I realize that environmental constraints are not as pressing on the military systems but I think that DOD and NASA agree fuel conservation is a major goal for the next generation of aircraft.

Generally, this budget provides NASA with the resources needed to pursue research and technology for ultimate industry development of advanced conventional takeoff, short-haul and vertical lift as well as supersonic cruise and general aviation aircraft.

I would like to confine my remarks to some discussion of NASA's new starts in aeronautical R. & D. and two budget areas of my particular interest, aviation safety R. & T. and general aviation.

NASA has initiated development work in the stratospheric cruise emission reduction program. This 6-year effort is aimed at reducing the level of nitrogen oxides—NO_x—emitted by subsonic aircraft at cruise by a factor of 6 to 10 below the levels from present engines. As we know, there is a possible deleterious effect of NO_x on ozone levels by long-term, large-scale operations. Thus there is a need for clean combustor technology.

NASA will conduct this program in three phases, from gathering fundamental data on burning fuel efficiently at low fuel/air mixtures through component development to final evaluation of the best combustor concept in full-scale engine demonstration by 1981. I believe this budget contains adequate funding for initiating this important program to assure development of fuel-efficient aircraft engines meeting tighter environmental constraints.

The other NASA new start is in the critical area of construction of facilities to meet the research needs of NASA and the development needs of DOD. The national transonic facility—NTF—is an aerodynamic configuration testing facility which will simulate Mach number and Reynolds number particularly in the regime for Mach 0.9 to 1.2. No adequate theory has been developed for treating aerodynamic flows in this transonic speed range. Thus it is necessary to conduct model tests to predict important variations of drag coefficient with lift, the nature of shock boundary layer interactions, and to design airfoils and con-

figurations which minimize drag. There has been a lack of significant investment in aeronautical facilities since the fifties and the funding for the NTF is the first step in a movement to correct this trend. In order to compete in civil aircraft sales against foreign government/industry consortiums we must make this critical investment for testing of advanced technology aerodynamic systems. I have no doubt that the Nation will reap a harvest of benefits from this facility.

The overall objective of aircraft operations and safety is to provide basic research and technology which can be widely used to solve aeronautical safety problems. NASA is proceeding on three principal fronts in this work and I trust that the FAA will maintain close liaison with them in all these areas so the technology advances are implemented in both the commercial and general aviation sectors.

In the basic area, NASA is improving our understanding of atmospheric behavior—for example wind shear—as it affects aircraft operations so that designers, operators, and forecasters can use the information.

In aircraft safety technology, research is aimed at a technology base for reducing chance of accident and minimizing fatalities and damage. This effort includes inflight and postcrash fire prevention and protection and lightning strike hazard reductions as well as fire-resistant materials investigations. "Safety" fuel investigations are beginning and Laser-Doppler systems are being studied for wind-shear measurements and inflight turbulence detection. One cannot overestimate the importance of these studies which are directed at assuring safe operations of all civilian aircraft.

In improving operational efficiencies, new tire tread materials are being evaluated and landing simulations will be refined to investigate hazardous control problems.

I am pleased to say there is some increase of funding for safety R. & T. in fiscal year 1977 but with continuing inflation NASA must allocate its resources carefully in this area.

Finally, I want to point out to my colleagues the healthy increase in the interaction of NASA with the general aviation sector. I have long felt that the direct mechanisms for making NASA's advances available to this aviation community were just not available. After strong urging by myself and my colleagues on the Aviation Subcommittee, NASA established a General Aviation Office to serve as a focal point for interacting with that community. The response of private aviation to the activity of this office has been very positive and has served to whet their appetites for a continuing infusion of advanced technology, particularly in airfoil design. I think it is encouraging that general aviation is also receiving attention in the vital area of engine development. The quiet clean gas turbine—QCGAT—engine for business aircraft will take advantage of the technology advancements made in fuel conservation and emissions control for large high-bypass ratio engines. I trust this activity will lead eventually to low-cost advanced

technology gas turbine engines to replace the piston fleet.

Mr. Chairman, the increase in NASA's aeronautical R. & D. budget over fiscal year 1976 is barely enough to cover inflation but I am confident they will make the best use of these resources. I trust my colleagues will agree that this authorization request is responsible and the work is vital to the Nation.

Mr. BROWN of California. Mr. Chairman, I rise in support of H.R. 12453, the National Aeronautics and Space Administration Authorization Act of 1977. I do not need to elaborate on the details of this bill, since this has already been done by my colleagues on the Committee on Science and Technology. There are some aspects of this bill that I do wish to highlight, primarily because of my special interest in these subjects.

Perhaps I should start by pointing out that over the years we have seen an evolutionary process at work in NASA, and its predecessor agency. Today, we emphasize what role NASA can and does play on Earth, rather than what it can, and hopefully will do in the air and in space. An example of this concern is the committee recommendation for \$8,400,000 to be spent for technology utilization. This has been a matter of special concern to the committee, which wishes to see the vast knowledge and resource base of NASA more fully applied to the public and private sectors.

An example of this resource base is that of transportation systems. NASA has excellent skills in this regard, and such various technologies as lighter than air systems, mass transit systems and automobile engines could benefit from the skills that NASA has developed.

The committee has taken two initiatives in this regard. First, it has recommended that NASA do further work on lighter than air systems. This subject has been of special interest to me, and I am pleased to note its inclusion on page 15 of the committee report—No. 94-897.

Second, the committee has adopted a change in the NASA charter which, in effect, recognizes the skills, ability, willingness and reality of NASA's involvement in doing research on ground propulsion systems. This amendment is quite simple. It states:

The Congress declares that the general welfare of the United States requires that the unique competence in scientific and engineering systems of the National Aeronautics and Space Administration also shall be directed toward ground propulsion systems research and development.

This change, as I have stated above, represents the reality of NASA's role. It has been an evolutionary change, and it is a subject that has received careful consideration by the Committee on Science and Technology. In 1973 legislation to change NASA's charter was introduced by myself, and was cosponsored by over 100 Members in the 93d Congress. In 1974, the Subcommittee on Space Science and Applications, which was then chaired by my good friend and colleague, Mr. JAMES SYMINGTON, held extensive hearings on the need for further research and development for ground propulsion systems, and the role of NASA in that research. While the administration then

stated that this amendment was unnecessary, they did not oppose NASA's involvement in this subject.

The committee is fully aware of the DOT and ERDA roles in this area. In fact, DOT and ERDA are already using NASA for support. Therefore, this amendment puts into law what is already in practice.

I commend the chairman for bringing this bill to the floor.

Mr. DOWNEY of New York. Mr. Chairman, in this our Nation's Bicentennial Year, it is fitting that we remember how we have grown from a Nation dependent upon Europe for our machinery and technology, to a position of technological preeminence that is the envy of the world. Clearly, the pioneering characterized by our space program is one of the very best demonstrations of how we attained this preeminence.

Looking toward our Nation's future, it is apparent that we cannot rest if we are to maintain our leadership in this field. Many foreign countries recognize the importance of maintaining a healthy climate for technological innovation and have taken positive steps to encourage the innovative process. Today, we have before us a bill, H.R. 12454, the national aeronautics and space administration fiscal year 1977 authorization which, I believe, is important if we are to continue to reap the benefits that the space program and its generation of new technology has given us in the past.

We must remember that the pursuit of space goals generates innovations in virtually all fields of science and technology and helps stimulate progress in areas not even remotely connected to the original programs. Economists have estimated that these secondary benefits will return \$7 billion to the economy in a 14- to 20-year period—about twice the authorization we are considering today. Similarly, each new dollar invested annually on space research will return \$23 over the next 10 years.

Moreover, 30,000 people in 47 States will be at work on the Space Shuttle by June of this year, in addition to those already directly employed by NASA. Yet direct jobs are only a small part of job-making and inflation-reducing payoff of space research. Spending on space must be distinguished from investing in space. A society can spend on building pyramids just to create jobs, investing in space will create whole new industries.

H.R. 12454 is an important measure. It will provide for \$2.7 billion in space research and development for programs ranging from the Space Shuttle and space operations to comparative life sciences and environmental monitoring systems. Additionally, this authorization will provide \$8.4 million for the NASA technology utilization program designed to encourage the application and use of aerospace-developed technology in the Nation's industrial and public sector communities.

But of even greater importance is the fact that space is the final frontier. In this, our Nation's 200th year, I can think of no better way to rededicate ourselves to the pioneer spirit that helped to build this great Nation than to vote a quick passage of this bill before us today.

Mr. WINN. Mr. Chairman, I have no further requests for time.

Mr. FUQUA. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

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 there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

(a) For "Research and development", for the following programs:

- (1) Space Shuttle, \$1,288,100,000;
- (2) Space flight operation, \$198,200,000;
- (3) Expendable launch vehicles, \$151,400,000;
- (4) Physics and astronomy, \$169,800,000;
- (5) Lunar and planetary exploration, \$193,100,000;
- (6) Life sciences, \$22,125,000;
- (7) Space applications, \$185,700,000;
- (8) Earth resources operational systems, \$13,500,000;
- (9) Aeronautical research and technology, \$192,100,000;
- (10) Space research and technology, \$92,100,000;
- (11) Tracking and data acquisition, \$254,000,000;
- (12) Technology utilization, \$8,400,000.

(b) For "Construction of facilities", including land acquisition, as follows:

- (1) Modification for high enthalpy entry facility, Ames Research Center, \$1,220,000;
- (2) Modification of flight simulator for advanced aircraft, Ames Research Center, \$1,730,000;
- (3) Construction of supply support facility, Ames Research Center, \$1,540,000;
- (4) Construction of addition to flight control facility, Hugh L. Dryden Flight Research Center, \$750,000;
- (5) Construction of airlock to spin test facility, John F. Kennedy Space Center, \$360,000;
- (6) Modifications for utility control system, John F. Kennedy Space Center, \$2,445,000;
- (7) Construction of addition for aerodynamic model laboratory, Langley Research Center, \$730,000;
- (8) Construction of data reduction center annex, Langley Research Center, \$2,970,000;
- (9) Construction of refuse-fired steam generating facility, Langley Research Center, \$2,485,000;
- (10) Modification of refrigeration system, electric propulsion laboratory, Lewis Research Center, \$680,000;
- (11) Rehabilitation of combustion air drying system, engine research building, Lewis Research Center, \$1,490,000;
- (12) Large aeronautical facility: construction of national transonic facility, Langley Research Center, \$25,000,000;
- (13) Space Shuttle facilities at various locations as follows:

- (A) Construction of Orbiter processing facility, John F. Kennedy Space Center, \$3,750,000;
- (B) Modifications to launch complex 39, John F. Kennedy Space Center, \$17,855,000;
- (C) Modifications for solid rocket booster processing facilities, John F. Kennedy Space Center, \$8,700,000;
- (D) Construction of Shuttle/Carrier aircraft mating facility, John F. Kennedy Space Center, \$1,700,000;
- (E) Rehabilitation and modification of Shuttle facilities, at various locations, \$1,760,000;
- (F) Modification of manufacturing and final assembly facilities for external tanks, Michoud Assembly Facility, \$1,930,000;
- (14) Space Shuttle payload facilities at various locations as follows:

(A) Modifications to operations and check-out building for Spacelab, John F. Kennedy Space Center, \$3,570,000;

(B) Modifications and addition for Shuttle payload development, Goddard Space Flight Center, \$770,000;

(15) Rehabilitation and modification of facilities at various locations, not in excess of \$500,000 per project, \$17,875,000;

(16) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$250,000 per project, \$5,125,000;

(17) Facility planning and design not otherwise provided for, \$12,655,000;

(c) For "Research and program management", \$810,455,000, and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement or other employee benefits authorized by law.

(d) Notwithstanding the provisions of subsection 1(g), appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required at locations other than installations of the Administration for the performance of research and development contracts, and (2) for grants to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used in accordance with this subsection for the construction of any major facility, the estimated cost of which, including collateral equipment, exceeds \$250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Technology of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Research and program management" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed \$35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) Of the funds appropriated pursuant to subsections 1(a) and 1(c), not in excess of \$25,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and not in excess of \$50,000 for each project, including collateral equipment, may be used for rehabilitation or modification of facilities: *Provided*, That of the funds appropriated pursuant to subsection 1(a), not in excess of \$250,000 for each project, including collateral equipment, may be used for any of the foregoing for unforeseen programmatic needs.

Sec. 2. Authorization is hereby granted whereby any of the amounts prescribed in

paragraphs (1) through (16), inclusive, of subsection 1(b)—

(1) in the discretion of the Administrator or his designee, may be varied upward 10 per centum, or

(2) following a report by the Administrator or his designee to the Committee on Science and Technology of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate on the circumstances of such action, may be varied upward 25 per centum,

to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

Sec. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with \$10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (17) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b) if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Technology of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Technology or the Senate Committee on Aeronautical and Space Sciences,

(2) no amounts appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee.

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of

such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 5. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

Sec. 6. The National Aeronautics and Space Administration is authorized, when so provided in an appropriation Act, to enter into a contract for tracking and data relay satellite services. Such services shall be furnished to the National Aeronautics and Space Administration in accordance with applicable authorization and appropriations Acts. The Government shall incur no costs under such contract prior to the furnishing of such services except that the contract may provide for the payment for contingent liability of the Government which may accrue in the event the Government should decide for its convenience to terminate the contract before the end of the period of the contract. Facilities which may be required in the performance of the contract may be constructed on Government-owned lands if there is included in the contract a provision under which the Government may acquire title to the facilities, under terms and conditions agreed upon in the contract, upon termination of the contract.

The Administrator shall in January of each year report to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives and the Committee on Aeronautical and Space Sciences and the Committee on Appropriations of the Senate the projected aggregate contingent liability of the Government under termination provisions of any contract authorized in this section through the next fiscal year. The authority of the National Aeronautics and Space Administration to enter into and to maintain the contract authorized hereunder shall remain in effect as long as provision therefor is included in Acts authorizing appropriations to the National Aeronautics and Space Administration for subsequent fiscal years.

Sec. 7. Paragraph (15) of section 5316, title 5, United States Code, is amended by striking out "(6)" and inserting in lieu thereof "(7)".

Sec. 8. Section 6 of the National Aeronautics and Space Administration Authorization Act, 1968 (81 Stat. 170), is amended by striking out the words "the rate of \$100" and inserting in lieu thereof the words "a rate not to exceed the per diem rate equivalent to the rate for GS-18".

Sec. 9. (a) The Congress hereby finds and declares that—

(1) for the economic progress of the United States and for national security, it is essential that the United States preserve its role as a world leader in aeronautics;

(2) the facilities for the solution of research, development, and evaluation problems in aeronautics which were constructed pursuant to the Unitary Wind Tunnel Plan Act of 1949 (63 Stat. 936) contributed significantly to past advances in aeronautics, but those facilities are no longer adequate to prove future aeronautical designs by pre-flight analyses; and

(3) there is an urgent need for this Nation to construct major new aeronautical test facilities and to upgrade and modernize existing aeronautical test facilities to test future aeronautical designs which will reduce fuel consumption and provide greater efficiency and safety.

(b) It is, therefore, the sense of the Congress that—

(1) the National Aeronautics and Space Administration should take all necessary and

appropriate steps to expedite the construction of the national transonic facility, Langley Research Center, authorized under paragraph (12) of subsection 1(b) of this Act;

(2) as soon as practicable, but no later than the time of submission of the Budget of the United States Government, 1978, to the Congress, the National Aeronautics and Space Administration should submit a detailed project plan and budget estimates for the first increment of work necessary for the modification of the forty-by-eighty-foot subsonic wind tunnel, Ames Research Center, as authorized under paragraph (4) of subsection 1(b) of Public Law 94-39; and

(3) the National Aeronautics and Space Administration, in conjunction with the Department of Defense and other agencies, as appropriate, should continue (A) to take effective steps to insure that all national aeronautical test facilities are available to industry in connection with the development of new civilian and military aircraft, and (B) to study and report to the Congress from time to time on the adequacy of national aeronautical test facilities to meet changes in national requirements and programs.

Sec. 10. (a) Section 102 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451) is amended by redesignating subsection (d) as subsection (e), and by inserting immediately after subsection (c) the following new subsection:

"(d) The Congress declares that the general welfare of the United States requires that the unique competence in scientific and engineering systems of the National Aeronautics and Space Administration also shall be directed toward ground propulsion systems research and development."

(b) The subsection of section 102 of such Act redesignated as subsection (e) by subsection (a) of this section is amended by striking out "and (c)" and inserting in lieu thereof "(c), and (d)".

Sec. 11. Section 103 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2452) is amended by striking out "and" at the end of the paragraph (1), by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and by adding after paragraph (2) the following new paragraph:

"(3) the term 'ground propulsion system' means the engine, transmission, or drive, and associated controls, necessary to power automobiles, trucks, trains, buses, and selected light marine vehicles."

Sec. 12. This Act may be cited as the "National Aeronautics and Space Administration authorization Act, 1977".

Mr. FUGUA (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. Are there any amendments to the bill? If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. McFALL) having assumed the chair, Mr. McKAY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 12453) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, pursuant to House Resolution 1094, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WYDLER. 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.

The vote was taken by electronic device, and there were—yeas 330, nays 35, not voting 67, as follows:

[Roll No. 121]

YEAS—330

Abdnor	Derrick	Howard
Adams	Derwinski	Howe
Alexander	Devine	Hubbard
Allen	Dickinson	Hungate
Ambro	Diggs	Hyde
Anderson, Ill.	Dingell	Ichord
Andrews, N.C.	Dodd	Jarman
Annunzio	Downey, N.Y.	Jeffords
Archer	Downing, Va.	Jenrette
Ashbrook	Drinan	Johnson, Calif.
Ashley	Duncan, Tenn.	Johnson, Colo.
Aspin	Edwards, Ala.	Johnson, Pa.
Bafalis	Edwards, Calif.	Jones, Ala.
Baldus	Ellberg	Jones, N.C.
Baucus	Emery	Jones, Okla.
Bauman	English	Jones, Tenn.
Beard, R.I.	Erlenborn	Jordan
Beard, Tenn.	Eshleman	Karath
Bennett	Evans, Colo.	Kastenmeyer
Bergland	Evans, Ind.	Kazen
Bingham	Fary	Kelly
Blanchard	Fascell	Kemp
Blouin	Fenwick	Ketchum
Boland	Fish	Kinness
Bonker	Fisher	Koch
Brademas	Flithian	Krebs
Breaux	Flood	Krueger
Breckinridge	Flynt	LaFalce
Brinkley	Foley	Lagomarsino
Brodhead	Ford, Tenn.	Leggett
Brooks	Forsythe	Lent
Broomfield	Fountain	Levitas
Brown, Calif.	Fraser	Litton
Brown, Mich.	Frenzel	Lloyd, Calif.
Brown, Ohio	Frey	Lloyd, Tenn.
Broyhill	Fuqua	Long, La.
Buchanan	Gaydos	Long, Md.
Burgener	Glaime	Lott
Burke, Fla.	Gibbons	Lujan
Burke, Mass.	Gilman	Lundine
Burleson, Tex.	Ginn	McClary
Burlison, Mo.	Goldwater	McCormack
Burton, Phillip	Gonzalez	McDade
Butler	Goodling	McDonald
Byron	Gradison	McEwen
Carney	Grassley	McFall
Carter	Green	McHugh
Cederberg	Gude	McKay
Chappell	Hagedorn	McKinney
Chisholm	Haley	Madden
Clancy	Hall	Madigan
Clausen	Hamilton	Mahon
Don H.	Hammer-	Mann
Clawson, Del	schmidt	Martin
Clay	Hanley	Mathis
Cleveland	Hannaford	Matsunaga
Cochran	Hansen	Mazzoli
Cohen	Harkin	Meicher
Collins, Ill.	Harris	Metcalfe
Conable	Hawkins	Mezvinisky
Conte	Hays, Ohio	Milford
Corman	Hébert	Miller, Calif.
Cotter	Hechler, W. Va.	Mills
Coughlin	Heckler, Mass.	Mineta
D'Amours	Hefner	Mink
Daniel, Dan	Helstoski	Mitchell, Md.
Daniel, R. W.	Henderson	Mitchell, N.Y.
Daniels, N.J.	Hicks	Moakley
Danielson	Hightower	Moffett
Davis	Hillis	Mollohan
Delaney	Holt	Montgomery
Dent	Horton	Moore

Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nowak
Oberstar
O'Brien
O'Neill
Ottinger
Passman
Patten, N.J.
Patterson, Calif.
Pattinson, N.Y.
Perkins
Pettis
Pickle
Pike
Poage
Pressler
Preyer
Price
Pritchard
Quile
Rallsback
Rangel
Rees
Regula
Reuss

Rhodes
Richmond
Rinaldo
Risenhoover
Roberts
Robinson
Roe
Rogers
Roncallo
Rooney
Rose
Rosenthal
Roush
Roussetot
Runnels
Ruppe
St Germain
Santini
Sarasin
Satterfield
Scheuer
Schneebeli
Schroeder
Schulze
Sebelius
Sharp
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Solaz
Spellman
Spence
Staggers
Stanton
J. William Steed

Steiger, Ariz.
Stokes
Stratton
Sullivan
Talcott
Taylor, N.C.
Thompson
Thone
Thornton
Traxler
Treen
Tsongas
Ullman
Vander Jagt
Vander Veen
Vanik
Waggonner
Walsh
Wampler
Whalen
Whitehurst
Whitten
Wiggins
Wilson, C. H.
Wilson, Tex.
Winn
Wirth
Wolff
Wright
Wylder
Wylie
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki

NAYS—35

AuCoin
Bedell
Burton, John
Carr
Cornell
Crane
Dellums
Early
Edgar
Findley
Florino
Harrington

Holtzman
Hughes
Hutchinson
Jacobs
Keys
Latta
Lehman
Maguire
Meyner
Mikva
Miller, Ohio
Minish

Obey
Roybal
Russo
Ryan
Seiberling
Simon
Stark
Studds
Symms
Weaver
Yates

NOT VOTING—67

Abzug
Addabbo
Anderson, Calif.
Andrews, N. Dak.
Armstrong
Badillo
Barrett
Bell
Bevill
Biaggi
Biestler
Boggs
Bolling
Bowen
Burke, Calif.
Collins, Tex.
Conlan
Conyers
de la Garza
Duncan, Oreg.
du Pont
Eckhardt

Esch
Evins, Tenn.
Flowers
Ford, Mich.
Guyer
Harsha
Hayes, Ind.
Heinz
Hinshaw
Holland
Kasten
Landrum
McCloskey
McCollister
Macdonald
Meeds
Michel
Nix
Nolan
O'Hara
Pepper
Peyser
Quillen
Randall

Riegle
Rodino
Rostenkowski
Sarbanes
Shuster
Sikes
Stanton
James V. Steelman
Steiger, Wis.
Stephens
Stuckey
Symington
Taylor, Mo.
Teague
Udall
Van Deerlin
Vigorito
Waxman
White
Wilson, Bob
Zerfetti

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo for, with Mr. Conyers against.
Mr. Zeferetti for, with Ms. Abzug against.

Until further notice:

Mr. Nix with Mr. Andrews of North Dakota.
Mr. Sikes with Mr. Heinz.
Mr. Rostenkowski with Mr. Guyer.
Mr. Rodino with Mr. Riegle.
Mrs. Boggs with Mr. Shuster.
Mr. Biaggi with Mr. Bell.
Mr. Badillo with Mr. Bob Wilson.
Mr. Macdonald of Massachusetts with Mr. Harsha.
Mr. Pepper with Mr. McCloskey.
Mr. Teague with Mr. du Pont.
Mr. Barrett with Mr. Conlan.
Mr. Flowers with Mr. Esch.

Mr. Ford of Michigan with Mr. Quillen.
Mr. Hayes of Indiana with Mr. Michel.
Mr. Sarbanes with Mr. Randall.
Mr. Symington with Mr. Taylor of Missouri.
Mr. Waxman with Mr. Steiger of Wisconsin.
Mr. Vigorito with Mr. Kasten.
Mr. O'Hara with Mr. Landrum.
Mr. Meeds with Mr. McCollister.
Mrs. Burke of California with Mr. Biester.
Mr. Duncan of Oregon with Mr. Armstrong.
Mr. Anderson of California with Mr. Bowen.
Mr. Bevill with Mr. Collins of Texas.
Mr. Holland with Mr. de la Garza.
Mr. Nolan with Mr. Evins of Tennessee.
Mr. Udall with Mr. Eckhardt.
Mr. White with Mr. Stephens.
Mr. James V. Stanton with Mr. Steelman.
Mr. Van Deerlin with Mr. Peyser.

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Roddy, one of his secretaries.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 10624, REVISING CHAPTER IX OF THE BANKRUPTCY ACT

Mr. DRINAN. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file the conference report on the bill (H.R. 10624) to revise chapter IX of the Bankruptcy Act.

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

There was no objection.

CONFERENCE REPORT (H. REPT. NO. 94-938)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10624) to revise chapter IX of the Bankruptcy Act, having met, after full and free conference, have been unable to agree.

DON EDWARDS,
JOHN SEIBERLING,
ROBERT F. DRINAN,
HERMAN BADILLO,
CHRISTOPHER J. DODD,
CALDWELL BUTLER,
THOMAS N. KINDNESS,

Managers on the Part of the House.

QUENTIN N. BURDICK,
PHILIP A. HART,
JIM ABUREZK,
ROMAN L. HRUSKA,
HIRAM L. FONG,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10624) to revise chapter IX of the Bankruptcy Act, report that the conferees have been unable to agree.

The House bill and the Senate amendments make access to the court of bankruptcy by a municipality that is unable to pay its debts as they mature virtually limitless. The managers have concluded that access to the

court of bankruptcy should be limited, by requiring a distressed municipality to meet one of four conditions before it may petition a court of bankruptcy for relief. This requirement is discussed in the analysis of section 84, *infra*. However, addition of this provision is beyond the authority of the managers on the part of the House and the Senate, because it is not within the scope of the matters committed to conference.

On all other matters, the managers on the part of the House and the Senate have agreed. The substance of the agreement is contained in a draft of House amendments to the Senate amendments, set forth in full below. The managers on the part of the House will offer a motion to agree to the amendments of the Senate with these amendments. The motion will be: That the House agrees to the amendments of the Senate to the bill (H.R. 10624) entitled "An Act to revise chapter IX of the Bankruptcy Act," with the following House amendments to Senate amendments:

In lieu of the matter proposed to be inserted by the Senate engrossed amendment to the text of the bill insert: That chapter IX of the Bankruptcy Act is amended to read as follows:

"CHAPTER IX

"ADJUSTMENT OF DEBTS OF POLITICAL SUBDIVISIONS AND PUBLIC AGENCIES AND INSTRUMENTALITIES

"SEC. 81. CHAPTER IX DEFINITIONS.—As used in this chapter the term—

"(1) 'claim' includes all claims of whatever character against the petitioner or the property of the petitioner, whether or not such claims are provable under section 63 of this Act and whether secured or unsecured, liquidated or unliquidated as to amount, fixed or contingent;

"(2) 'court' means court of bankruptcy in which the case is pending, or a judge of such court;

"(3) 'creditor' means holder (including the United States, a State, or political subdivision or public agency or instrumentality of a State) of a claim against the petitioner;

"(4) 'claim affected by the plan' means claim as to which the rights of its holder are proposed to be materially and adversely adjusted or modified by the plan;

"(5) 'debt' means claim allowable under section 88(a);

"(6) 'lien' means security interest in property, lien obtained on property by levy, sequestration, or other legal or equitable process, statutory or common law lien on property, or any other variety of charge against property to secure the performance of an obligation;

"(7) 'person' includes a corporation or a partnership, the United States, the several States, and political subdivisions and public agencies and instrumentalities of the several States;

"(8) 'petitioner' means agency, instrumentality, or subdivision which has filed a petition under this chapter;

"(9) 'plan' means plan filed under section 90;

"(10) 'special tax payer' means record owner or holder of title, legal or equitable, to real estate against which has been levied a special assessment or special tax the proceeds of which are the sole source of payment of obligations issued by the petitioner to defray the costs of local improvements; and

"(11) 'special tax payer affected by the plan' means special tax payer with respect to whose real estate the plan proposes to increase the proportion of special assessments or special taxes referred to in paragraph (10) of this section assessed against that real estate.

"SEC. 82. JURISDICTION AND POWERS OF COURT.—

"(a) JURISDICTION.—The court in which a petition is filed under this chapter shall exercise exclusive original jurisdiction for the adjustment of the petitioner's debts, and for the purposes of this chapter, shall have exclusive jurisdiction of the petitioner and its property, wherever located.

"(b) POWERS.—After the filing of a petition under this chapter the court may—

"(1) permit the petitioner to reject executory contracts and unexpired leases of the petitioner, after hearing on notice to the parties to such contracts leases and to such other parties in interest as the court may designate;

"(2) during the pendency of a case under this chapter, or after the confirmation of the plan if the court has retained jurisdiction under section 96(e), after hearing on such notice as the court may prescribe and cause shown, permit the issuance of certificates of indebtedness for such consideration as is approved by the court, upon such terms and conditions, and with such security and priority in payment over existing obligations, secured or unsecured, and over costs and expenses of administration, not including operating expenses of the petitioner, as in the particular case may be equitable; and

"(3) exercise such other powers as are not inconsistent with the provisions of this chapter.

"(c) LIMITATION.—Unless the petitioner consents or the plan so provides, the court shall not, by any stay, order or decree, in the case or otherwise, interfere with—

"(1) any of the political or governmental powers of the petitioner;

"(2) any of the property or revenues of the petitioner; or

"(3) the petitioner's use or enjoyment of any income-producing property.

"(d) DESIGNATION OF JUDGE.—After the filing of a petition, the chief judge of the court in the district in which the petition is filed shall immediately notify the chief judge of the circuit court of appeals of the circuit in which the district court is located, who shall designate the judge of the district court to conduct the proceedings under this chapter.

"SEC. 83. RESERVATION OF STATE POWER TO CONTROL GOVERNMENTAL FUNCTIONS OF POLITICAL SUBDIVISIONS.—Nothing contained in this chapter shall be construed to limit or impair the power of any State to control, by legislation or otherwise, any municipality or any political subdivision of or in such State in the exercise of its political or governmental powers, including expenditures therefor: *Provided, however,* That no State law prescribing a method of composition of indebtedness of such agencies shall be binding upon any creditor who does not consent to such composition, and no judgment shall be entered under such State law which would bind a creditor to such composition without his consent.

"SEC. 84. ELIGIBILITY FOR RELIEF.—Any State's political subdivision or public agency or instrumentality, which is generally authorized to file a petition under this chapter by the legislature, or by a governmental officer or organization empowered by State law to authorize the filing of a petition, is eligible for relief under this chapter if it is insolvent or unable to meet its debts as they mature, and desires to effect a plan to adjust its debts. An entity is not eligible for relief under this chapter unless—

"(1) it has successfully negotiated a plan of adjustment of its debts with creditors holding at least a majority in amount of the claims of each class which are claims affected by that plan;

"(2) it has negotiated in good faith with its creditors and has failed to obtain, with respect to a plan of adjustment of its debts, the agreement of creditors holding at least a majority in amount of the claims of each class which are claims affected by that plan;

"(3) such negotiation is impracticable; or

"(4) it has a reasonable fear that a creditor may attempt to obtain a preference.

"SEC. 85. PETITION AND PROCEEDINGS RELATING TO PETITION.—

"(a) PETITION.—An entity eligible under section 84 may file a petition for relief under this chapter. In the case of an unincorporated tax or special assessment district having no officials of its own, the petition may be filed by its governing authority or the board or body having authority to levy taxes or assessments to meet the obligations of the district. Any party in interest may file an answer to the petition with the court, not later than 15 days after the publication of notice required by subsection (d) is completed, objecting to the filing of the petition. Upon the filing of such an answer, the court may dismiss the petition after hearing on notice if the petitioner did not file the petition in good faith, or if the petition does not meet the requirements of this chapter. The court shall not, on account of an appeal from a finding of jurisdiction, delay any proceeding under this chapter in the case in which the appeal is being taken; nor shall any court order a stay of such proceeding pending such appeal. The reversal on appeal of a finding of jurisdiction shall not affect the validity of any certificate of indebtedness authorized by the court and issued in such case.

"(b) LIST.—The petitioner shall file with the court a list of the petitioner's creditors, insofar as practicable. The list shall include for each known creditor, to the extent practicable, the name of the creditor, the address of the creditor so far as known to the petitioner, and a description of any claim of the creditor, showing the amount and character of the claim, the nature of any security for the claim, and whether the claim is disputed, contingent or unliquidated as to amount. If an identification of any of the petitioner's creditors is impracticable, the petitioner shall state the reason such identification is impracticable and the character of the claims of the creditors involved. The petitioner shall supplement the list as creditors who were unknown or unidentified at the time the list was filed become known or identified to the petitioner. If the list is not filed with the petition, the petitioner shall file the list at such later time as the court, upon its own motion or upon application of the petitioner, sets.

"(c) VENUE AND FEES.—The petition and any accompanying papers, together with a filing fee of \$100, shall be filed with a court in a district in which the petitioner is located.

"(d) NOTICE.—The petitioner or such other person as the court designates shall give notice of the filing or dismissal of the petition to the State in which the petitioner is located, to the Securities and Exchange Commission, and to creditors included in the list of creditors required by subsection (b) or in any supplement to that list. The notice shall also state that a creditor who files with the court a request, setting forth that creditor's name and address and the nature and amount of that creditor's claim, shall be given notice of any other matter in which that creditor has a direct and substantial interest. The notice required by the first sentence of this subsection shall be published at least once a week for three successive weeks in at least one newspaper of general circulation published within the jurisdiction of the court, and in such other papers having a general circulation among bond dealers and bondholders as may be designated by the court. The court may require that it be published in such other publication as the court deems proper. The court shall require that a copy of the notice required by the first sentence of this subsection be mailed, postage prepaid, to each

creditor named in the list required by subsection (b) at the address of such creditor given in the list, or, if no address is given in the list for a creditor and the address of such creditor cannot with reasonable diligence be ascertained, then a copy of the notice may, if the court so determines, be mailed, postage prepaid, to such creditor addressed as the court may prescribe. All expense of giving notice required by this subsection shall be paid by the petitioner, unless the court for good cause determines that the cost of notice in a particular instance should be borne by another party. The notice shall be first published as soon as practicable after the filing of the petition, and the mailing of copies of the notice shall be completed as soon as practicable after the filing of the list required by subsection (b).

"(e) STAY OF ENFORCEMENT OF CLAIMS AGAINST PETITIONER.—

"(1) EFFECT OF FILING A PETITION.—A petition filed under this chapter shall operate as a stay of the commencement or the continuation of any judicial or other proceeding against the petitioner, its property, or an officer or inhabitant of the petitioner, which seeks to enforce any claim against the petitioner, or of an act or the commencement or continuation of a judicial or other proceeding which seeks to enforce a lien upon the property of the petitioner or a lien on or arising out of taxes or assessments due the petitioner, and shall operate as a stay of the enforcement of any set-off or counterclaim relating to a contract, debt, or obligation of the petitioner.

"(2) DURATION OF AUTOMATIC STAY.—Except as it may be terminated, annulled, modified, or conditioned by the court under the terms of this subsection, the stay provided for in this subsection shall continue until the case is closed or dismissed, or the property subject to the lien is, with the approval of the court, abandoned or transferred.

"(3) RELIEF FROM AUTOMATIC STAY.—Upon the filing of a complaint seeking relief from a stay provided for by this section, the court shall set a hearing for the earliest possible date. The court may, for cause shown, terminate, annul, modify, or condition such stay.

"(4) OTHER STAYS.—The commencement or continuation of any other act or proceeding may be stayed, restrained, or enjoined by the court, upon notice to each person against whom such order would apply, and for cause shown. The court may issue an order under this paragraph without requiring the petitioner to give security as a condition to that order.

"(f) UNENFORCEABILITY OF CERTAIN CONTRACTUAL PROVISIONS.—A provision in a contract or lease, or in any law applicable to such a contract or lease, which terminates or modifies, or permits a party other than the petitioner to terminate or modify, the contract or lease because of the insolvency of the petitioner or the commencement of a case under this chapter is not enforceable if any defaults in prior performance of the petitioner are cured and adequate assurance of future performance is provided.

"(g) RECOVERY OF SET-OFF.—Any set-off which relates to a contract, debt, or obligation of the petitioner and which set-off was effected within four months prior to the filing of the petition, is voidable and recoverable by the petitioner after hearing on notice. The court may require as a condition to recovery that the petitioner furnish adequate protection for the realization by the person against whom or which recovery is sought of the claim which arises by reason of the recovery.

"(h) AVOIDING POWERS.—Sections 60a, 60c, 67a, 67d, 70c, 70e(1), and 70e(2), and the first three sentences of section 60b shall apply in cases under this chapter as though the peti-

tioner were the bankrupt, debtor, or trustee. If the petitioner refuses to pursue a cause of action under a section or sentence made applicable to this chapter by this subsection, the court may, upon the application of any creditor, appoint a trustee to pursue such cause of action.

"SEC. 86. REPRESENTATION OF CREDITORS.—"

"(a) REPRESENTATION AND DISCLOSURE.—Any creditor may act in that creditor's own behalf or by an attorney or a duly authorized agent or committee. Every person, not including governmental entities, representing more than one creditor shall file with the court a list of the creditors represented by such person, giving the name and address of each such creditor, together with a statement of the amount, class, and character of the claim held by that creditor, and shall attach to the list a copy of the instrument signed by the holder of such claim showing such person's authority, and shall file with the list a copy of the contract or agreement entered into between such person and the creditors represented by that person. Such person shall disclose all compensation incident to the case, received or to be received, directly or indirectly, by that person. That compensation shall be subject to modification and approval by the court.

"(b) MULTIPLE COMPENSATION.—The court shall examine all of the contracts, proposals, acceptances, deposit agreements, and all other papers relating to the plan, specifically for the purpose of ascertaining if any person, not including governmental entities, promoting the plan, or doing anything of such a nature, has been or is to be compensated, directly or indirectly, by both the petitioner and any of its creditors, and shall take evidence under oath to determine whether any such compensation has occurred or is to occur. After such examination the court shall make an adjudication of this issue, and if it be found that any such compensation has occurred or is to occur, the court shall dismiss the petition and tax all of the costs against the person promoting the plan or doing anything of such a nature and receiving such multiple compensation, or against the petitioner, unless such plan is modified, within the time to be allowed by the court, so as to eliminate the possibility of such compensation, in which event the court may proceed to further consideration of the confirmation of the plan.

"SEC. 87. REFERENCE, EXPENSES, AND JOINT ADMINISTRATION.—"

"(a) REFERENCE.—The court may refer any special issue of fact to a referee in bankruptcy for consideration, the taking of testimony, and a report upon such special issue of fact, if the court finds that the condition of its docket is such that it cannot take such testimony without unduly delaying the dispatch of other business pending in the court, and if it appears that such special issue is necessary to the determination of the case. A reference to a referee in bankruptcy shall be the exception and not the rule. The court shall not make a general reference of the case, but may only request findings of specific facts.

"(b) EXPENSES.—The court may allow reasonable compensation for the actual and necessary expenses incurred in connection with the case, including compensation for services rendered and expenses incurred in obtaining the deposit of securities and the preparation of the plan, whether such work has been done by the petitioner or by a representative of creditors, and may allow reasonable compensation for an attorney or agent of any of them. No fee, compensation, reimbursement, or other allowances for an attorney, agent, or representative of creditors shall be assessed against the petitioner or paid from any revenues, property, or funds of the petitioner except in the manner and in such sums, if any, as may be

provided for in the plan. An appeal may be taken from any order allowing compensation to the United States court of appeals for the circuit in which the case under this chapter is pending, independently of any other appeal which may be taken in the case. The court of appeals shall hear and determine such appeal summarily.

"(c) JOINT ADMINISTRATION.—If two or more petitions by related entities are pending in the same court, the court may order joint administration of the cases.

"SEC. 88. CLAIMS.—"

"(a) ALLOWANCE OF CLAIMS.—In the absence of an objection by a party in interest, or of a filing of a proof of claim, the claim of a creditor that is not disputed, contingent, or unliquidated as to amount, and that appears in the list or in a supplement to the list filed by the petitioner under section 85(b) shall be deemed allowed. The court may set a date by which proofs of other claims shall be filed. If the court does not set a date, such proofs of other claims shall be filed before the entry of an order confirming the plan. Within thirty days after the filing by the petitioner of the list or any supplement to the list under section 85(b), the court shall give written notice to each person whose claim is listed as disputed, contingent, or unliquidated as to amount, informing each such person that a proof of claim must be filed with the court within the time fixed under this subsection. If there is no objection to such claim, the claim shall be deemed allowed. If there is an objection, the court shall hear and determine the objection.

"(b) CLASSIFICATION OF CREDITORS.—The court shall designate classes of creditors whose claims are of substantially similar character and the members of which enjoy substantially similar rights, consistent with the provisions of section 89, except that the court may create a separate class of creditors having unsecured claims of less than \$250 for reasons of administrative convenience. If there is a controversy over the classification of a creditor, the court shall, after hearing on notice, summarily determine such controversy.

"(c) DAMAGES UPON REJECTION OF EXECUTORY CONTRACTS.—If an executory contract or an unexpired lease is rejected under the plan or under section 82(b), any person injured by such rejection may assert a claim against the petitioner. The rejection of an executory contract or unexpired lease constitutes a breach of the contract or lease as of the date of the commencement of the case under this chapter. The claim of a landlord for injury resulting from the rejection of an unexpired lease of real estate or for damages or indemnity under a covenant contained in such lease shall be allowed, but shall be limited to an amount not to exceed the rent, without acceleration, reserved by such lease for the year next succeeding the date of the surrender of the premises to the landlord or the date of reentry of the landlord, whichever first occurs, whether before or after the filing of the petition, plus unpaid accrued rent, without acceleration, up to the date of such surrender or reentry. The court shall scrutinize the circumstances of an assignment of a future rent claim and the amount of the consideration paid for such assignment in determining the amount of damages allowed the assignee of that claim.

"SEC. 89. PRIORITIES.—The following shall be paid in full in advance of any distribution to creditors under the plan, in the following order:

"(1) The costs and expenses of administration which are incurred subsequent to the filing of a petition under this chapter.

"(2) Debts owed for services or materials actually provided within three months before the date of the filing of the petition under this chapter.

"(3) Debts owing to any person, which by the laws of the United States (other than this Act) are entitled to priority.

"SEC. 90. FILING AND TRANSMISSION OF PLAN AND MODIFICATIONS.—"

"(a) FILING.—The petitioner shall file a plan for the adjustment of the petitioner's debts. If such plan is not filed with the petition, the petitioner shall file the plan at such later time as the court, upon its own motion or upon application of the petitioner, sets. At any time prior to the confirmation of a plan, the petitioner, or any creditor, if the petitioner has consented in writing to the modification to be filed by the creditor, may file a modification of the plan; but the modification shall comply with the provisions of this chapter.

"(b) TRANSMISSION OF PLAN AND MODIFICATIONS.—As soon as practicable after the plan or any modification of the plan has been filed, the court shall set a time, which shall be ninety days from the filing of the plan or any modification of the plan, unless the court, for good cause, sets some other time, within which creditors may accept or reject the plan and any modification of the plan. The petitioner or such other person as the court designates shall transmit by mail a copy of such plan or modification, or a summary and any analysis of such plan or modification, a notice of the time within which the plan or modification may be accepted or rejected, and a notice of the right to receive a copy, if it has not been sent, of such plan or modification, to each creditor whose claim is affected by the plan, to each special tax payer affected by the plan, and to any party in interest that the court designates. Upon request by a recipient of such summary and notice, the petitioner or such other person as the court designates shall transmit by mail a copy of the plan or modification to that recipient. The court shall, after hearing on notice, determine any controversy as to whether a claim of a creditor or class of creditors is a claim affected by the plan and as to whether a special tax payer is a special tax payer affected by the plan.

"SEC. 91. PROVISIONS OF PLAN.—A petitioner's plan may include provisions modifying or altering the rights of creditors generally, or of any class of them, secured or unsecured, either through issuance of new securities of any character, or otherwise, and may contain such other provisions and agreements not inconsistent with this chapter as the parties may desire, including provisions for the rejection of any executory contract or unexpired lease.

"SEC. 92. ACCEPTANCE.—"

"(a) WHO MAY ACCEPT OR REJECT.—Unless a claim of a creditor who is included in the list or in a supplement to the list filed under section 85(b) or who files a proof of claim and whose claim is not then disputed, contingent, or unliquidated as to amount, or of a security holder of record as of the date of the transmittal of information under section 90(b), has been disallowed or is not a claim affected by the plan, that creditor or security holder may accept or reject the plan and any modification of the plan within the time set by the court. Notwithstanding an objection to a claim, the court may temporarily allow such claim in such amount as the court deems proper for the purpose of acceptance or rejection under this section.

"(b) GENERAL RULE.—Except as provided in subsection (d), the plan may be confirmed only if it has been accepted in writing by or on behalf of creditors holding at least two-thirds in amount of the claims of each class allowed under section 88 and more than 50 percent in number of the claims of each class allowed under section 88.

"(c) COMPUTING ACCEPTANCE.—The two-thirds majority required by subsection (b) is two-thirds in amount of the claims allowed under section 88 of creditors who file an ac-

ceptance or rejection within the time fixed by the court, but not including claims held or controlled by the petitioner, or claims of creditors specified in subsection (d). The more than 50 percent required by subsection (b) is more than 50 percent in number of the claims allowed under section 88 of creditors who file an acceptance or rejection within the time fixed by the court, but not including claims held or controlled by the petitioner, or claims of creditors specified in subsection (d).

"(d) EXCEPTION.—It is not requisite to the confirmation of the plan that there be such acceptance by any creditor or class of creditors—

"(1) whose claims are not affected by the plan;

"(2) if the plan makes provision for the payment of their claims in cash in full; or

"(3) if provision is made in the plan for the protection of the interests, claims, or lien of such creditor or class of creditors.

"(e) ACCEPTANCE OF MODIFICATION.—If the court finds that a proposed modification does not materially and adversely affect the interest of a creditor, the modification shall be deemed accepted by that creditor if that creditor has previously accepted the plan. If the court determines that a modification does materially and adversely affect the interest of a creditor, that creditor shall be given notice of the proposed modification and the time allowed for its acceptance or rejection. The number of acceptances of the plan as modified required by subsection (b) shall be obtained. The plan as modified shall be deemed to have been accepted by any creditor who accepted the plan and who fails to file a written rejection of the modification with the court within such reasonable time as shall be allowed in the notice to that creditor of the proposed modification.

"SEC. 93. OBJECTION TO PLAN.—A creditor who holds a claim affected by the plan or a special tax payer affected by the plan may file with the court an objection to the confirmation of the plan. The Securities and Exchange Commission may also file with the court an objection to the confirmation of the plan, but in the case of an objection filed under this section, the Securities and Exchange Commission may not appeal or file any petition for appeal. An objection to the confirmation of the plan may be filed with the court any time prior to ten days before the hearing on the confirmation of the plan, or within such other time set by the court.

"SEC. 94. CONFIRMATION.—

"(a) HEARING ON CONFIRMATION.—Within a reasonable time after the expiration of the time set by the court within which the plan and any modifications of the plan may be accepted or rejected, the court shall hold a hearing on the confirmation of the plan and any modifications of the plan. The court shall give notice of the hearing and of the time allowed for filing objections to all parties entitled to object under section 93. The court may, for cause shown, permit a labor union or employees' association, that represents employees of the petitioner, to be heard on the economic soundness of the plan affecting the interests of the represented employees.

"(b) CONDITIONS FOR CONFIRMATION.—The court shall confirm the plan if—

"(1) the plan is fair and equitable and feasible and does not discriminate unfairly in favor of any creditor or class of creditors;

"(2) the plan complies with the provisions of this chapter;

"(3) the plan has been accepted as required by section 92;

"(4) all amounts to be paid by the petitioner or by any person, not including other governmental entities, for services and expenses in the case or incident to the plan have been fully disclosed and are reasonable;

"(5) the offer of the plan and its acceptance are in good faith; and

"(6) the petitioner is not prohibited by law from taking any action necessary to be taken by it to carry out the plan.

"SEC. 95. EFFECT OF CONFIRMATION.—

"(a) PROVISION OF PLAN BINDING.—The provisions of a confirmed plan shall be binding on the petitioner and on any creditor who had timely notice or actual knowledge of the petition or plan, whether or not such creditor's claim has been allowed under section 88, and whether or not such creditor has accepted the plan.

"(b) DISCHARGE.—

"(1) The petitioner is discharged from all claims against it provided for in the plan except as provided in paragraph (2) of this subsection as of the time when—

"(A) the plan has been confirmed;

"(B) the petitioner has deposited the money, securities, or other consideration to be distributed under the plan with a disbursing agent appointed by the court; and

"(C) the court has determined—

"(i) that any security so deposited will constitute upon distribution a valid legal obligation of the petitioner; and

"(ii) that any provision made to pay or secure payment of such obligation is valid.

"(2) The petitioner is not discharged under paragraph (1) of this subsection from any claim—

"(A) excepted from discharge by the plan or order confirming the plan; or

"(B) whose holder, prior to confirmation, had neither timely notice nor actual knowledge of neither the petition nor the plan.

"SEC. 96. POSTCONFIRMATION MATTERS.—

"(a) TIME ALLOWED FOR DEPOSIT UNDER THE PLAN.—Prior to or promptly after confirmation of the plan, the court shall fix a time within which the petitioner shall deposit with the disbursing agent appointed by the court any consideration to be distributed under the plan.

"(b) DUTIES OF PETITIONER.—The petitioner shall comply with the plan and the orders of the court relative to the plan, and shall take all actions necessary to carry out the plan. The court may direct the petitioner and other necessary parties to execute and deliver or to join in the execution and delivery of any instrument required to effect a transfer of property under the plan and to perform such other acts including the satisfaction of a lien, as the court determines to be made at the date the order confirming the plan.

"(c) DISTRIBUTION.—Distribution shall be made in accordance with the provisions of the plan to creditors whose claims have been allowed under section 88. Distribution may be made at the date the order confirming the plan becomes final to holders of securities of record whose claims have not been disallowed.

"(d) COMPLIANCE DATE.—When a plan requires presentment or surrender of securities or the performance of any other section as a condition to participation under the plan, such action shall be taken not later than five years after the entry of the order of confirmation. A person who has not within such time presented or surrendered that person's securities or taken such other action required by the plan shall not participate in any distribution under the plan, and the consideration deposited with the disbursing agent for distribution to such person shall become the property of the petitioner.

"(e) CONTINUING JURISDICTION.—The court may retain jurisdiction over the case for such period of time as the court determines is necessary for the successful execution of the plan.

"(f) ORDER OR DECREE AS EVIDENCE AND NOTICE.—A certified copy of any order or decree entered by the court in a case under this chapter shall be evidence of the jurisdiction of the court, the regularity of the proceedings, and the fact that the order was made. A certified copy of an order providing for the

transfer of any property dealt with by the plan shall be evidence of the transfer of title accordingly, and, if recorded as conveyances are recorded, shall impart the same notice that a deed, if recorded, would impart.

"SEC. 97. EFFECT OF EXCHANGE OF DEBT SECURITIES BEFORE DATE OF THE PETITION.—The exchange of new debt securities under the plan for claims covered by the plan, whether the exchange occurred before or after the date of the petition, does not limit or impair the effectiveness of the plan or of any provision of this chapter. The written consents of the holders of any securities outstanding as the result of any such exchange under the plan shall be included as acceptances of such plan in computing the acceptance required under section 92.

"SEC. 98. DISMISSAL.—

"(a) PERMISSIVE DISMISSAL.—The court may dismiss the case after hearing on notice—

"(1) for want of prosecution;

"(2) if no plan is proposed within the time fixed or extended by the court;

"(3) if no proposed plan is accepted within the time fixed or extended by the court; or

"(4) where the court has retained jurisdiction after confirmation of a plan—

"(A) if the petitioner defaults in any of the terms of the plan; or

"(B) if a plan terminates by reason of the happening of a condition specified therein.

"(b) MANDATORY DISMISSAL.—The court shall dismiss the case if confirmation is refused.

SEC. 2. SEPARABILITY.—If any provision of this chapter or the application thereof to any agency, instrumentality, or subdivision is held invalid, the remainder of the chapter, or the application of such provision to any other agency or instrumentality or political subdivision shall not be affected by such holding.

SEC. 3. If the amendment made by this Act is judicially finally determined to be unconstitutional then chapter IX of the Bankruptcy Act, as such chapter IX existed on the day before the date of enactment of this Act, is revived and shall have full force and effect with respect to cases filed after such determination.

In lieu of the amendment to the title contained in the Senate engrossed amendment insert:

Amend the title so as to read "An Act to amend chapter IX of the Bankruptcy Act to provide for voluntary reorganization procedures for the adjustment of the debts of municipalities."

DESCRIPTION OF THE PROPOSED AMENDMENTS TO THE SENATE AMENDMENTS

The first proposed amendment amends the text of the bill. The second proposed amendment accepts the third Senate amendment, which amended the title of the bill, with an amendment to conform it to the amendment proposed by the first House amendment. There is no amendment to the second Senate amendment, which inserted a preamble after the title of the bill, because the Managers on the part of the House propose to recede from the House's disagreement with the Senate on the preamble.

DISCUSSION OF FIRST PROPOSED HOUSE AMENDMENT TO THE SENATE AMENDMENTS

The first Senate amendment struck out all after the enacting clause of the bill, H.R. 10624, and inserted in lieu thereof the text of a Senate bill, S. 2597, as amended. This first proposed amendment adopts this Senate amendment with an amendment. The amendment is the proposed text of a compromise bill, set out above. What follows is a section-by-section analysis of the proposed text.

Preamble

The Senate amendment contained a preamble. The House bill had no comparable provision. The proposed text adopts the Senate language.

Chapter

The House bill amended current Chapter IX of the Bankruptcy Act. The Senate amendment added a new Chapter XVI to the Bankruptcy Act. The proposed text adopts the House version.

Section 81

The Senate amendment defined "attorney," S. § 802(1). The House bill did not define the term. The proposed text adopts the House position.

Paragraph (1) defines what claims are included in a chapter IX case. The House bill defined "claim" in general terms, H.R. § 81(1); H. Rep. 15. The Senate amendment defined "claim" by enumeration of examples of claims, S. § 802(2). The proposed text adopts the House language.

Because of the broad definition, all claims against the petitioner generally will be included, with one significant exception. Municipalities are authorized, under section 103(c) of the Internal Revenue Code of 1954, as amended, to issue tax-exempt industrial development revenue bonds to provide for the financing of certain projects for privately owned companies. The bonds are sold on the basis of the credit of the company on whose behalf they are issued, and the principal, interest and premium, if any, are payable solely from payments made by the company to the trustee under the bond indenture and do not constitute claims against the tax revenues or other funds of the issuing municipalities. The municipality merely acts as the vehicle to enable the bonds to be issued on a tax-exempt basis. It is not the intent of the Committee of Conference to include these industrial development bonds in a chapter IX case. Claims that arise by virtue of these bonds are not among the claims defined by this paragraph and amounts owed by private companies to the holders of industrial development revenue bonds are not to be included among the assets of the municipality that would be affected by the plan. See Cong. Record, 94th Cong., 1st Sess. page 40464 (Statement by Mr. Don Edwards, Floor Manager of the bill in the House).

The House bill defined "debt", H.R. § 81(5); H. Rep. 16. The Senate amendment did not define the term. The proposed text adopts the House language.

The Senate amendment defined "lien" in sweeping terms designed to cover all types of liens and security interests, S. § 802(5). The House bill did not define the term. The proposed text adopts the Senate definition.

The House bill did not define "person". The Senate amendment defined "person" to include governmental entities, S. § 802(7). The proposed text adopts the Senate definition.

The House bill defined "petitioner", H.R. § 81(6); H. Rep. 16. The Senate amendment did not define the term. The proposed text adopts the House language.

The House bill defined "special taxpayer affected by the plan", H.R. § 81(8), (9); H. Rep. 16. The Senate amendment did not define the term. S. § 809(b). The proposed text adopts the House language.

Section 82

The House bill allowed certificates of indebtedness such priority over existing obligations as was equitable, H.R. § 82(b)(2); H. Rep. 17. The Senate amendment allowed such priority over existing obligations, and

"other expenses of administration" as the court approved, S. § 811; S. Rep. 19. The proposed text allows such priority over existing obligations and over costs and expenses of administration, not including operating expenses of the petitioner, as is equitable.

The Senate amendment permitted the court to enforce the conditions attached to certificates of indebtedness, notwithstanding the limitation on the court's power prohibiting it from interfering with municipal powers in § 82(c); S. § 805(g); S. Rep. 17. The House bill had no comparable provision. The proposed text adopts the House version. The deletion of this provision from the Senate amendment is not meant to remove from the court of bankruptcy the jurisdiction or power to hear and decide disputes over non-compliance with certificates of indebtedness. Rather, because certificates are generally issued as short-term obligations, payable before or at confirmation of the plan, because the court is given exclusive personal jurisdiction over the petitioner for the purposes of this chapter under subsection (a), and because all judicial proceedings in other courts are stayed under section 85(e)(1), it is contemplated that the court of bankruptcy will be the only forum in which such disputes are determined.

The House bill vitiated the limitation on the court's power when the petitioner consented to a court action, H.R. § 82(c); H. Rep. 18. The Senate amendment contained no comparable provision. The proposed text adopts the House version.

The House bill prohibited any "order or decree" of the court from interfering with the petitioner's governmental powers, H.R. § 82(c); H. Rep. 18. The Senate amendment prohibited any "stay, order or decree" from so interfering, S. § 805(g). The proposed text adopts the Senate version as a clarification that the limitation on the court's power includes a limitation on the automatic stay of section 85(e)(1), which is not imposed by a court "order or decree".

The House bill prohibited court interference with "property of the petitioner", H.R. § 82(c)(2); H. Rep. 18-19. The Senate amendment prohibited court interference with "property of the petitioner necessary for essential governmental services", S. § 805(g). The proposed text adopts the House version.

The House bill prohibits court interference with any "income producing property", H.R. § 82(c); H. Rep. 18-19. The Senate amendment prohibits court interference with "the petitioner's use or enjoyment of any income producing property", S. § 805(g). The proposed text adopts the Senate version. See H. Rep. 18-19.

Section 83

The House bill deleted the proviso in current § 83(1) that prohibits state composition procedures, H.R. § 83; H. Rep. 2, 19. The Senate amendment retained the proviso, S. § 801(d); S. Rep. 15. The proposed text adopts the Senate version.

Section 84

This section defines which entities are eligible for relief under this chapter. The House bill included a "political subdivision or public agency or instrumentality", H.R. § 84; H. Rep. 20. The Senate amendment included the same terms, plus "municipality", S. § 803(a); S. Rep. 16. The proposed text adopts the House version.

The House bill required only that an entity not be "prohibited by state law from filing a petition under this chapter", H.R. § 84; H. Rep. 20. The Senate amendment required

that the entity be "specifically authorized to file by the chief executive, the legislature or such other governmental officer or organization empowered under State law to authorize filing", S. § 803(a); S. Rep. 16. The proposed text requires general authorization by the legislature, or by a governmental officer (which includes the chief executive) or governmental organization (such as a Municipal Finance Commission) empowered by State law to authorize filing.

The House bill assumed the possibility of a filing by an entity subordinate to one already in a Chapter IX case, H.R. § 84, 85(a), 87(c); H. Rep. 20, 25-26. The Senate amendment made this explicit, S. § 803(b). The proposed text adopts the House version, because of the elimination from both bills of any restriction on the size of the entity that is eligible for relief under this chapter.

An additional eligibility requirement is inserted in the proposed text. It requires that the petitioner meet one of four conditions before it may seek relief under the chapter. The purpose of the provision is to limit accessibility to the bankruptcy court somewhat, as does current law, without making the accessibility requirement so stringent as to preclude relief in a situation in which the petitioner is confronted with stubborn or overly hasty creditors, or creditors whose identities are unknown because of the existence of a large number of bonds in bearer form.

Section 85

The House bill gave the governing body of an entity with no officials of its own the power to file a petition under this chapter, H.R. § 85(a); H. Rep. 20. The Senate amendment made no comparable provision. The proposed text adopts the House provision.

The House bill allowed 15 days from the completion of the publication of notice for filing a complaint objecting to the petition, H.R. § 85(a); H. Rep. 20-21. The Senate amendment allowed 30 days from the filing of the petition, S. § 806(a); S. Rep. 18. The proposed text adopts the House provision.

The House bill required the court to hear any objections to the petition in a single proceeding to the extent practicable, H.R. § 85(a); H. Rep. 21. The Senate amendment contained no similar requirement. The proposed text adopts the Senate version.

The Senate amendment allowed dismissal of the petition if it did not meet the provisions of the chapter, or if the petitioner did not file the petition in good faith, S. § 806(1); S. Rep. 18. The House bill had no comparable provision, H.R. § 84; H. Rep. 20. The proposed text adopts the Senate language.

The Senate amendment prohibited interlocutory appeals from a finding of jurisdiction, in order to prevent delay in the proceedings and increase the marketability of certificates of indebtedness. The House bill had no comparable provision, S. § 806(c); S. Rep. 18. The proposed text includes compromise language designed to achieve the same result. It prohibits any delay of the proceedings because of an appeal from a finding of jurisdiction, and any stay pending such an appeal. It also specifies, in an attempt to codify the result currently achieved in chapter X, that the reversal on appeal of a finding of jurisdiction shall not, in and of itself, affect the validity of any certificate of indebtedness.

Subsection (b) describes the requirements of the list of creditors. The House bill required a list of all of the petitioner's creditors, H.R. § 85(b); H. Rep. 21. The Senate amendment required a list of only those creditors who would be affected by the plan; S. § 804(a); S. Rep. 17; and added the requirement that the list of creditors contain the name, address, and character of the claim of each creditor; S. § 809(a). The proposed text adopts the House position plus the Senate addition, but eliminates the requirement in the House bill that the petitioner state in the

¹ This citation, and all others beginning "S." are for the sections of the Senate amendment to the text of the House bill.

² This citation, and all others beginning "H.R." are to the sections of the House bill.

³ This citation, and all others beginning "H. Rep." are to the committee report that accompanied the House bill, H. Rep. 94-686, 94th Cong., 1st sess. (1975).

⁴ This citation, and all others beginning "S. Rep." are to the committee report that accompanied the Senate bill, S. 2597, whose text became the text of the Senate amendment to the text of the House bill, S. Rep. 94-458, 94th Cong., 1st sess. (1975).

petition the reason an identification of a creditor is impracticable.

The Senate amendment also required that the list of creditors contain the character of the claims of unidentified creditors; S. § 809 (a); and required that the list of creditors be supplemented as the petitioner became able to identify previously unidentified creditors. S. § 809 (a); S. Rep. 19. The House bill contained no similar requirement. H. Rep. 21. The proposed text adopts the Senate language, in order to accommodate the identification of holders of bearer bonds.

The House bill made the list and notice requirements mandatory. H.R. § 81(8), (9), 85(b), (d), 90(b); H. Rep. 21, 22, 29. The Senate amendment permitted the court to modify these requirements. So § 809(c); S. Rep. 19. The proposed text adopts the House version.

The House bill required the court to give all notices. H.R. § 85(d); H. Rep. 22. The Senate amendment required the petitioner, or such other person as the court designated, to give notice. S. § 807(a); S. Rep. 18. The proposed text adopts the Senate language.

The Senate amendment required mailing of notice to creditors who were identified after the initial mailing of notice. S. § 807(a). The House bill had no comparable provision. The proposed text adopts the Senate version.

Subsection (e) grants an automatic stay of actions seeking to enforce claims. The House bill stayed "a proceeding against the petitioner, its property or any officer or inhabitant of the petitioner, which seeks to enforce any claim against the petitioner." H.R. § 85(e)(1); H. Rep. 22-23. The Senate amendment stayed a "proceeding against the petitioner, its property or any officer or inhabitant of the petitioner, or which seeks to enforce any claim against the petitioner"; S. § 805(a); S. Rep. 17; or which seeks to enforce a lien on taxes or assessments; *id.* The proposed text adopts the House provision for the first portion, but adds and amplifies the second portion on taxes.

The House bill and the Senate amendment required a hearing on a complaint seeking relief from the automatic stay. H.R. § 85(e)(3); H. Rep. 23. S. § 805(d). Only the Senate amendment required the hearing at the earliest possible date. S. § 805(d). The proposed text adopts the Senate provision.

Subsection (e) also specifies conditions to additional stays. The House bill prohibited the court from requiring the petitioner to post security as a condition to an additional stay. H.R. § 85(e)(4); H. Rep. 23. The Senate amendment made security discretionary with the court. S. § 805(e); S. Rep. 17. The proposed text adopts the Senate version.

Subsection (g) allows recovery of set-offs effected before the filing of the petition. The House bill made set-offs within four months of the petition recoverable. H.R. § 85(g); H. Rep. 2. The Senate amendment set the time at three months. S. § 805(b)(2); S. Rep. 17. The proposed text adopts the House provision.

This subsection also specifies the protection the court may require the petitioner to furnish as a condition to recovery of a set-off. The House bill allowed "protection for the realization by the person against whom recovery is sought of the claim which arises by reason of the recovery." H.R. § 85(g); H. Rep. 3. The Senate amendment allowed "such protection as will adequately protect the person who is asserting the right of set-off." S. § 805(b)(2). The proposed text adopts the House version.

Subsection (h) makes some of the avoiding powers of the Bankruptcy Act available in Chapter IX. The Senate amendment made applicable sections 60a, 60b, 60c, 67, 70c, and 70e. S. § 801(e); S. Rep. 16. The House bill contained no comparable provision. The proposed text makes only sections 60a, 60c, 67a,

67d, 70c, 70e(1), and 70e(2), and the first three sentences of section 60b apply. The exclusion of only the last sentence of section 60b and of section 70(e)(3) is meant to confer exclusive jurisdiction of actions under the applicable sections on the federal district courts, and to withdraw concurrent jurisdiction from the State courts. These sections apply as though the petitioner were the trustee, debtor or bankrupt, thus transferring the avoiding powers to the petitioner itself, without the need for the appointment of an independent trustee. However, if the petitioner refuses to pursue a cause of action based on those sections, this section permits the court, on the application of a creditor, to appoint a trustee to pursue the cause of action. The trustee is given no other powers. The definition of person in section 81(7) is not intended to enlarge the scope of the avoiding powers when applied in Chapter IX. The definition of person found in section 1(23) of the Bankruptcy Act continues to be the proper definition in the construction of those sections when applied in this chapter.

Section 87

Subsection (a) allows special reference of certain matters. The House bill allowed reference only to a referee in bankruptcy. H.R. § 87(a); H. Rep. 25. Reference is to be the exception and not the rule, *id.* The Senate amendment allowed reference to referees and to special masters. S. § 822(a); S. Rep. 22; and allowed compensation for special masters, *id.* The proposed text adopts the House version.

The Senate amendment provided that appeals from orders granting or denying compensation in the case should be heard summarily. S. § 822(b); S. Rep. 22. The House bill contained no comparable provision. The proposed text adopts the Senate language.

Subsection (e) allows joint administration of cases filed by related entities. The House bill allowed such joint administration. H.R. § 87(c); H. Rep. 25-26. The Senate amendment allowed joint administration only of cases filed by subordinate entities. S. § 803(b); S. Rep. 16. The proposed text adopts the House version.

Section 88

Subsection (b) requires classification of creditors. The House bill provided the criteria of substantially similar claims and rights. H.R. § 88(b); H. Rep. 27. The Senate amendment used the existing chapter XI criteria. S. § 814(c); S. Rep. 20. The proposed text adopts the House language.

Subsection (b) also allows classification of small claims in a single class for administrative convenience. The House bill allowed such classification for claims under \$100. H.R. § 88(b); H. Rep. 27. The Senate amendment allowed no such classification. S. § 814(c). The proposed text adopts the House version, but compromised the amount at \$250.

The Senate amendment required a court hearing and determination of any dispute over the classification of creditors. S. § 814(d). The House bill had no comparable provision. The proposed text adopts the Senate provision.

Section 89

Paragraph (2) gives a priority to debts owed for services and materials provided shortly prior to the petition. The House bill gave the priority for "debts or consideration owed for services and materials actually provided within four months" before the date of filing the petition. H.R. § 89(2); H. Rep. 28-29. The Senate amendment gave the priority for "debts owed for services and materials directly provided within two months" prior to the petition. S. § 812(2); S. Rep. 20. The proposed text allows a priority for "debts owed" (Senate language), in order to make clear that the claim involved must be liquidated; for "services and materials actually

provided" (House language); "within three months" (compromise language).

Section 90

The House bill allowed only the petitioner to modify the proposed plan. H.R. § 90(a); H. Rep. 29. The Senate amendment allowed the petitioner or any creditor, with the petitioner's consent, to propose a modification of the plan, and required a court hearing. S. § 815; S. Rep. 21. The proposed text allows the petitioner or any creditor, with the petitioner's consent, to modify, but does not require a court hearing.

Subsection (b) specifies the time within which creditors must accept or reject the plan. The House bill directed the court to set a time. H.R. § 90(b); H. Rep. 29. The Senate amendment set the time at 90 days from the time of filing the plan, unless the court, for good cause, set some other time. S. § 807(b). The proposed text adopts the Senate provision.

The Senate amendment required that the court hold a hearing and determine any dispute over whether a claim is affected by the plan. S. § 814(d). The House bill had no comparable provision. The proposed text adopts the Senate provision.

Section 92

Subsection (b) specifies the acceptances required to confirm a plan. The House bill required acceptances of creditors holding two-thirds in amount of the claims of each class with respect to which an acceptance or rejection was filed. H.R. § 92(b); H. Rep. 30. The Senate amendment required acceptances by two-thirds in amount, and 51% in number. S. § 814(a); S. Rep. 20-21. The proposed text requires two-thirds in amount and "more than fifty percent in number". S. Rep. 21.

The House bill permitted temporary allowance of claims for the purpose of accepting or rejecting the plan. H.R. § 92(a); H. Rep. 30. The Senate amendment did not permit temporary allowance. The proposed text permits temporary allowance, as in the House bill, but does not permit acceptances or rejections filed for such temporarily allowed claims to be counted in computing the acceptances required for confirmation unless the claim has been finally allowed under section 88. See § 92(b) and (c).

Subsection (d) describes those creditors whose acceptances are not required. The House bill followed the current Chapter IX provision. H.R. § 92(d); H. Rep. 31. The Senate amendment adopted the Chapter X provision. S. § 814(a); S. Rep. 21. The proposed text adopts the House version.

Section 93

The House bill allows the S.E.C. to object to a plan. H.R. § 93; H. Rep. 31. The Senate amendment did not permit the S.E.C. to object. S. § 816. The proposed text adopts the House provision.

The Senate amendment required service of a complaint objecting to the plan on the petitioner and others designated by the court. S. § 816. The House bill had no comparable provision. The proposed text adopts the House version.

Section 94

The Senate amendment required the court, for cause shown, to permit a labor organization to be heard on the economic soundness of a plan affecting employees. S. § 808(b); S. Rep. 18. The House bill has no comparable provision. The proposed text adopts the Senate version, but makes the hearing permissive.

The House bill required the plan to be "fair and equitable and feasible." H.R. § 94(b)(1); H. Rep. 32-33. The Senate amendment required that it appear "from the petitioner's current and projected revenues and expenditures that the budget of the peti-

tion will be in balance within a reasonable time after adoption of the plan". S. § 817(c) (7); S. Rep. 21. The proposed text adopts the House version on the premise that the Senate's balanced budget requirement will be a factor that must be considered by the court as part of the court's determination that the plan is "fair and equitable and feasible".

The House bill required that the petitioner not be prohibited by law from taking any action required to be taken under the plan. H.R. § 94(b) (5); H. Rep. 33-344. The Senate amendment required that the petitioner be authorized by law to take such action. S. § 817(c) (6); S. Rep. 21. The proposed text adopts the House version.

Section 95

The House bill required the court to appoint a disbursing agent. H.R. § 95(b); H. Rep. 34. The Senate amendment made no comparable provision. The proposed text adopts the House provision.

The House bill discharged the petitioner from its debts. H.R. § 95(b); H. Rep. 34. The Senate amendment extinguished the petitioner's debts. S. § 818(b); S. Rep. 21-22. The proposed text adopts the House language.

The House bill granted a discharge only after confirmation of the plan, deposit of consideration, and court determination of the validity of the consideration. H.R. § 95 (b) (1); H. Rep. 34. The Senate amendment granted a discharge at the time of confirmation. S. § 818(b); S. Rep. 21-22. The proposed text adopts the House version, but expands the deposit requirement to "money, securities or other consideration".

The House bill did not discharge claims of creditors who had neither actual knowledge nor constructive notice of the case. H.R. § 95(b) (2) (B); H. Rep. 34. The Senate amendment discharged such claims. S. § 818(b). The proposed text adopts the House version.

Section 96

The House bill required the court to fix a time for deposit of the consideration to be distributed under the plan. H.R. § 96(a); H. Rep. 34. The Senate amendment contained no similar requirement. The proposed text adopts the House provision.

The Senate amendment permitted the court to direct the petitioner to take certain actions to execute the plan. S. § 819(e). The House bill had no comparable provision. H. Rep. 34. The proposed text adopts the Senate language.

Subsection (e) allows the court to retain jurisdiction of the case after confirmation of the plan. The House bill allowed retention only to assure successful execution of the plan. H.R. § 96(e); H. Rep. 35. The Senate amendment also allowed retention to assure discharge of securities issued under the plan. S. § 821; S. Rep. 22. The proposed text adopts the House version with the understanding that the court retain jurisdiction over any action on any security issued under the plan or certificate of indebtedness issued in the case.

Section 97

The House bill validated the pre-petition exchange of debt securities under a proposed plan. H.R. § 97; H. Rep. 35. The Senate amendment made no comparable provision. The proposed text adopts the House provision.

Other matters

The Senate amendment invalidated all State laws which would have had the effect of depriving a petitioner of the effect of confirmation. S. § 824. The House bill made no comparable provision. The proposed text deletes the Senate provision, and instead relies on the case of *Perez v. Campbell*, 400 U.S. 818 (1971).

The Senate amendment allowed conver-

sion of a case from a chapter IX to a chapter XVI case. The House bill has no comparable provision. The proposed text adopts the House version.

DON EDWARDS,
JOHN SEIBERLING,
ROBERT F. DRINAN,
HERMAN BADILLO,
CHRISTOPHER J. DODD,
CALDWELL BUTLER,
THOMAS N. KINDNESS,

Managers on the Part of the House.

QUENTIN N. BURDICK,
PHILIP A. HART,
JIM ABOWEZEK,
ROMAN L. HRUSKA,
HIRAM L. FONG,

Managers on the Part of the Senate.

AMENDING THE REGIONAL RAIL REORGANIZATION ACT OF 1973, AS AMENDED

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S.J. Res. 184) to amend the Regional Rail Reorganization Act of 1973, as amended, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S. J. RES. 184

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102(3) of the Regional Rail Reorganization Act of 1973, as amended, is amended by inserting after "Act" the phrase "or its successor by merger, consolidation or other form of succession carried out under applicable law for the purpose of changing the State of its incorporation".

Sec. 2. Subparagraph (A) of paragraph (3) of section 306(c) of the Regional Rail Reorganization Act of 1973, as amended, is amended by striking "without regard to" and by inserting in lieu thereof "adjusted to reflect".

Sec. 3. Subparagraph (B) of paragraph (3) of section 306(c) of the Regional Rail Reorganization Act of 1973, as amended, is amended to read as follows:

"(B) the number of shares of common stock determined by dividing the total number of shares of common stock distributed pursuant to section 303(c) (4) of this Act to the transferor receiving such series of certificates of value (adjusted to reflect any stock splits, stock combinations, reclassifications, or similar transactions affecting the number of shares of outstanding common stock following the date of distribution pursuant to section 303(c) (4) of this title) by the total number of certificates of value in the series so distributed to such transferor."

Sec. 4. Paragraph (2) of subsection (e) of section 301 of the Regional Rail Reorganization Act of 1973, as amended, is amended by adding thereto the following sentence: "Notwithstanding anything to the contrary in the final system plan, the initial authorized number of shares of series B preferred stock may be 35,000,000, and the Corporation may issue initially for the purpose of the deposit required under section 303(a) (1) of this Act such numbers of shares of series B preferred and common stock as the Associa-

tion shall certify to the Special Court pursuant to section 209(c) (1) (3) of this Act, including any modifications in such numbers of shares as may be ordered by the Special Court for the purpose of, and in connection with, such deposit and certification."

Sec. 5. Section 501(2) of the Regional Rail Reorganization Act of 1973, as amended, is amended by striking "or to an acquiring railroad" and inserting in lieu thereof ", to an acquiring railroad, or to a State pursuant to section 208(d) (2) of this Act".

Mr. SKUBITZ. Mr. Speaker, I would wish to point out that the Railroad Revitalization and Regulatory Reform Act of 1976—to which this joint resolution pertains—was a tremendously complicated piece of legislation, as all Members will recall. It was complex, because the subject matter with which it dealt was one involving the largest corporate reorganization ever attempted, in which the ambition was to save the rail freight industry in the Northeast/Midwest Region, to reconstruct that system and to give it a new start as a self-sufficient system, over a period of time, which would again become competitive with other modes of transportation in that part of our Nation.

Now, in addition, as the Members will recall, this complex act which the President signed into law last month endeavors to do what can be done to insure that the Federal Government can successfully establish in Court the fairness and equity of the overall reorganizational plan. This is important to you and me, and to the citizen-taxpayers we all represent, since literally billions of dollars can rest on the outcome of the anticipated litigation over this issue.

The Government lawyers in charge of that case for the moment have gone over that act, and gone over it again, to make sure it complies in every respect with the so-called final system plan and with the financial arrangements made for ConRail, the federally assisted railroad which will take over the operation of the reorganized system on this April 1—which date is less than 2 weeks from now.

In so doing, they have found reason to suggest to the committee that it is important to make still a few more technical changes in the act. Now, it is true that some may argue that some of the items in this joint resolution are a bit more than purely technical—and, other circumstances, I might be inclined to do so, myself.

But the fact of the matter is, as I have just noted, that time is of the essence here—and time is of the essence in a very real sense. On next Monday, the U.S. Railway Association will be filing with the special court the package of securities of ConRail authorized in the final system plan, and in the new act, and it states it needs this joint resolution to make sure that its filing is in exact accord with the plan, the act, and with the intent of Congress as expressed in both. Now, Mr. Speaker, we would, of course, take time to hold a hearing on these minor matters, and delay action on them until everyone had had a chance to have their say about them.

But I am assured by the attorney for

the association, and the representatives of ConRail, and by the Department of Transportation, as well as by the committee staff, that this joint resolution is in proper form as passed by the Senate, that it is needed, and needed now, and that its passage will do nothing but improve the Government's position in the anticipated litigation.

Accordingly, I withdraw my reservation of an objection and urge the immediate passage of the resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROPOSAL TO APPROVE THE 1977 PRESIDENTIAL BUDGET AND TO CREATE NEW OFFICE OF SCIENCE AND TECHNOLOGY POLICY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-416)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

The desire and the ability of the American people to seek and apply new knowledge have been crucial elements of the greatness of our country throughout its 200-year history.

Our Founding Fathers placed high value on the pursuit of knowledge and its application. They supported exploration, new methods of agriculture, the establishment of scientific societies and institutions of higher learning, measures to encourage invention, and means to protect and improve the Nation's health.

In our recent history, the Nation has made major investments in research and development activities to ensure their continued contribution to the growth of our economy, to the quality of our lives and to the strength of our defense. Today there is mounting evidence that science and technology are more important than ever before in meeting the many challenges facing us.

I fully recognize that this country's future—and that of all civilization as well—depends on nurturing and drawing on the creativity of men and women in our scientific and engineering community.

The 1977 Budget which I submitted to the Congress on January 21, 1976, is one measure of the importance I attach to a strong National effort in science and technology. My total budget restrains Federal spending to \$395 billion—an increase of 5.5 percent over 1976. But my Budget requests \$24.7 billion for the research and development activities of the various Federal agencies, an increase of 11 percent over my 1976 estimates. Included within this total of \$24.7 billion is \$2.6 billion for the support of basic research, also an increase of 11 percent. Such long-term exploratory research provides the new knowledge on which

advances in science and technology depend. I urge the Congress to approve my budget requests.

I also urge the Congress to pass legislation to establish an Office of Science and Technology Policy in the Executive Office of the President. This will permit us to have closer at hand advice on the scientific, engineering and technical aspects of issues and problems that require attention at the highest levels of Government.

On June 9, 1975, I submitted a bill to the Congress that would authorize creation of such an office. The director of this new office would also serve as my adviser on science and technology, separating this responsibility from the many demands of managing an operating agency. On November 6, 1975, the House of Representatives passed an acceptable bill, H.R. 10230, which authorizes the new office. On February 4, 1976, the Senate passed a similar bill which, with some changes, would also be acceptable. Those bills are now awaiting action by a House-Senate Conference Committee. Early agreement by the conferees on a workable bill will permit me to proceed without further delay in establishing the Office of Science and Technology Policy.

In addition to its direct support of research and development, the Federal Government has a responsibility to ensure that its policies and programs stimulate private investments in science and technology and encourage innovation in all sectors of the economy—in industry, the universities, private foundations, small business, and State and local Governments. We pursue this objective through our tax laws, cooperative R. & D. projects with industry, and other incentives.

Industry and other elements of the private sector now support nearly 50 percent of the Nation's total research and development effort and we must avoid displacing these important investments.

The role of industry is particularly important. In our competitive economic system, industry turns new ideas from laboratories into new and improved products and services and brings them to the marketplace for the Nation's consumers. Industry has built successfully on advanced developments of the past and provided new products and services of great economic and social value to the Nation. This can be seen in electronics, computers, aircraft, communications, medical services and many other areas.

My 1977 Budget gives special attention to research and development for energy and defense and to basic research. It also continues or increases support for other important areas such as agriculture, space, and health where research and development can make a significant contribution.

In energy, an accelerated research and development program is vital to our future energy independence. My 1977 Budget proposes \$2.6 billion for energy research and development—a 35 percent increase over 1976. These funds, together with the efforts of private industry, provide for a balanced program across the entire range of major energy technologies.

Major increases are proposed in energy conservation to achieve greater energy efficiency. Additional funding is provided in fossil fuels to enhance oil and gas recovery, to improve the direct combustion of coal and to produce synthetic oil and gas from coal and oil shale. Expanded efforts are planned in 1977 to assure the safety and reliability of nuclear power and to continue the development of breeder reactors which will make our uranium resources last for centuries. My 1977 Budget also provides for rapid growth in programs to accelerate development of solar and geothermal energy and fusion power.

In defense, a strengthened and vigorous program of research and development is absolutely fundamental to maintain peace in the years ahead. Our National survival depends on our continued technological edge. The quality of our military R&D program today—and decisions on its scope and magnitude—will directly influence the balance of power in the 1980's and beyond. Obligations for defense research and development will increase by 13 percent in FY 1977, to almost \$11 billion. In the strategic area, the defense R&D program provides for continued development of the Trident submarine and missile system and the B-1 bomber. We are providing increases for cruise missiles and for defining options for a new intercontinental ballistic missile system. For our tactical forces, we will pursue a number of major programs ranging from the F-16 and F-18 fighter aircraft to a new attack helicopter, improved air defense systems, and a new tank. In addition we will strengthen our military-related science and technology effort. The combat potential of new technologies such as high energy lasers will be actively explored.

Through basic research, new knowledge is achieved that underlies all future progress in science and technology. My proposed budget provides an increase of 11 percent over my 1976 estimates to assure that the flow of new scientific discoveries continues. Since much of the Nation's basic research is carried out at colleges and universities, I have given special emphasis to the budget request for the National Science Foundation and other agencies that support research in these institutions. I have requested an increase of 20 percent in NSF's funding for basic research in order to underscore my strong support for such research, particularly in colleges and universities.

In agriculture, improving the efficiency of American food production is vital to our National well-being and to help ease critical worldwide food shortages. My Budget provides over \$500 million for agricultural research including programs to increase crop yield, improve the nutrition and protein content of crops, and help find new and safer ways to

protect crops from the devastating losses which are caused by pests and bad weather. Matching State funds for research at land-grant institutions will contribute an additional \$400 million to the national effort. Within the agricultural research program, greater priority will be given to basic agricultural research which is the key to our longer range objectives in food production. Our agricultural research and research undertaken by others around the world can have a major effect on the world food situation for generations to come.

—In health, basic and applied medical research provides new knowledge about causes, prevention and cure of diseases. This knowledge will make it possible to reduce the toll of human suffering, reduce expensive medical treatments, and increase the general level of health of our people. For the Department of Health, Education, and Welfare alone my Budget requests over \$2.2 billion to pursue new scientific opportunities relating to cancer, heart and lung disease, arthritis, diabetes, and behavioral disturbances. It will also continue research in emerging areas of National importance such as immunology, aging, environmental health, and health services.

—In space, the shuttle is the key to improved operational space capabilities for science, defense, and industry. My 1977 Budget provides the necessary funds to continue development of the shuttle and to assure a balanced program in science and space applications. In the future, space technologies can further advance our National and worldwide needs for better communications, better weather forecasting and better assessment and management of our natural resources. Scientific exploration and observation to our understanding of the universe around us.

My Budget also provides for continued research and development in environment, natural resources, transportation, urban development, and other fields of social and economic activity where we will support work that shows promise in meeting the problems of society and the new challenges we face as a Nation.

Prompt and favorable action by the Congress on my proposal to create the new Office of Science and Technology Policy and to approve my 1977 Budget requests are vital to ensure that science, engineering and technology will continue to contribute effectively in achieving our Nation's objectives.

GERALD R. FORD.

THE WHITE HOUSE, March 22, 1976.

PRINT SELECT COMMITTEE ON INTELLIGENCE REPORT AS UNCLASSIFIED DOCUMENT

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

Mr. MILFORD. Mr. Speaker, I have just introduced a resolution that would remove the Select Committee on Intelligence report from its classified status and have it printed and distributed as a routine House document, thus insuring full public access.

On this past January 29, I was one of the Members that encouraged the House to prevent the publication of the Select Committee on Intelligence Report, as a public document. On that date, we succeeded in convincing a majority to pass House Resolution 982, which mandated that the report should be published as a classified document.

At the time of passage of House Resolution 982, there were good reasons to prevent public release of the committee report. Subsequent events have now made those reasons moot.

In February the report of the Select Committee on Intelligence was printed in a New York City newspaper. Immediately following that release, I caused an analysis of that publication to be made by the intelligence community.

I asked them to analyze the material appearing in the newspaper to determine if all of the sensitive, classified material originally in the committee report had been included.

On March 17, I received the results of the intelligence analysis. Their findings were that substantially all of the "bits and pieces" had been included in the New York City newspaper publication. Therefore, the data is no longer secret.

For example, much of the "bits and pieces" of data, that many of us were concerned with, appeared as footnotes in the committee report. In editing the report for publication, the Village Voice eliminated a number of footnotes.

It became necessary to find out if the footnotes eliminated were the ones with the "bits and pieces" of sensitive material. They were not. The damaging footnotes were published.

Another argument for keeping the report "secret" was that, if the Congress published such a report, it would be "official" acknowledgement of events that could damage our relations with certain foreign nations. This argument came about because of previous "leaks" to the media on issues such as the Kurdish involvement, our submarine reconnaissance activities, and U.S. involvements in Italy and Angola.

Subsequent to the January 29, 1976, passage of House Resolution 982, the President and the Secretary of State have—in responding to questions at press conferences—confirmed all of this material.

By their acknowledgement of the accuracy of the leaks, they have made this information official.

Now, with the Village Voice printing of the report, and the bit-by-bit analysis by the intelligence community of that printing, and with the assurance that no secret information has been left secret, all of our arguments to keep the document classified are nullified.

I now seek permission from the House of Representatives to have the Select Committee on Intelligence Report printed as a routine House Document.

Certainly, if foreign intelligence agents and analysts have the information, there is no reason for the American people to be deprived of that same information.

This move will also make the entire report public. The Village Voice chose only to print the sexy issues. They did not choose to present dissenting views, additional views, or minority views which also comprise the full committee report.

These views provide another insight to the entire Select Committee on Intelligence investigation. The restriction on public distribution of the committee report had also restricted the distribution of these views. While the views will probably not make a great press event, because they are generally void of sensational scandals and wild charges, they will provide serious Americans with another look at our intelligence community problems.

Mr. Speaker, I would ask for early consideration of this resolution so that the entire work of the Select Committee on Intelligence can be made known to all citizens.

H.R. 9725—STRIP MINE BILL

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

Mr. MELCHER. Mr. Speaker, the strip mine bill, H.R. 9725, will soon be coming to the floor for consideration by the House.

In an effort to assure that enactment of the bill will not result in hardship to operators, I have written a number of amendments that I plan to offer on the floor. These amendments are the result of discussions with operators themselves, as well as State regulatory authorities and other interested persons.

I hope that my colleagues will review these amendments prior to consideration on the floor.

The amendment follows:

REGULATORY AUTHORITY ASSUMPTION OF WATER AND CORE SAMPLING ANALYSIS RESPONSIBILITY

Title IV: Page 26, line 18: strike the period after the word "section" and insert the following: "Provided, That an amount not to exceed twenty per centum of such reclamation fees collected for any calendar quarter shall be reserved beginning in the first calendar in which the fee is imposed and continuing for the remainder of that fiscal year and for the period in which such fee is imposed by law, for the purpose of Section 507 (c), subject to appropriation pursuant to authorization under Section 712(b)."

Title V, section 507: Page 65, after line 20: insert new subsection (c) and reletter subsequent subsections accordingly:

"If the regulatory authority finds that the probable annual production of any coal surface mining operators will not exceed 250,000 tons, the determination of hydrologic consequences required by subsection (b)(11) and the statement of the result of test borings or core samplings required by subsection (b)(15) of this section shall be performed by the regulatory authority, or such qualified public or private laboratory designated by the regulatory authority and the cost of the preparation of such determination and statement shall be assumed by the regulatory authority."

AUTHORIZATION—CONFORMING AMENDMENT

Section 712: Page 166, after line 10: insert the following new subsection and reletter subsequent subsections accordingly:

"(b) commencing in the fiscal year ending September 30, 1977, and for each fiscal year for a period of fifteen fiscal years thereafter, for the implementation and funding of Section 507(c) there are authorized to be appropriated sums reserved by Section 401(b)(3) for the purposes of Section 507(c) and such additional sums are authorized to be appropriated as may be necessary to provide an amount not to exceed \$40 million to carry out the purposes of Section 507(c)."

EXTENSION OF APPLICATION DEADLINE

Section 502: Page 45, lines 21 to 22; strike out the phrase "Not later than twenty months from the date of enactment of this Act," and insert in lieu thereof the following:

"Not later than two months following the approval of a State program pursuant to Section 503 or the implementation of a Federal program pursuant to Section 504 with the regulatory authority, such application to cover those lands to be mined eight months after the date of approval of the State program or implementation of the Federal program. The regulatory authority shall process such applications and grant or deny a permit within eight months after the date of approval of the State program or implementation of the Federal program, but in no case later than thirty-six months from the date of enactment of this Act."

APPLICATION REQUIREMENTS

Section 507(b)(F): Page 60, line 21 through 24: Strike subsection (F).

Explanation: This is basically redundant with Section 507(B)(4) on Page 61.

APPLICATION REQUIREMENTS

Section 507(b)(3): Page 61, lines 1 and 2: Strike after the word "areas" on line 1 through the words "feet of" on line 2 the following: "within five hundred feet of" and insert in lieu thereof the following: "adjacent to."

Explanation: This streamlines the application requirements for the operator and retains the basic legislative intent that all adjacent property owners be notified. It is consistent with the Pennsylvania requirements.

APPLICATION REQUIREMENTS

Section 507(b)(5): Page 61, line 20: Strike the words "subsequent to 1960" and insert in lieu thereof the following: "in the five year period prior to the date of the submission of the application."

Explanation: This reduces the amount of information required of the operator in the application consistent with the amendment to Section 507(b)(3).

APPLICATION REQUIREMENTS

Section 507(b)(3): Page 61, line 5: Insert after the word "identification" on line 5 the following: "in the five year period preceding the date of submission of the application."

Explanation: This streamlines and reduces the amount of information required of the operator in the application without violating the intent of the paragraph which is to provide the regulatory authority with some background information on the coal operator.

APPLICATION REQUIREMENTS

Section 507(a): Page 60, lines 6 through 7: Strike after the word "based" on line 6 the following: "shall be based as nearly as possible upon" and insert in lieu thereof the following: "may be less than but shall not exceed."

Explanation: This reduces substantially the amount of the fee that may be required

of small operators, by allowing flexibility for the regulatory authority to base the application fee "in part" on the costs to review, administer, and enforce the permit, rather than "as nearly as possible," while not losing the legislative intent that these three areas be considered in the establishing of application fees.

APPLICATION REQUIREMENTS

Section 507(b)(14): Page 64, lines 12 and 13: Strike the following: "the nature of the stratum immediately beneath the coal seam to be mined;"

Explanation: This greatly reduces the burden on the operator to provide additional information with the application which may not, in every case, be necessary for the regulatory authority to have prior to making a determination on the application. This gives the regulatory authority more flexibility without eliminating the legislative intent of the provision.

CORE SAMPLING

Page 65, line 11: Insert before the word "a" the following: "except that the provisions of this paragraph 15 may be waived by the regulatory authority by a written determination that such requirements are unnecessary with respect to a specific application."

Explanation: This amendment would allow the regulatory authority to determine when core sampling must be taken.

RECLAMATION PLAN REQUIREMENTS

Section 508(a)(7): Page 68, line 17, strike paragraph (7).

Explanation: This paragraph is redundant and other provisions in Sections 507 and 508 require this information.

RECLAMATION PLAN REQUIREMENTS

Section 508(a)(10): Page 69, line 6, strike "programs;" insert in lieu thereof the following: "zoning requirements;"

Explanation: This clarifies the type of information required of the operator in the reclamation plan.

BONDING—ALTERNATIVES

Section 509: Page 72, after line 8: Insert new paragraph (f) as follows:

"(f) In lieu of the establishment of a bonding program, as herein set forth in this section, the Secretary may approve as part of a State or Federal program an alternative system that will achieve the objectives and purposes of the bonding program pursuant to this section."

Explanation: This amendment would allow the State to implement an alternative system to bonding (e.g. an insurance system) provided that it contains provisions to assure that the objectives and purposes of the bonding section are met.

CLARIFICATION AND LIMITATION OF BURDEN OF PROOF

Section 510(a): Page 72, line 17; after the period insert the following sentence: "The applicant for a permit, or revision or renewal of a permit, shall have the burden of establishing that his application is in compliance with all the requirements of the applicable State or Federal program."

Page 72, line 24; strike out the word "affirmatively."

Conforming Amendment—Section 513: Page 82, line one; strike out the phrase "applicable State and Federal laws" and insert in lieu thereof the following: "all the requirements of the applicable State or Federal program under this Act."

Explanation: It is the intention of H.R. 9725 to place the burden on the applicant to demonstrate that the application is in compliance with the Act. Use of the language "affirmatively demonstrate" however might

possibly be construed to impose a more stringent test than merely placing the burden on the operator. This amendment, therefore, strikes that language. The conforming amendment clarifies that it is not the intention of this Act to shift the burden imposed by other State or Federal laws.

LIMITING COAL EXPLORATION PERMITS

Section 512: Page 77, line 16 through page 80, line 5, strike out Section 512 and insert in lieu thereof the following new section:

Sec. 512. (a) Each State or Federal program for a State shall include a requirement that coal exploration operations which substantially disturb the natural land surface be conducted in accordance with exploration regulations issued by the regulatory authority. Such regulations shall include, at a minimum, (1) the requirement that prior to conducting any exploration under this section, any person must file with the regulatory authority notice of intention to explore and such notice shall include a description of the exploration area and the period of supposed exploration and (2) provisions for reclamation of all lands disturbed in exploration, including excavations, roads, drill holes, and the removal of necessary facilities and equipment.

(b) Information submitted to the regulatory authority pursuant to this subsection as confidential concerning trade secrets or privileged commercial or financial information which relates to the competitive rights of the person or entity intended to explore the described area shall not be available for public examination.

(c) Any person who conducts any coal exploration activities which substantially disturb the natural land surface in violation of this section or regulations issued pursuant thereto shall be subject to the provisions of Section 518.

EXPLORATION PERMITS—FEDERAL LANDS

Section 523: Page 134, after line 14: Insert the following new subsection and reletter subsequent subsections accordingly:

"(c) (1) The Federal lands program shall include a requirement that coal exploration operations which substantially disturb the natural land surface be conducted under a permit issued by the Secretary.

(2) Each application for a coal exploration permit pursuant to the Federal lands program shall be accompanied by a fee established by the Secretary. Such fee shall be based, as nearly as possible, upon the actual or anticipated cost of reviewing, administering, and enforcing such permit issued. The application and supporting technical data shall be submitted in a manner satisfactory to the Secretary and shall include a description of the purpose of the proposed exploration project. The supporting technical data shall include, among other things—

(A) a general description of the existing environment;

(B) the location of the area of exploration by either metes and bounds, lot, tract, range, or section, whichever is most applicable, including a copy of the pertinent United States Geological Survey topographical map or maps with the area to be explored delineated thereon;

(C) a description of existing roads, railroads, utilities, and rights-of-way, if not shown on the topographical map;

(D) the location of all surface bodies of water, if not shown on the topographical map;

(E) the planned approximate location of any access roads, cuts, drill holes, and necessary facilities that may be constructed in the course of exploration, all of which shall be plotted on the topographical map;

(F) the estimated time of exploration;

(G) the ownership of the surface land to be explored;

(H) a statement describing the right by which the applicant intends to pursue his exploration activities and a certification that notice of intention to pursue such activities has been given to the surface owner;

(I) provisions for reclamation of all land disturbed in exploration, including excavations, roads, drill holes, and the removal of necessary facilities and equipment; and

(J) such other information as the regulatory authority may require.

(c) Specifically identified information submitted by the applicant in the application and supporting technical data as confidential concerning trade secrets or privileged commercial or financial information which relates to the competitive rights of the applicant shall not be available for public examination.

(d) If an applicant is denied a coal exploration permit under this Act, or if the regulatory authority fails to act within a reasonable time, then the applicant may seek relief under the appropriate administrative procedures.

(e) Any person who conducts any coal exploration activities in connection with surface coal mining operations under this Act without first having obtained a permit to explore from the appropriate regulatory authority or shall fail to conduct such exploration activities in a manner consistent with his approved coal exploration permit, shall be subject to the provisions of Section 518 of this Act.

Explanation: These amendments retain the requirement for an exploration permit on Federal lands but eliminates such a requirement for lands within the jurisdiction of a State or lands under regulation of a Federal program for that State. In the latter two cases, notice to the regulatory authority is required prior to exploration and penalties are applicable for violations of exploration regulations.

LIMITING NOTICE ON BOUND RELEASE

Section 519(a): Page 115, line 21: after the word "owners" insert "and the appropriate" and after the word "bodies," strike out everything through the word "companies" on line 23.

Explanation: This amendment limits the scope of the notice requirement on bond release.

BOND RELEASE

Section 519: Page 118, after line 16: Insert the following new subsection and reletter subsequent subsections accordingly: "(g) Without precluding the rights of the objectors or the responsibilities of the regulatory authority pursuant to this paragraph, the regulatory authority may establish an informal conference procedure to resolve such written objections in lieu of holding a formal transcribed hearing."

Explanation: This language allows such procedure to continue, without precluding or diminishing the rights of the objectors—if the informal conference is not satisfactory, a formal hearing may still be conducted. Currently many bond releases objections are handled in this manner in Pennsylvania.

CLARIFICATION OF APPROXIMATE ORIGINAL CONTOUR DEFINITION

Section 701(23): Page 152, strike lines 17 and 18 and insert in lieu thereof the following: "surrounding terrain, with all highwalls and spoil pile eliminated; water impoundments".

EXPLANATION: Clarifying language. The word "depressions" is held over from a very early draft of the bill, but, causes some confusion. What is crucial is the elimination of

(1) highwalls, and (2) spoil piles in all cases, with no exceptions. Obviously, however, there will be depressions left where thick seams of coal have been removed or in some forms of contouring where the operator is required to complement the drainage pattern of surrounding terrain. After the word "depressions" was put in the bill, the special provisions for "water impoundments" were added, thereby, making this reference to "depressions" unnecessary and possibly confusing.

THE LATE HONORABLE WRIGHT PATMAN

The SPEAKER pro tempore (Mr. McFALL). Under a previous order of the House, the gentleman from Texas (Mr. MAHON) is recognized for 60 minutes.

Mr. MAHON. Mr. Speaker, I have asked for this hour in order that the colleagues of WRIGHT PATMAN would have the opportunity to pay tribute to his memory and take note of his distinguished career in the House of Representatives of some 47 years.

My colleagues will recall that Mr. PATMAN passed away on March 7 and that on March 8 I had the sad duty of reporting to the House the passing of this distinguished American.

At that time the Speaker of the House, the gentleman from Oklahoma (Mr. ALBERT), spoke rather extensively on the life and career of Mr. PATMAN as did the gentleman from Arizona (Mr. RHODES), the minority leader; but others were asked to delay their tributes until we might have this program today.

Following the announcement in the House on Monday, March 8, on Wednesday of that week, March 10, a large delegation of Members of the House traveled to Texas to participate in the funeral services of Mr. PATMAN. During the funeral the gentleman from Texas (Mr. JIM WRIGHT) and I had the privilege and the honor of speaking about the life and work of this great American.

Mr. Speaker, at that time the fact that WRIGHT PATMAN was beloved by his constituents was vividly demonstrated. As the funeral procession made its way from the church to the cemetery at many places the streets were lined with people standing there reverently, some of them with their hands over their hearts in tribute to their departed friend and Member of Congress. It was their way of saying goodbye to the man who had served them so faithfully and well for half a century.

Mr. Speaker, I would like to say to Mr. PATMAN's wife, Pauline Patman, and to all members of the Patman family, as the spokesman on this occasion, that we extend to her and all of the family our deepest sympathy at this time over the great loss that has come to her and to her family.

I would also like to say that the eulogies which were delivered at the funeral of Mr. PATMAN will appear later along with the remarks made here today in a published volume in memory of Mr. PATMAN.

Mr. Speaker, I now yield at this time to the distinguished gentleman from

Massachusetts, the majority leader (Mr. O'NEILL).

Mr. O'NEILL. I thank the distinguished chairman of the Committee on Appropriations for yielding.

Mr. Speaker, I, too, join my distinguished colleagues in rising to pay tribute to the dean of the House of Representatives, WRIGHT PATMAN.

A populist, a fearless and maverick crusader, WRIGHT PATMAN spent 47 years in the House fighting for the common man and trying to protect the little guy against big industry. WRIGHT PATMAN has served longer than anyone now serving in the House, and longer than all other Members with the exception of three. He was chairman of the Banking and Currency Committee for 12 years, during which he fought tirelessly against high interest rates, big banks, the Federal Reserve Board, and misuse of tax-free foundations as wealthy tax shelters.

All of us who have served with him have long admired and grown to respect his dedication, patriotism, legislative contributions, and devotion to the problems of the little man. He championed the cause of the small farmer, small businessman, and the veteran, whom he helped get a World War I bonus during the darkest days of the Depression. He coauthored the Robinson-Patman Act, intended to protect small business by forbidding manufacturers to give special prices to big chains. And most recently, in 1972, he was the first congressional voice to call for an investigation of Watergate, although he was blocked by his committee through White House pressure.

To continue to enumerate his many outstanding legislative achievements cannot begin to measure the incalculable benefits he has rendered to the people of his Texas constituency, and indeed to all Americans. I am deeply honored to have had the opportunity to serve with this great champion of all Americans. My wife, Millie, joins me in extending our condolences to his lovely wife, Pauline, and to their three sons.

Mr. MAHON. I thank the distinguished gentleman from Massachusetts for his comments.

Mr. Speaker, I now yield to the distinguished gentleman from Arizona, the minority leader (Mr. RHODES), who upon the 8th of March, following the death of Mr. PATMAN, made some remarks with respect to the career of this distinguished man.

Mr. RHODES. I thank my distinguished friend, the gentleman from Texas, the chairman of the Committee on Appropriations, for yielding.

It is true, Mr. Speaker, that I was present when the gentleman from Texas took the floor to announce the death of Mr. WRIGHT PATMAN, and I did make remarks at that time. I feel impelled today, however, to reiterate the remarks that I made and to join with the gentleman from Texas and the distinguished majority leader, the gentleman from Massachusetts, in expressing my own personal sense of loss at the passing of WRIGHT PATMAN.

Mr. PATMAN was a distinguished legislator in every sense of the word. He was a fighter. He was generous in victory and understanding in defeat. He was a man who loved the House and loved its institutions—he loved them dearly. Much of the legislation which he was instrumental in having passed has been monumental legislation. He always aimed at helping the little man, and I think that the people of the United States of America have been well served by the fact that this great American has been privileged for so many years to serve here in the House of Representatives and to be so instrumental in really far-reaching legislation.

I join my colleague, the gentleman from Texas (Mr. MAHON) in extending to Mrs. Patman my sympathy and Betty's.

We learned to love the Patmans and have a feeling of great personal regard for Mrs. Patman which we find sharpened now, because we know of her great loss in the passing of WRIGHT PATMAN.

So, Mr. Speaker, I join my friend, the gentleman from Texas, in being thankful for WRIGHT PATMAN's life and in praying that the good Lord will take his soul to live with the Lord in the heavenly home prepared for him.

Mr. MAHON. Mr. Speaker, I thank the gentleman from Arizona very much.

Mr. Speaker, I yield to the gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Speaker, Congress lost one of its all-time great Members when WRIGHT PATMAN, who stood up for the little guy for nearly half a century, died.

It was a great privilege to serve with him for the last 10 of his Congresses and to share something of the era he represented. To be with him was to feel his earnestness and his commitment on behalf of the ordinary citizen. His personal crusade against big money and special interests never flagged in all of his years in Congress. He exuded always a quiet outrage at privilege and the abuse of power.

The people of Texarkana and the First District of Texas knew this well; more than two generations of Texans elected him to represent them. But his real constituency was far larger than that. In reality, he represented all of the little people all over the United States. He was their champion and their defender from the beginning.

His congressional career began in that dark era of farm and home mortgage foreclosures, bank failures, and depression hardship that so ravaged the innocent citizens of this Nation. WRIGHT PATMAN completed 47 years of service the last week he died; he was the last Member of Congress to take office before the 20th amendment changed the opening date of Congress from March 4 to January 3. He was sworn in on the same day that Herbert Hoover was inaugurated as President.

It was a Republican Congress that took office that day; WRIGHT PATMAN was to serve in only two others in his long career. He was a part of the Hundred Days in the historic 73d Congress and a Member of all of the New Deal Con-

gresses; he was as committed as Franklin D. Roosevelt to the legislation that got this country out of the worst depression in its history. One of the most important and enduring achievements of that period was the Social Security Act which is the highest expression of Government's concern for the well-being of the people. All of us have voted on amendments to that great act; WRIGHT PATMAN was one of the last two Members now in this Congress to have taken part in the consideration of the original bill and to have voted on its enactment.

The desperate times of the Depression deepened and strengthened WRIGHT PATMAN's personal resolve to do something for the people. His achievements are too numerous to list here—the veterans' bonus, the Robinson-Patman Act, the Full Employment Act, the 12 soft-spoken but hard-hitting years as chairman of the House Banking and Currency Committee.

He was always a rebel whose quiet zeal and determination would put younger men to shame. But he was a rebel for the right causes. His foes were vested interests, high interest rates, predatory financial institutions, and other establishments which exercised a stranglehold on the people—on their homes, their farms, their right to make a decent living.

The voice he used for the people of this country is now still. But nothing can take away his achievements or diminish his contribution to human welfare. He left a cause for others to take up and carry on. He showed us genuinely what it is to be a representative of the people.

I am proud to have served with him. Mr. MAHON. I thank the gentleman from California.

I yield to the gentleman from Texas (Mr. POAGE).

Mr. POAGE. Mr. Speaker, 39 years ago when I came to Washington, one of the younger members of the Texas delegation was pointed out to me as being a man who was going places. That young man was WRIGHT PATMAN of the First Congressional District. I had never met Mr. PATMAN, although I had heard much of him in the Texas Legislature, where I began my service at the very time he closed his in that body. I was immediately convinced that all of the reports of the ability and dedication, which I had heard attributed to Mr. PATMAN, were true.

He was a lifelong crusader—a crusader for anything which he believed would be beneficial to the people. I never lived in Missouri, but I have yet to be shown that some of the remedies which have been offered for our social problems, are not more objectionable than the problems themselves. WRIGHT had a happier turn of mind. He very firmly believed that Government could do and should do a great many things to make life easier for our people than I could believe was possible.

He was not afraid of any man or of any organization. On the contrary, he enjoyed nothing better than the opportunity to do battle with those whom he felt were denying the people opportunities to enjoy a better life. Nor was he

ineffective. Few men have had as much influence on the American political and social order over the last 50 years as had Mr. PATMAN.

A country boy from Cass County, he came to Washington and immediately attacked the entrenched wealth of the then Secretary of the Treasury and won—the Secretary resigned. An enlisted man in World War I, he was elected to Congress and challenged the President of the United States and ultimately won a bonus for the veterans of that war. A one-time assistant county attorney from Hughes Springs, he, as Congressman, challenged the greatest manufacturers of the country and passed the Robinson-Patman Act. After a quarter of a century of struggle, he became chairman of the Committee on Banking and Currency. He fathered the modern Credit Unions and greatly strengthened the Building and Loan Associations of the country.

WRIGHT PATMAN was a doer, but he was also a very warm and human individual. He was an innovator. He developed all kinds of remembrances for his constituents, and he consistently shared his ideas with his colleagues. He was friendly and courteous. He oftentimes disagreed, but he was never disagreeable. His philosophy was summed up in his statement, "Maybe you are right."

I oftentimes questioned Mr. PATMAN's decisions, but I never questioned his motives. He was a man, who in the words of Governor Neff, made Texas a better place, in which to live. I was proud to call him my friend.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Missouri.

Mrs. SULLIVAN. Mr. Speaker, this House and the Congress are going to miss WRIGHT PATMAN as the voice of economic conscience in our deliberations, and the people of this country are going to miss him most of all. I know that I have lost not only a close and wonderful friend—a courtly, kind, and considerate gentleman whose geniality and friendliness belied his reputation as a political fire-eater—but also the one Member of Congress who had the most profound influence on my own thinking on the economic needs and problems of the American people.

I was proud to serve with him, and to fight at his side, during the 12 years he was chairman of the Committee on Banking and Currency. They were 12 of the most productive years of that committee's long existence. We suffered many defeats on major legislative goals in those years, but we had some truly spectacular successes, too. And WRIGHT PATMAN never stopped fighting for honesty and integrity and decency in Government and in the Nation's economic affairs.

His "lost causes"—and there were many—had a habit of coming back to life and turning into winning causes. For he never gave up. He took his defeats with good grace, but he never surrendered. He marshalled his forces—his facts—for the next battle and the next and the next,

and in a remarkable number of instances translated defeat into victory. And the American people—small business, the wage earner, the average-income family, the veteran, the poor, and the unprivileged—were the beneficiaries of his prodigious efforts. And so, I might add, were all businessmen who sincerely believe in competitive enterprise.

When WRIGHT PATMAN proposed reforms in our banking system, in the Federal Reserve, and in national economic policy, there was an automatic antagonistic response from most of the leaders of business and industry. He was denounced from one end of the country to another as either a wild man or a knave. But his "far out" ideas for combatting unemployment and inflation and monopoly and high interest rates frequently turned out to be exactly what the country needed when they were finally written into law.

And now, in the midst of a crisis of confidence in our bank regulatory system, WRIGHT PATMAN's long and honorable fight for elimination of conflicts of interest, interlocking directorships, and manipulation of depositors' money by insider deals takes on new significance, and the reforms he tried so hard to bring about are going to have to become law even though he is no longer here to see them enacted. He has left us a legacy of legislative courage and imagination which will live long after his remarkable career in this body.

His greatest talent as a legislator was in the crucial give-and-take of House-Senate conference committees where he demonstrated such skill and patience and resourcefulness—and reason—that bills to enhance powerful interests at the expense of the public interest were instead turned into worthwhile legislation. Without his courageous leadership, and his great skills in finding reasonable solutions in conference for widely divergent House and Senate bills, the Truth in Lending Act, the Fair Credit Reporting Act, numerous housing bills, the Credit Control Act of 1969, Banking Holding Company laws, and other legislation in which I personally take great pride could never have been enacted as effective laws with strong teeth.

I am and always will be deeply grateful to WRIGHT PATMAN for helping me to serve my constituents and all of the consumers of this country in those historic battles.

When he was "deposed" last year as chairman of the Committee on Banking and Currency—renamed the Committee on Banking, Currency and Housing in this Congress—it was, in my opinion, one of the cruelest episodes in the history of the House. The chairman who had taken the lead in the entire Congress in digging into the worst political scandal in American history in 1972, uncovering a trail of "laundered" political contributions which eventually were important factors forcing the resignation of Richard Nixon; the chairman who was the first to open committee markup sessions to the press and the public; the chairman who blocked the Penn-Central re-

financing fiasco and tried mightily to block the Lockheed deal; the chairman who put teeth into the Bank Holding Company Act; the chairman who provided the Nixon administration with unwanted—but crucial—powers to combat inflation until Mr. Nixon himself abdicated those powers in early 1973 and set loose the worst inflation we have ever had in peacetime; this chairman was unseated on grounds that he was too old and therefore ineffectual. He was too effectual to suit his adversaries.

WRIGHT PATMAN in his eighties was still one of the youngest in heart of all the Members of this body, one of the hardest working, one of the most liberal, one of the most conscientious and dedicated. Until his recent sudden attack of influenza which turned into pneumonia and ended his life on March 7, WRIGHT PATMAN was still working every day, including Sundays, for the people of this country.

I shall always take great pride in having led the fight, along with some of his Texas colleagues and several of his other loyal friends in the Banking Committee, to save his chairmanship in 1975 in the House Democratic Caucus. After he lost the chairmanship, he nevertheless continued his lifelong battle for creative regulation of economic concentration in this country. He was a "good soldier" in the committee to which he had devoted so much of his life in the Congress. But I know he was crushed by the vote which ended his leadership role.

Yet he continued to fight for economic decency, and was undaunted. He was a great man, who earned his reputation not by seniority but by his intellect and ability. Seniority gave him power, yes; but the power was used not in petty vendettas and selfish causes but in behalf of the people in the factories and mines and farms and small businesses of this country.

I was privileged, as his close ally in many great battles, to see how a master legislator could achieve incredible results in the public interest. It was with great sadness and a deep sense of personal loss that I learned of his death on March 7. I extend to his beloved wife and his fine sons, and the grandchildren in whom he took so much pleasure, my heartfelt condolences. They have in this period of bereavement the precious knowledge that with their love and support they have helped one of the truly great Members of Congress make an indelible record of achievement in American public life.

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

Mr. MAHON. I yield to the gentleman from Illinois (Mr. McCLODY).

Mr. McCLODY. Mr. Speaker, in the passing of our distinguished dean of the House, Congressman WRIGHT PATMAN of Texas, many of us sense the loss of a long-time personal friend. I, for one, always enjoyed the personal warmth and affection which radiated from this kind and genial gentleman. In this respect, I endeavored to communicate similar feelings toward him.

Mr. Speaker, we will all remember the

youthful attitudes and vigor displayed by our colleague throughout his long and active life. WRIGHT PATMAN's personal and ethical standards were always the highest. His devotion to his late wife, to his widow, Pauline, and to his children was characteristic of the kind of attachment which he also had for his colleagues and friends. My wife, Doris, has maintained a close relationship with Pauline in recent years.

In his position as an outstanding leader of the House of Representatives and his espousal of numerous legislative measures, WRIGHT PATMAN thrived on the drama, the give-and-take, and the spirited controversy in the same way he thrived on his relationships with his fellow Members.

One measure of greatness in a public man, Benjamin Disraeli once said, is consistency. Through his long and illustrious career, WRIGHT PATMAN's philosophy of service never wavered. He will long and rightfully be remembered as perhaps the staunchest modern defender of the individual freedom on which the great American experiment is based. WRIGHT PATMAN was a representative in the best sense of the word; he understood the true needs and wants of his constituents and fought tirelessly in Washington to secure them.

Mr. Speaker, the details of WRIGHT PATMAN's legislative record are well-known in these Halls. His 47 years of service in this Chamber as Representative of the First District of Texas rank among the longest tenures of any Member of this House during our 200 years of history.

His sponsorship of the World War I bonus, the Robinson-Patman Act, and numerous bills supporting veterans, Federal Credit Unions, and the economic well-being of all Americans are all hallmarks of a great career. His colleagues and constituents are poorer for WRIGHT PATMAN's passing, and so is the Nation.

Mr. Speaker, as a fellow resident on Capitol Hill, I had frequent occasion to meet with WRIGHT PATMAN outside of these halls as we traveled to and from our offices, or as we met during our evening walks. These contacts helped solidify our friendship and our mutual respect.

Mr. Speaker, it is with sadness that I rise in tribute to WRIGHT PATMAN as a friend and as a colleague. My wife, Doris, joins in extending to his widow, Pauline, and to other members of the Patman family our affection and deep sympathy.

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

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Speaker, WRIGHT PATMAN's life was long and rich, leaving a legacy of compassion for the average citizen and a passion for the truth. Even as we mourn this passing, we celebrate that life as an example for all of us.

In his long years in Congress, WRIGHT PATMAN never rested with his victories nor allowed himself to be beaten by his defeats. Instead, he forged ahead relentlessly, never tiring in his work for the causes he believed in.

He has been called "the last of the great populists," a title that began with his early battles against the giants of business finance, and banking and has followed him through his often embattled 47 years in the Congress—12 years as chairman of the House Banking Committee. He was a great populist, and much more.

He served his country over a span of years that began with the disillusionments of the Great Depression and ended with the cynicism born of the Vietnam war, Watergate, and abuse of entrenched power.

The Nation's young questioned whether one man—any man—could make a difference, and too often answered for themselves "No."

WRIGHT PATMAN said "yes" and, often singlehandedly, set out to make that difference. When the veterans of the First World War were on their backs, WRIGHT PATMAN was there to fight for a needed bonus. When small business desperately needed protection against hard economic times, WRIGHT PATMAN made a difference with the legislation that bears his name, the Robinson-Patman Act of 1936. When credit unions were needed to serve the "little man" with his credit needs that the big banks were failing to supply, WRIGHT PATMAN was there, with the Federal Credit Union Act of 1934, and with a series of further actions to strengthen the credit unions and to create a National Credit Union Administration. When the veterans of World War II came home WRIGHT PATMAN was there, an author of the Veterans Emergency Housing Act of 1946. When the Nation badly needed economic direction in the wake of World War II, WRIGHT PATMAN made a difference as coauthor of the Employment Act of 1946—still a national economic landmark. When the growth of giant bank holding companies threatened the Nation with a new breed of "robber barons," WRIGHT PATMAN made a difference with the Bank Holding Company Acts of 1966 and 1970. Even before the economy began spinning out of control in 1970 WRIGHT PATMAN made a difference with the Economic Stabilization Act that paved the way for wage and price controls. Indeed, he made a difference by backing virtually every piece of important financial legislation that has passed the Congress in recent years.

There were many battles he fought and could not win—the never-ceasing war against high interest rates, which he saw as the mortal enemy of the farmer and the small businessman and the consumer; the fight to make the Federal Reserve more accountable to the public. But his tireless crusades kept the "big interests," the "big banks," the "Wall Street Tycoons" on their toes; they always knew that WRIGHT PATMAN was there to point out their "misdeeds" and call them to account.

WRIGHT PATMAN's job will never be finished—the job of protecting the people against these forces that always seem ready to overwhelm. But WRIGHT PATMAN left many lanterns along the path to illuminate the way for those who are willing to carry on his efforts.

I cannot help but end on a personal note, because I counted WRIGHT PATMAN not only a great crusader but a good friend. In this 94th Congress, no one has been more supportive of me than the great and good and gentle WRIGHT PATMAN. He was incapable of letting any personal disappointments or hurt feelings interfere with the work that he felt needed to be done in the Banking Committee and in the Congress. He had only one criterion for deciding where he stood on any issue: Was it right? Would it help the people? I could always count on his seemingly boundless energy to push on with whatever work lay unfinished.

WRIGHT PATMAN lived a grand life. Let us not mourn, but celebrate the greatness that we all saw in him and, as our tribute, carry on the work he left us to do.

Mr. BURLESON of Texas. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas.

Mr. BURLESON of Texas. Mr. Speaker, it is indeed a sad time when we lose such an able and dedicated colleague, and the passing of WRIGHT PATMAN is the loss of a good friend. Mr. PATMAN, the dean of the Congress, would have completed his 24th term in Congress, representing 48 years of service at the end of this year.

His long and dedicated service to his congressional district and to the country is well known on a national scale, and he has always been known as a very knowledgeable man about the financial structure of our country. When WRIGHT PATMAN recently announced that he would retire at the close of this 94th Congress, everyone realized how well deserved would be a period of retirement where he could pursue personal interests. His life has been dedicated to his work in Congress.

When I came to the Congress, one of the first to offer help, encouragement, and guidance was WRIGHT PATMAN. His considerateness and helpfulness was always available. Among his many fine attributes was his respect for the opinions of his associates. In disagreement on issues of legislation, he never questioned the position of his colleagues. He was a gentleman in the truest sense. His passing is a personal loss.

I join with my friends and colleagues in expressing deepest sympathy to Mrs. Patman and members of the family and wish for her God's comfort in her great loss.

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

Mr. MAHON. I yield to the chairman of the Committee on Armed Services, the gentleman from Illinois (Mr. PRICE).

Mr. PRICE. Mr. Speaker, the House of Representatives lost a great champion of the average person upon the recent death of the Honorable WRIGHT PATMAN of Texas. I join my colleagues in extending sympathy to Mrs. Patman and to the people of Texas in their great loss.

WRIGHT PATMAN served 47 years in the House of Representatives. Through all that time he worked vigorously in the interest of his Texas constituency and all the people of the country.

He was the average man's greatest

friend. He was the champion of those who sought a voice in Congress to fight for justice and equality of treatment.

He dedicated himself to establishing a better system in our economic life to protect the interest of the average person, wage earners, or businessmen.

He was a courageous leader who brought about better conditions in banking, in housing, and in other business areas. Members of the House Banking and Currency Committee can cite many legislative achievements of WRIGHT PATMAN—all of which benefited people. People were his first concern—starting early with his sponsorship of the World War Bonus Act.

Mrs. Price joins me in extending condolences and sympathy to Mrs. Patman.

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

Mr. MAHON. I yield to the distinguished gentleman from Texas (Mr. BROOKS).

Mr. BROOKS. Mr. Speaker, the Nation mourns the loss of a great American, WRIGHT PATMAN. It was my honor and very great privilege to serve in the House of Representatives with such a distinguished and able gentleman, an outstanding leader whom I respected and whom I was proud to call my friend.

When Congressman PATMAN came to Congress in 1929, he immediately established himself as an outspoken populist and leader in the fight to protect the individual and the small businessman from possible mistreatment at the hands of big business and big government.

This, of course, is not unique in that many Members subscribe to such positions when they first arrive in Washington. What is unusual is that after 47 years, WRIGHT PATMAN was still on the leading edge of those protecting individual rights and interests.

As dean of Congress and of the Texas delegation, he was always most helpful and supportive in our efforts in behalf of the people we represent in Texas.

He not only set a record of longevity, he also established a record of stability, determination, and dedication that will stand for many years.

He served his district, State, and Nation with unswerving honor, dignity, and great ability. His colleagues here in Congress will sorely miss him and his wise guidance and counsel. I join all Texans and all Americans in expressing my deepest sympathy to his beloved wife, Pauline, and his family.

Mr. YOUNG of Texas. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas.

Mr. YOUNG of Texas. Mr. Speaker, I want to say to our distinguished dean of the House, the dean of the Texas delegation (Mr. MAHON), and to the gentleman from Texas (Mr. WRIGHT) that we, on the part of the Texas delegation, were most honored and proud to be with those gentlemen in paying our last tribute to our dear departed friend, WRIGHT PATMAN.

I want to say further, Mr. Speaker, how much we appreciated the eloquent

and inspiring remarks that the gentleman from Texas (Mr. MAHON) and the gentleman from Texas (Mr. WRIGHT) made at the funeral service.

I want also to express particular thanks to all of his great and wonderful friends. They and all of Texas will miss him, as will his wonderful family.

Mr. Speaker, this condolence comes not only from me, but from all of our family and particularly from my wife Jane to his lovely wife Pauline.

I want to express these condolences to his fine friends and the fine and wonderful friends of mine, the great constituents in my area, who thought so much of WRIGHT PATMAN.

Particularly do I want to express these condolences, Mr. Speaker, to his fine son, Senator William Patman, with whom I share his constituency in Texas.

Mr. Speaker, I appreciate this opportunity to pay tribute to our friend, the Honorable WRIGHT PATMAN, one of the great Americans of our time, and to extend our condolences to his wonderful family who are aggrieved by the passing of this great man.

In the 20 years that I have been a Member of this great body I have seen none who was the equal of WRIGHT PATMAN in dedication to his country and who applied himself more consistently and continuously to the discharge of his duties than did he. His great conscience kept him constantly at his work and he at no time permitted anything or anybody, no matter how influential to dissuade him from the cause he served. That he was able to meet the great demands upon him was, in itself a great accomplishment, but that he was able to do so without letup for 47 years is a marvel of the age. His example is one that all of us lesser lights could well emulate.

Neither time nor space allows me to say all the things that I feel need saying about this great American, but in the time allotted to us here we hopefully in composite will try to reach that goal. In this respect, I want to associate myself with all the fine tribute that has been made to our great friend, and though some may have known WRIGHT longer, none could have respected or revered him more than I.

His family are saddened by his passing, but they can take solace in the great pride and satisfaction he had in the love, affection, and achievement of his wonderful family. The name Patman has become synonymous with government and legislative achievement. It is my pleasure and pride to share a constituency with Mr. PATMAN's son, Senator Bill Patman. The senator is a dedicated public official, an able legislator, and a son in whom a proud father took a special pride. A great and mutual love, respect, and devotion as well as pride were showed by the senator and his able and thoughtful Congressman dad. They were a great and able legislative pair and the father and his ability and achievement will long live in the senator son.

I pay tribute and condolence to the Patman family from me and my family but especially from my wife, Jane, to

Pauline, the lovely wife of our departed friend.

I count myself fortunate to have known WRIGHT PATMAN and state freely that I and all who knew WRIGHT were so much better off for having known this great and honorable man. WRIGHT cannot be with us now, but his spirit will linger in the Chamber forever—his memory will be constant.

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

Mr. MAHON. I yield to the gentleman from Oklahoma.

Mr. STEED. Mr. Speaker, in a career in the House of Representatives of more than 47 years, WRIGHT PATMAN was a consistent and courageous champion of the common man in a phenomenal way. He kept close to the people in the First District and ably represented them and their concerns.

Yet at the same time he came to grips with most issues and faced them bluntly and effectively.

One of the highlights of my earlier years came when I was placed on the Select Committee on Small Business in 1953 with WRIGHT PATMAN as chairman. Almost 10 years I worked closely with him on that committee. He gave me the opportunity of holding a wide series of hearings throughout the country on the dairy industry, the coal industry, poultry, tomatoes, and many others. Most of what I know of small business and its problems so vital to our economy I learned through my close association with WRIGHT PATMAN.

Miss JORDAN. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas.

Miss JORDAN. Mr. Speaker and my colleagues, we have heard several words said here this afternoon about a man. We know that it is conventional or traditional in congressional parlance for us to refer to each other as the gentleman or the gentlewoman or gentle lady, but we can say it of the gentleman from Texas, WRIGHT PATMAN, and know that that title suits him particularly well. With almost half a century of service in this House, we know that he was a gentleman and a gentleman.

It was the time of 1928 when he came to the Congress. It was in the midst of bank failures, economic depression, lack of confidence in Government and WRIGHT PATMAN felt that it was the failure of Government to be truly representative of people that was causing this lack of confidence in Government. Unhesitatingly he set about the task of restoring that confidence.

When we talk about the way WRIGHT PATMAN helped people we usually say the little man, the little business, the little people or the small business, but WRIGHT PATMAN had no stratification in terms of classification of people, they were all just folks and he felt that Government had a responsibility to help them and he saw to that. So that the people in the First District of Texas can be proud and his family can be proud because he was, indeed, a champion and those of us who are

left in this body, who represent the will of the people, can say that WRIGHT PATMAN still does live in the high standards of our own conduct.

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

Mr. MAHON. I yield to the gentleman from Texas.

Mr. KAZEN. Mr. Speaker, time has passed since WRIGHT PATMAN left us, and nearly 100 Members of this House traveled to Texarkana for the graveside ceremony. Yet we did not say goodbye to Congressman PATMAN when he was last in this Chamber, ending service that began nearly 50 years ago, nor did we pay final honor to his memory in the Texarkana services. This was a man who was sometimes gentle, sometimes fiery, but always so true to himself, his principles, and his party that he has left an enduring monument here.

Each of us treasures personal memories of his friendship. Before I came to this body, I had the privilege of serving in the senate of Texas with his distinguished and very able son, William Neff Patman, and, of course, along with every other Texan, I knew something of Congressman PATMAN's early career. I knew he had, in his first campaign for a seat in this House, pledged his efforts to achieve a bonus for World War I veterans, and when he found the banking interests urging the administration of President Hoover to oppose the bonus, WRIGHT PATMAN became aroused at this opposition. It was his inquiry into the matter that led him to ask the impeachment of Andrew Mellon as Secretary of the Treasury. Only when President Hoover named Secretary Mellon as Ambassador to Great Britain did the impeachment effort die.

These and other Patman fights were legend when I came to the House. Yet this distinguished Member took time to be kind to me, and I shall always remember the reception which he gave for me and another Texas newcomer, my colleague BOB ECKHARDT, as we arrived here. WRIGHT PATMAN invited scores of Members of both Houses, the Vice President, members of the Cabinet, and other ranking Government officials. They came because he had invited them. I shall long be grateful for that kindness and the many that followed.

WRIGHT PATMAN believed in the Democratic Party. He believed that its platform through the years served the interests of the people of this country better than any other party. I do not mean to be partisan, but rather to note the determined dedication of this man, when I say that for years he was a leader in the Democratic fundraising activities that helped many men and women win seats in this body.

We have all known how dedicated he was to his district. As his responsibilities in this House grew, he stretched his workweek so that he spent Saturdays in his office and, after attending church services on Sunday morning, he usually walked to Capitol Hill to have more time at his desk. His diligence was truly exemplary.

With all sincerity, I wish to say that I believe I am a better legislator today for having known WRIGHT PATMAN, a true statesman in his dedication to his principles, the energy of his effort, the kindness to others. History will mark him as one of the great Members of the House of Representatives.

Mr. Speaker, my wife Connie joins me in expressing our condolences and sincere sympathy to Mrs. Patman and all the Patman family.

Mr. MAHON. I thank the gentleman for his comments.

Mr. Speaker, I now yield to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. I thank the chairman for yielding.

Mr. Speaker, although WRIGHT PATMAN has been a household word with the American people for almost a half a century, I believe one of my first personal recollections of this man was some 23 years ago. At that time I was doing some statewide organization work for then Senator Lyndon Johnson. We were organizing appearances and speakings in various congressional districts throughout the State and one of my first assignments was to go to Texarkana and help organize events and schedules in the First Congressional District of WRIGHT PATMAN.

This turned out to be more than a casual or routine series of speakings.

It seems that then Senator Lyndon Johnson had been invited to come to the Texarkana District on the assurance that Congressman WRIGHT PATMAN would organize a lot of very fine meetings. The Senator dared the Congressman to show him how he could really organize a district. The Congressman accepted the dare and hurled back a similar challenge to the Senator that he would show him a thing or two.

With both men daring big things, I can tell you that that district was exceedingly well organized. We started at 6 o'clock in the morning and we would make 15 to 20 speeches every day, ending up with a banquet on each of two nights.

In those days we would go to a rural community where previously mailings, fliers or post cards had been distributed. It was my job to get to that community early with a sound system and have the people gathered at the country store or in front of the post office, or drug store. Shortly thereafter, in would roll the Senator and the Congressman. While they were making historic town hall meetings in these communities, I would race ahead to the next stop with a second sound system. I realize that I was doing double duty and by the end of the day I believe I was twice as tired as those men. Keeping up with those two dynamos was impossible.

I was amazed at the vitality, the enthusiasm, and the challenge of public service that WRIGHT PATMAN had given to his district. Everybody knew him; everybody trusted him. It was obvious he was as respected in the First District of Texas as he was nationally.

I learned what a tremendous person he was, and I have never forgotten it. I

learned that I could not keep up with those two men.

Mr. WRIGHT PATMAN seemed to always think ahead of his times. Many of the recommendations he has made have taken 5 or 10 or 20 years or more to come about.

I remember right after the Rayburn House Office Building had been finished, WRIGHT PATMAN came to me one day and suggested that I should recommend a new House Office Building immediately east of the Cannon House Office Building. I did not make that recommendation because it would not have been a popular move then. It turned out, however, that it would have been the right thing to have done. While we are proud of the new Congressional Library, we could have had a House Office Building today at this location or some similar location if we had listened to WRIGHT PATMAN. He was 10 years ahead of his time in this instance.

Last November, I testified before the House Small Business Subcommittee which was investigating the lack of enforcement of the 1936 Robinson-Patman Act by the Federal Trade Commission. I strongly supported vigorous enforcement of this good legislation, which prohibits predatory pricing practices. The next morning, Dean PATMAN took a lengthy stroll from his Rayburn Building office to my office in the Cannon Building. The dean made the trip to give me his warm personal thanks for my words about his bill. As he left, his twinkling eyes focused on me and he told me that he wanted me to carry on the fight in this arena. I interpreted this as his message to me that he was retiring from the Congress, a decision which he made official several months later. I was deeply honored by this gesture and hope to do my best as one to continue the battle on his behalf.

Dean PATMAN and his wife raised a wonderful family of four children. I am a very close personal friend of his son, Bill, who serves in the State senate in Austin. Bill Patman represents south central Texas and lives in Ganado, Jackson County, which was formerly a part of the 10th Congressional District. Bill's wife, Carrin, is also very active in public affairs, having served as the Democratic National Committeewoman from Texas. State senator Bill Patman is very respected by his colleagues for his integrity and diligence.

After the death of his first wife, the dean married Mrs. Pauline Tucker. We in the Texas delegation have come to know and love the wife of our dean. Pauline is a very delightful person who has made many friends among all of us. She is a lady. She is loved and respected by all our colleagues. She gave inspiration to all our wives.

WRIGHT PATMAN was an intense crusader for the rights of the little man. He worked hard for the passage of legislation to help the small independent businessman. He was fervent in his zeal. He was sincere and dedicated. He tried to appeal to you on the basis of the merits of the legislation. He never tried to mislead you. He never tried to force

you into supporting his position. He never tried to make any personal threat or special pressure. After the vote was taken, won or lost, WRIGHT PATMAN never referred to the vote. Although you might not have supported him, it never became a personal matter with him. What was done—was done, and there were no recriminations. His fairness and his kindness was a beautiful thing to know and experience.

Our tributes today are just a beginning to the years of tributes which will be given to WRIGHT PATMAN. His story will be told over and over. He is a legend already, and his legend will grow. As long as there are legislative bodies in this country, and as long as the people elect leaders among them, the name of WRIGHT PATMAN will stand out as the symbol of integrity and honor and ideal public service.

It is sad to realize that, after 47 years of congressional service, WRIGHT PATMAN has answered his last rollcall. His record will probably never be equaled again in this House. One of the giants of our time has quietly laid down his mantle of service. But he returns his legislative toga untarnished and unsoiled. He leaves us a record of perfect public service. Legislators decades from now will say, "He was the greatest populist of them all."

Mr. MAHON. Mr. Speaker, I would like to make this statement now. We are honoring a man who served 47 years in Congress, honoring his memory. There was a first-term Member of this House who came to me this afternoon and said, "I am very anxious to have an opportunity to say a word during the ceremonies for WRIGHT PATMAN."

Mr. Speaker, I am pleased at this moment to yield to the gentleman from Kentucky (Mr. HUBBARD).

Mr. HUBBARD. Mr. Speaker, I join other colleagues in paying tribute to a great American, a fighter for the little man, a colleague I admired very much, and a man whom I was proud to call my friend.

For 47 years—longer than many of us in Congress have been alive—U.S. Representative WRIGHT PATMAN of Texas was a champion of many efforts beneficial to the American people.

For 12 years he served as chairman of the Banking, Currency and Housing Committee. It was partly through his influence that I became a member of this committee as a freshman Congressman.

National press accounts said last year and again recently that "House Democrats, led by their young freshmen, deposed him as too old or too arbitrary or ineffective as chairman of the Banking Committee." As a freshman Democrat who serves on the Banking Committee and who also served last year, from January to June 30, as chairman of the freshman House Democrats, I can say accurately that all the freshman Democrats of this House have had a high regard for WRIGHT PATMAN and admire him very much.

At times in the past WRIGHT PATMAN has been a lonely, fearless voice seeking to protect the little people from the giants of Wall Street.

The dean of the House was a gentleman whose character, moral standards, and personal habits were always indicative of his early training in a Christian home.

Yes, among those in this House who will miss him most are the freshmen, some of whom may have questioned his leadership ability at age 81 last year but all of whom always will remember him as one of the greatest Americans in history and as one who served capably, honestly, and efficiently in this Chamber longer than all but three other Members—Carl Vinson of Georgia, Emanuel Celler of New York, and the late Sam Rayburn of Texas.

My wife Joyce joins me in extending to Mrs. Patman and the Patman family our sincere sympathy.

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

Mr. MAHON. I yield to the distinguished chairman of the Committee on Rules, who served many years with the late gentleman from Texas (Mr. PATMAN).

Mr. MADDEN. Mr. Speaker, in the passing of our colleague, WRIGHT PATMAN, the Congress loses one of our most outstanding and brilliant statesmen that this legislative body has had during this century.

He was elected to this body in the year 1928 during the first term of Herbert Hoover. During those unfortunate years of depression in the early 1930's, WRIGHT PATMAN was one of the most effective legislators in helping President Franklin Roosevelt to bring our Nation back to employment, prosperity, and a stable economy.

During my first years as a new Member of the House of Representatives, I along with other Members marveled at Congressman PATMAN's industry and legislative activity not only from the department of economics, but also his keen intellect and valuable support of so many constructive bills which benefited millions of American families. Congressman PATMAN during the 47 years of his legislative service has left a record that the rank and file of America, regardless of social or economic status—of which the rank and file can indeed be proud.

WRIGHT PATMAN's record as a public official started in the mid-1920's when he was elected to the Texas State legislature and later serving as district attorney of the fifth judicial district for 5 years previous to his 1928 election to the 71st Congress and each succeeding Congress. As a member and chairman of the Banking, Currency and Housing Committee and his services on the House-Senate Joint Economic Committee should serve as an example to Members coming into this House in future years.

Mr. MAHON. I thank the gentleman for his remarks.

Mr. Speaker, if I may say to my colleagues, this special order was for 1 hour, and the hour is just about elapsed. I am determined to yield to all those here who wish me to yield, but we are going to have a little problem with respect to time.

Mr. CHARLES WILSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to my colleague from Texas.

Mr. CHARLES WILSON of Texas. Mr. Speaker, during my time in the State legislature I did not follow the activities of Congress very carefully, and so I did not really know exactly what WRIGHT PATMAN was doing all the time; but I did know that every time I heard a rich banker in my district cuss WRIGHT PATMAN, he was doing something right.

On a bit of personal knowledge, and I suppose this is partisan, but I rather believe that if WRIGHT PATMAN had his druthers, he would have chosen that this special order be a little partisan. My first knowledge of him was when he came to Trinity, Tex., campaigning for Harry Truman in 1948. My mother and I and WRIGHT PATMAN were the only people in town for Truman, but somehow he got all the votes.

I remember that he campaigned for Adlai Stevenson in 1952 and 1956 when it was not a very popular thing to do and when he had a serious contest of his own. I remember his working for John Kennedy and, of course, Lyndon Johnson, and I also remember, among all of the Democratic candidates for Congress in 1972, WRIGHT PATMAN was the only one who had the courage to campaign actively for GEORGE MCGOVERN. Knowing his district, because it adjoins my district, I think perhaps I have a little surer appreciation of that than some others may have.

Also on a personal note—this was one of the most unique things about Mr. PATMAN—and I learned it not through him but through his son: I served with his son for 6 years in the State senate, and I have never known a son as devoted to his father as Bill Patman was to his. That says a lot about the father. As any Texas Member knows who was around at times of congressional redistricting, Bill Patman would have clearly given up his seat to protect his father's, but he was adroit enough to be able to protect them both.

WRIGHT PATMAN was the only man in his eighties who still had the fire of ambition in his breast. He was a great man. He was a great administrator. He was a man the people of his district sent on March 4, 1929, to Congress; and almost 50 years later, on March 10, 1976, as the gentleman in the well so eloquently put it at his funeral, they welcomed back their hero—and what a welcome it was.

I think when the inevitable memorial is built to WRIGHT PATMAN, it should contain the words of our other colleague from Texas who spoke at the funeral: "He found his greatest pleasure in comforting the afflicted, and in afflicting the comfortable."

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

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

Mr. ROUSSELOT. I appreciate my colleague from Texas yielding to me.

Madam Speaker, Mrs. Patman, it is a distinct honor for me to have this opportunity to pay tribute to the late dean of this House, the Honorable WRIGHT PATMAN.

The esteem in which Mr. PATMAN was held among his colleagues was attested to by the size of the delegation, comprised principally of members of the Committee on Banking, Currency and Housing and members of the Texas delegation, which traveled to Texarkana last Wednesday. This tremendous expression of feeling for Mr. PATMAN was at least matched, if not exceeded, by the people of Texarkana and eastern Texas, who turned out by the tens of thousands to pay their respects.

Several of the local people spoke to me about the devotion which Mr. PATMAN had shown for his constituents during the nearly one-half century in which he served them. I understand that Mr. PATMAN published and distributed more than 2,500 different editions of his weekly newsletter during his career, a truly remarkable record. That means that millions of copies of his weekly newsletter have been read during his service here. This great dedication will be commemorated in many ways, some of which have already been mentioned.

Not the least of these will be the continued use by Members of Congress of both parties and of all persuasions of a booklet entitled "Our American Government: What Is It? How Does It Function?" This booklet contains a wealth of valuable information about the Constitution and all 3 branches of our Federal Government, as well as answers to 185 questions about various facets of Government. As this booklet continues to be revised and provided to thousands of tourists who pass through the Congress, it will be a fitting memorial to its author, the late Mr. PATMAN.

Since I returned to the Congress in 1970 and served on the Banking Committee under his chairmanship, we often disagreed on issues. However, Chairman PATMAN took care to be fair to the minority, and even when the majority steamroller was moving into high gear, went out of his way to give the minority a chance to be heard.

I am privileged to join my colleagues in expressing to Mrs. Patman and to the entire Patman family our deepest sympathy and our sincere appreciation for the dedicated service which Congressman PATMAN rendered to this State and to all of the people of this country.

Mr. THORNTON. Madam Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Arkansas (Mr. THORNTON).

Mr. THORNTON. Madam Speaker, all of us who served with WRIGHT PATMAN share a special sense of loss. But because I had the privilege of sharing with him the representation of the city of Texarkana, I want to share with the Members my personal knowledge of the enduring friendships and of the deep sense of loss which is felt by his many friends in Texarkana and the northeast Texas district which he served so well.

The people in that district speak with warmth and with pride about the legislative battles which he fought and won for the people. But it was not just because he was a great Congressman that they feel a sense of loss. There was a sense of personal loss, as well, because

the man they sent to Congress for 47 years was to each of them a very special friend.

From the standpoint of serving with him in the House and of sharing in the representation of people living across the street from each other, I will miss him; but I will remember him as a true friend who has given to us all an example of a courageous, warm, gentle, and determined life.

I share the sense of loss, and I want to express my genuine sympathy to his wife, his family, and his many friends.

Mr. RONCALIO. Madam Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO. Madam Speaker, in another section of these tributes I shall have formal remarks, so I ask only for a minute or so to pay my respects here personally to the beloved lawmaker who was a symbol to many of us throughout the Nation for a fair and equitable distribution of the Nation's wealth.

About a month before he left us, he was kind enough to give me an increase in my quarters, for which I was very appreciative. In moving a filing case in that process, a document fell down, and it was made up of two speeches. One was a speech of the great WRIGHT PATMAN on the monetary system, and another was a speech of a Mr. Aldridge of the Chase Manhattan Bank, which was a plea for high interest rates in 1942.

So the words of our distinguished committee chairman are as true now as they were then. The bankers still insist on their high interest rates now as they did then.

Madam Speaker, I thank the gentleman for yielding.

Mrs. FENWICK. Madam Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New Jersey.

Mrs. FENWICK. Madam Speaker, I would like to remember Mr. PATMAN for his great kindness and his courtesy to me, and, more particularly, I would like to remember something that really moved me very deeply because it came from one of WRIGHT PATMAN's own constituents. This is what I wrote following the ceremonies:

Yesterday, in a most beautiful and fitting ceremony, the Honorable Wright Patman of Texas was buried in his home town, Texarkana.

In the cemetery—in the warm spring sunshine—a young girl came up to me to express her sense of loss, and her pride in her Representative. "I played in his yard when I was a child," she said. "He was good to us. He went up mighty high but he brung us all along with him."

I thought it was such a fine and heartfelt tribute that I wanted to share it with other Members of the House.

Mrs. BOGGS. Madam Speaker, will the gentleman yield?

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

Mrs. BOGGS. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I trust that the distinguished career of our departed col-

league will serve to honor WRIGHT PATMAN, his family, and this body for all the days of our Nation's history. His courtesy, his kindness, and his helpfulness to both Hale and me will be remembered and cherished by all the members of our family for all the days of our lives.

WRIGHT PATMAN's reputation as a fighter for the rights of all the Nation's citizens was exemplified most specifically in legislation granting equal economic opportunities and equal treatment in the acquisition of home mortgages, small business loans, and credit to women. I have always felt that his great fight for the rights of all persons was what distinguished him most as a leader. He was a great national leader, as well as a valiant defender of our section of the country.

Madam Speaker, I extend my most sincere sympathies to his valiant and lovely wife, Pauline, and to all the members of his family.

Mr. HIGHTOWER. Madam Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas.

Mr. HIGHTOWER. Madam Speaker, in losing WRIGHT PATMAN, the House has lost not only its dean but one of its all-time greats. He was a great servant of the people, having nobly and conscientiously served the people of this Nation for over 47 years.

He exemplified great courage and tenacity in standing forthrightly, and often almost alone, for those things which he believed to be right and just, never just for those causes that might be popular at the moment. For years he provided points of view that were the basis for a continuing healthy dialog about the direction in which the country and its economic system were going.

He was a man of great compassion. He never wavered in his determination to protect the interests of those who appeared to have no organized voice to speak for them.

He was a great friend. Thousands of people from east Texas and all parts of the Nation were proud to be identified as a friend of WRIGHT PATMAN and mourn his passing from the American scene. I was honored to be numbered as one of this vast throng for many years, although my service with him here was all too brief.

I knew Mr. PATMAN as a fellow Texan with a heritage much like my own. He had lived through war and Depression, good times and bad, as many of us have, but somehow difficult times developed in him a keen understanding of the needs of the common man, the small farmer, the individual rancher, and the small businessman.

He was faithful to the end in serving the causes in which he believed. Yet in victory and in adversity he was always a gentleman. Although his strong voice is now silent, the torch has passed and his courageous point of view and the dialog in which he played such a part will now be taken up by others and will continue to be heard in the House of

Representatives that he loved so much and served so well.

Madam Speaker, these tributes from his colleagues are not the last words of praise that will be heard in this House in praise of our dear friend. His memory and his service will be spoken of with respect and appreciation as long as any know of the service of any of the great men who have served in this House.

Mr. MAHON. Madam Speaker, I thank my colleague, the gentleman from Texas (Mr. HIGHTOWER), for those remarks.

Madam Speaker, I now wish to yield to the gentleman from Pennsylvania (Mr. JOHNSON), who served long and faithfully with WRIGHT PATMAN on the Committee on Banking and Currency, and who has been present in the Chamber throughout the afternoon.

Madam Speaker, I am pleased at this time to yield to my distinguished friend, the gentleman from Pennsylvania (Mr. JOHNSON).

Mr. JOHNSON of Pennsylvania. Madam Speaker, it is difficult to find the proper words to express the feelings I would share about WRIGHT PATMAN. For more than a decade it has been my privilege to serve with him on the Committee on Banking, Currency, and Housing. Ideologically we have differed but personally we have been warm friends. His friendly manner, those twinkling eyes and that warm smile displayed the human side of a dedicated and respected public servant.

Madam Speaker, I am sure that there will be many testimonies to Mr. PATMAN's long and distinguished service in this body. There is little that I could add to the record which history will recall. I would note, however, that his accomplishments during 47 years of service were sufficient to inspire him ever onward. His dedication should be an inspiration to all of us who at times tend to be discouraged by temporary setbacks. He has carved his name in history as a spokesman for the little man in a way that should inspire all of us to have the power of our convictions.

Madam Speaker, I am proud to have counted WRIGHT PATMAN and his lovely wife, Pauline, as warm personal friends. My prayers are for her and his three sons in this hour of grief. I am sure many others share my feelings.

Madam Speaker, I believe I have observed Mrs. Patman in the Chamber here today.

I would say with respect to this great couple, Pauline and WRIGHT, it was a real love match. I have never seen any couple who loved and admired each other as that couple did. Mrs. Johnson and I saw them on many occasions. We have traveled with them, and we have been at functions with them. They were such a delightful couple to be with.

Madam Speaker, each day now I miss WRIGHT PATMAN because his car was parked right alongside of mine in the Rayburn Garage, and we generally would arrive at the same time. Frequently Mrs. Patman was with him, and what a kindly, wonderful, loving couple they were.

Madam Speaker, we not only will miss

Mr. PATMAN, as I do every day, but we will miss seeing Mrs. Patman around the Congress. She used to come to committee meetings when he was presiding, and one could always tell how much she admired everything he did and said.

Yes, truly, we have lost a very fine and wonderful public servant.

Madam Speaker, I want to join with everybody in wishing Mrs. Patman a very pleasant, happy future, as much as is possible under these trying circumstances. Our prayers go out to her and to their three sons in the hour of their great grief.

Madam Speaker, I thank the gentleman for yielding.

Mr. SIKES. Mr. Speaker, only four men in history have served in the Congress of the United States longer than WRIGHT PATMAN of Texas. Few during our country's history have served the Congress or the Nation better. When I came here long years ago and stood near the bottom of the list in seniority, WRIGHT PATMAN was among those who had already established a reputation for ability and effectiveness in the House. In the intervening years, the list of Members senior to me has grown smaller and smaller until finally WRIGHT PATMAN was the senior Member of the House of Representatives. But he was more than that. WRIGHT PATMAN was in many ways a symbol of what Congress should stand for—vigorous representation of the people of the United States and a guardian of the rights of all Americans.

WRIGHT PATMAN was a controversial figure who never failed to enter the arena of political battle for the things he defended. As a member and the chairman of the powerful Banking and Currency Committee, he was an outspoken critic of the fiscal policies which he felt were injurious to the pocketbooks of the average American. He never hesitated to take on the joists in the financial world in battle. He fought the Federal Reserve Board, high interest rates, and big banks indiscriminately and tirelessly.

The people of Texas and Americans everywhere have sustained a great loss in the passing of Congressman WRIGHT PATMAN, veteran of nearly a half century of service as U.S. Representative for the First Congressional District of Texas and dean of the U.S. Congress.

Prior to his election to the House of Representatives in 1928, WRIGHT PATMAN served two terms as a member of the house of the Texas Legislature and 5 years as district attorney of the Fifth Judicial District of Texas.

Earlier this year, Mr. PATMAN announced that he would not seek election to the 95th Congress; but that he intended to carry out all his congressional duties vigorously through the remainder of his 24th term. Mr. PATMAN emphasized that although he was leaving the Congress, he was not actually retiring for he planned to remain active, returning to a limited practice of law, and to use a variety of forums to pursue his positions on economic and monetary issues.

WRIGHT PATMAN first rose to prominence as a young new Congressman when

he led a successful fight over the opposition of the congressional leadership and Presidential vetoes to pay 3½ million veterans of World War I adjusted payment certificates—more commonly known as the bonus. The successful fight, culminating with the payments in 1935, not only fulfilled the Government's promise to the World War I veterans, but provided an important stimulus to the economy during the depression.

He cosponsored the Robinson-Patman Act of 1936—a major antitrust bulwark which has been described as the "Magna Carta" of small business. He was author of the resolution which created the Small Business Committee of the House of Representatives in 1941 and served as its first chairman. Much of the small business legislation of the past four decades bears his name. He also cosponsored the original Federal Credit Union Act of 1934 and the Veterans Emergency Housing Act of 1946. Virtually all housing legislation—including the major housing acts of the 1960's—also bear his name.

Representative PATMAN was chairman of the House Banking and Currency Committee from 1963 to 1974. He worked for lower interest rates and a more responsive and responsible Federal Reserve System. Consumer credit legislation, including the Truth-in-Lending Act, was moved to the forefront for the first time during his chairmanship and he consistently fought to have the consumer represented in the decisionmaking processes of the bank regulatory agencies.

Through much of his congressional career, WRIGHT PATMAN has provided a needed measure of oversight of the wealth accumulated in privately controlled, tax-exempt foundations and his work in this area led to major amendments in the 1969 Tax Reform Act.

Although Mr. PATMAN's record brought him wide national recognition, he never lost sight of the people of his district where he lived and where his roots always ran deep.

WRIGHT PATMAN was my friend. He sought to be a friend to everyone. He will be greatly missed in these Halls by all those who were privileged to serve with him and to know first hand of his patriotism, his dedication to public service and his legislative contributions and accomplishments.

I join my colleagues in extending deepest sympathy to Congressman PATMAN's family and assure them he will long remain in our thoughts and prayers and his work will stand high in the annals of the Congress and among the records of great Americans.

Mr. DOMINICK V. DANIELS. Mr. Speaker, words cannot express the deep sense of loss I felt on hearing of the passing of my good friend, and of our distinguished colleague, WRIGHT PATMAN.

The Nation has lost a tireless and courageous public servant. The State of Texas has lost an able and affable Representative. The House of Representatives has lost one of its finest gentlemen. And I have lost a friend.

Many of my colleagues will eulogize WRIGHT PATMAN and speak in glowing

terms of his legislative achievements—which are legion. A few of us may qualify our remarks with a note of personal disagreement with some of Mr. PATMAN's ideas.

WRIGHT PATMAN would have liked that. He once told me that, if everyone agreed with him, he must be doing something wrong.

WRIGHT PATMAN really never cared what we thought—just as long as he was sure we were, in fact, thinking.

He played the intellectual antagonist to perfection, substantiating Edmund Burke's observation that our antagonist facilitates our cause:

He that wrestles with us strengthens our nerves and sharpens our skills.

If WRIGHT felt the loneliness of a man ahead of his time, he took great pains to hide it. He never engaged in bitter diatribe against those who did not share his vision of truth or the future. That was not his style.

Instead, he set the course and cleared the uncharted path alone—and waited for the rest of us to catch up with him.

Without question, WRIGHT PATMAN was the consummate legislator. He combined the qualities of a hardnosed legislative tactician with those of a populist philosopher. From that meld was created legislation which did more to improve the condition of the common man than all the rhetoric, speeches, column writing, and exhortations that preceded or succeeded him. His disarming smile, his quiet manner belied a fierce determination to rescue the American promise back from the league of big bankers, businessmen, insurance companies, and Government officials who combined to control the markets for their exclusive gain.

The Employment Act of 1946 did more than set a goal of "maximum employment, production, and purchasing power." It created a mechanism for doing so. That we have failed the act's objective is due not to the legislation but to our unwillingness to enforce it. WRIGHT PATMAN fought 16 hard years for that bill and brought a nation around to a new economic philosophy.

The Federal credit unions were a Patman creation. He saw them as a means of providing easier credit to hard-pressed workers and consumers whose applications for credit had been so long denied by major banks.

The Small Business Administration and the requirement that small business be allowed to share in major defense contracts were another Patman creation that provided succor to hard-pressed businessmen and workers.

Likewise, the Robinson-Patman Act prohibited the huge chain stores from neighborhood price cutting in order to drive smaller store owners out of business.

These are WRIGHT PATMAN's achievements. There were failures along the way but he fought for years, for decades, for each of them. And through each of them runs a common thread: that free enterprise must truly be free, not merely a rallying cry for the powerful to grab as much as they can; that to achieve "full

employment, production, and purchasing power," it is the function of Government to clear the road of every obstacle to those who would work to create and expand opportunities for themselves and for others.

When, after bitter debate and much delay, we finally found ourselves standing in agreement with him, he never rebuked us with "I told you so." Instead, he greeted our arrival at the same legislative conclusion with a bemused expression and twinkling eyes that seemed to say, "How nice of you to join me."

Confident of his own good judgment, WRIGHT PATMAN chose not to live in the fitful atmosphere of a Gallup poll. If we learn one lesson from WRIGHT PATMAN, it should be that the essential quality of political leadership is a strong belief in principle, the courage of conviction, and the willingness to gracefully accept defeat as a temporary setback.

WRIGHT's convictions, together with his confidence in his own judgment, allowed him to endure the criticism of colleagues and the defeats handed him from time to time. Defeats which were accepted as graciously as his triumphs.

WRIGHT PATMAN was the first Member of the House to sense the impending calamity of Watergate. The meld of tactician-philosopher was hardened by a sense of moral judgment and political propriety that put him far ahead of the rest of us.

He correctly saw that it was neither a mere peccadillo nor even within the most permissive limits of political combat. Rather, if allowed to go unchallenged, the corruption set off by the Watergate conspiracy was indeed a mortal cancer which threatened not merely a presidency but our whole political life.

It took a practicing populist like WRIGHT PATMAN to understand how this corruption would reverberate throughout the land, shaking the foundations of our society and, leaving in its wake, a people's shattered faith in their Government, their heritage, and their way of life.

Clearly, and long before many of the rest of us, he saw Watergate as proper grounds for impeachment, long before any of us recognized the danger that it posed to our country, he recognized its source and as early as September of 1972 he sought an investigation of the circuitous route traveled by campaign funds as they made their way into the pockets of the Watergate burglars. Then, as often-times before, he was not successful in his attempt. He was, again, right too soon.

WRIGHT PATMAN's legislative contributions to American society reveal an uncommon ability to sense the needs of the future. Foresight was WRIGHT PATMAN's hallmark.

There is a lot of discussion today about full employment policy and the maximization of production and purchasing power.

WRIGHT PATMAN was thinking about those things back in the 1930's. His Full Employment Act of 1946 created the Council of Economic Advisers and the

Joint Economic Committee, and established the maximization of employment, production, and purchasing power as a national objective.

We are still working to turn WRIGHT PATMAN's dream into a reality—and in time, I am sure we will. However, when we do, we won't be able to take credit for anything more than being competent legislative mechanics. WRIGHT was more than that. He was the artist out of whose creative and expansive mind came the model with which we are now tinkering.

It was in this capacity that he launched the effort of his lifetime—to restructure the Federal Reserve System and commercial banking in the United States to make it more responsive to the little people, his people, of America.

This was the longest and loneliest quest of all. But he never stopped. Only death could take him off this battlefield.

WRIGHT PATMAN has fallen on the field of legislative battle. Not from the strength of any adversary but by the power of age and the infirmities of time. His standard will be taken up by others. Let us hope they are equal to the task which WRIGHT PATMAN faced so valiantly and bore with such grace.

Mr. ROBERTS. Mr. Speaker, the history of the Congress is filled with giant figures, men who wielded great power and influence. But one of the greatest—and the gentlest of these giants was WRIGHT PATMAN. His influence was quiet, but powerful. For more than four decades he raised a voice of concern for the little man.

With a sincerity that held him above partisan squabbles, Mr. PATMAN cut to the core of each issue. Whether it involved agriculture or finance, he always asked this question. How would this affect the human beings involved? He always insisted that the Congress steer clear of the special interest groups and vested interests so that the citizen without powerful lobbies or special connections not be lost in the shuffle.

Labeled a maverick, Mr. PATMAN was one of the few remaining crusaders. His strong positions often placed him in unpopular positions, but he courageously refused to back down.

His detractors tried to label him a foe of business and the free enterprise system. In fact, he held a deep faith in the system and fought to make it work as it was intended: for the mutual benefit of both the weak and the strong.

Mr. PATMAN was not the type of man to apologize for his views; nor did he reduce his positions to a few pat phrases or rigid ideologies. Perhaps his philosophy is best summed up by a quote by Harry Truman he used at the occasion of Mr. Truman's death:

Of course I believe in free enterprise but in my system of free enterprise, the democratic principle is that there never was, never has been, never will be room for the ruthless exploitation of the many for the benefit of the few.

Throughout his career, WRIGHT PATMAN served the people with courage and candor. He was frank and straightfor-

ward. His honesty had no taint of diplomatic guile, and his colleagues in the Congress—as well as Americans from all walks of life—came to regard him with deep and abiding respect, a wonderful tribute indeed. The title "Dean of the House" meant more than simply that Mr. PATMAN had served longer than anyone else. It was used with measures of reverence and respect that simple longevity cannot produce.

It is impossible to overemphasize the enormous contribution which WRIGHT PATMAN made to his country. Mr. PATMAN did not believe in legislative razzle-dazzle or headline grabbing; he worked quietly, patiently for his goals without looking over his shoulder at the next election. His vision lighted a path for us all.

Perhaps it was this grand vision, this grasp of the bigger picture that gave WRIGHT PATMAN the wonderful perspective on life which his friends so respected. Mr. PATMAN was a man who held no grudges and was completely without rancor. A veteran of many political battles, he never took disputes personally or let disagreements poison friendships. For those of us who knew him well, his death has meant the loss of an enduring, sustaining friendship. It has been particularly painful.

The loss of Mr. PATMAN diminishes everyone—his family, his friends, the Congress, the entire country. But only the man has died. His ideas, his professional and personal example to all of us will not diminish, even with time. Because of him, our country is a better place, and we who knew him are better people.

Mr. FRASER. Mr. Speaker, today we honor the life and service of a man who at his death had served in this House longer than any other current Member. In fact, WRIGHT PATMAN served in this House longer than all but three others in our history.

Of course, it is the quality of service rather than its duration that is most important. WRIGHT PATMAN scores high on any measure of the quality of his service. In a democratic system of government one always hopes and believes that there is a high correlation between length of service and quality of service. The voters of the First District of Texas obviously were satisfied.

As a non-Texan, it is always helpful for me to look to Texans for insights and observations about other Texans. Concerning the staying power of Texas congressional representatives, Speaker Rayburn is purported to have said, "We pick 'em young, we pick 'em honest, we send them there and we keep them there." WRIGHT PATMAN was clearly an illustration of this Rayburn rule.

But he was more than young and honest when he came to Washington as a Congressman in 1929. He saw himself as the champion of the little man against the big interests. And throughout his career he never ignored the impact of big government and big business on the small farmer, the small businessman,

and the people of east Texas he represented.

Whether it was veterans' pensions, housing, or an honest shake in the marketplace, WRIGHT PATMAN was willing to fight long and hard for his vision of the fair deal.

Earlier in his career, he served as a member of the Texas State legislature. He was for a time a deskmate of Sam Daly Johnson, Lyndon Johnson's father. On January 20, 1964, Lyndon Johnson, in remarks to the National Congress of American Indians recalled his father's advice about WRIGHT PATMAN:

When I was a young Congressman, 27 years of age, I stood on the steps of a train to come to Washington for my first time as a Congressman and my father, who had been many years in legislative service said to me then: "Son, measure each vote you cast by this standard: Is this vote in the benefit of people? What does this do for human beings? How have I helped the lame and the halt and the ignorant and the diseased? See if this vote is generally for humanity. And there will be times when good arguments will be made both pro and con. And you won't know what to do. When that time comes, I suggest that you watch how Wright Patman of Texas votes and then follow him, because while Wright gets off the reservation every now and then, he always gets off thinking he is voting for human beings." And I did that and I am rather proud of my voting record.

That says it as well as I can. WRIGHT PATMAN always voted for human beings in this sense. His voting record is one his family—his wife, his sons and his other relatives—will never have to defend against charges that it was the product of special interest pressures.

Since WRIGHT PATMAN is the last Member of this House who was sworn in before the advent of the 20th amendment, his death, in a sense marks the end of an era. But his dedication to humanity is the sort of thing that, if this country is to survive and prosper, will never go out of style and will always connect us with our respected colleague.

Mr. HELSTOSKI. Mr. Speaker, it was with a profound sense of sorrow that we learned of the passing on March 7 of the dean of the U.S. Congress. WRIGHT PATMAN was a truly honorable man and dedicated legislator deserving of a very special tribute to his memory. Having served a remarkable 47 years in the House of Representatives, he left an indelible mark on this institution. Although we were prepared to accept with reluctance his decision to retire at the end of this session, his premature departure can only be met with great sadness and regret.

WRIGHT PATMAN genuinely earned the respect, admiration, and affection of his colleagues for his devotion and hard work. He was deeply revered for his breadth of experience of knowledge. Having occupied a seat in this Chamber for 24 terms, it is difficult to perceive of his absence and his death leaves an irreplaceable void in the House.

Yet, we should be grateful for the rich legacy which WRIGHT PATMAN has bequeathed to us. His dedication and commitment to his constituents, his State,

and his Nation were inspirational. He will always be remembered for his abiding concern for the small businessman, the consumer, and the American citizen whose causes he championed so tirelessly in the Halls of Congress.

WRIGHT PATMAN was an outstanding and exemplary public servant. It was a privilege and honor for me to have served with this fine gentleman and distinguished Member of Congress. I wish to offer my heartfelt condolences to his wife, Mrs. Pauline Patman, and to his three sons on their great loss.

Mr. RONCALIO. Mr. Speaker, in the passing of the Honorable WRIGHT PATMAN, the people of America have lost a friend and dedicated servant.

Throughout his long 47 years in the House, a length of service exceeded by only three others, Mr. PATMAN hammered away repeatedly at inequities in the financial system and at progressive issues for the welfare of the common people. Notably, high interest rates were his target and he was determined to achieve significant change in a system he felt was contrary to the common good.

Mr. PATMAN did not hesitate in launching his crusades for the people upon entering the House in 1928. His immediate efforts to achieve reform brought him the resentment of his senior colleagues who then denied him membership on the Banking Committee where he wished to serve to better fight for the kind of basic changes he sought.

His achievements, both large and small, are too numerous to list, but a few exemplify this man of integrity and his dedication to purpose. Very early in his career, he moved to impeach Andrew Mellon who had been appointed Secretary of the Treasury by President Hoover. Mellon was an obvious symbol of entrenched wealth and left office rather than face conflict-of-interest charges. WRIGHT PATMAN was a constant champion of the common man in America, the farmer, small businessman, worker, and veteran. He was, of course, instrumental in writing and passage of the Robinson-Patman Act forbidding manufacturers to discriminate against small businesses by giving special prices to chains. He will be long remembered, too, as the prime mover in establishing the credit union system we know today with its 30 million members in the United States.

WRIGHT PATMAN worked tirelessly for lower interest rates and to remove conflicts of interest within the Federal Reserve System. He made long strides in his leadership against the power of big money and banking on behalf of all consumers.

He had announced his intentions of retiring after this his 47th year in the House. I only wish that he had been able to enjoy a few years of retirement in Texarkana to reflect upon his life's work and accomplishments over the years as the people's servant. His crusades should be continued as a tribute. WRIGHT PATMAN will not be forgotten, but will remain as an influence in our lives as an example of integrity, dedication, kindness, and

selfless service. We will miss WRIGHT PATMAN.

Mr. FLYNT. Mr. Speaker, I join with the Texas delegation to pay solemn tribute to the life and service of the Honorable WRIGHT PATMAN, late a Representative of Texas and the dean of the House of Representatives.

WRIGHT PATMAN was one of my friends since I first entered this body and since 1965 I have considered him one of my dearest and most special friends because of daily association with him as a next door neighbor in the House Office Building. His office was directly across from mine and scarcely a day passed when he did not brighten our office and the hearts of those who worked in it by his thoughtfulness, his smile, and his general interest in people.

The closeness of our friendship was intensified during this period of close association, and our offices and staffs shared times of happiness and sadness together. He continuously served as an inspiration to me during the 22 years we served together in the House of Representatives.

Although he attained lofty heights in government service he continued to be the champion of the little man. WRIGHT PATMAN was unequalled in his fight for the rights of all human beings. His patriotism, dedication, and legislative contributions were never and will never be questioned.

WRIGHT PATMAN and I did not always see eye to eye, but I never questioned his sincerity, and I am confident that he never questioned mine. He might not always have been right, but no one ever questioned that he believed he was right whenever he took a position.

His 47 years' continuous service to the people of his district, State, and the Nation have been exceeded only by the length of service of three other Members in the entire history of the United States. His service was highlighted by his chairmanship of the House Committee on Banking and Currency from 1963 to 1975.

WRIGHT PATMAN was one of the finest men I have ever known. He was capable, conscientious, dedicated, and courageous. He was admired not only by those of us who served with him but by people throughout his district, the State of Texas, and the United States. This admiration was near universal. As Nestor of the House, he served with dignity and commanded the respect of all its Members.

Mrs. Flynt joins me in extending our condolences and heartfelt sympathy to the family of WRIGHT PATMAN. He was my good friend, and I shall miss him very much.

Mr. MINISH. Mr. Speaker, I was deeply saddened when I learned early this month of the passing of the dean of the House, the Honorable WRIGHT PATMAN of Texas.

WRIGHT PATMAN was a champion of the little man, a battler for the public interest and against special interests, a man of unquestioned honesty, integrity, and ability.

He was a man whose ideas and convictions were deeply held and proudly fought for. Among Mr. PATMAN's major legislative achievements was the passage of the Employment Act of 1946, which created the Council of Economic Advisers and the Congressional Joint Economic Committee and established, as the permanent objectives of national policy, the creation of "maximum employment, production and purchasing power." He had begun advocating such legislation in the mid-thirties.

Mr. PATMAN was the principal author of legislation creating the system of Federal credit unions as the repository of the savings of ordinary workers and a source of small loans for them.

It was his legislation that created the Small Business Administration and the principle, established during World War II, that small businesses had a right to share in defense contracts.

He was coauthor of the Robinson-Patman Act, aimed at preventing the big chain stores from running small competitors out of business by cutting their prices in the areas served by the small competitors and raising them elsewhere.

Mr. PATMAN was largely responsible for the passage by the House of stand-by authority to impose wage and price controls on the economy—legislation that President Nixon denounced and then used in his dramatic freeze of prices and wages in the summer of 1972.

In his capacity as chairman of the Banking and Currency Committee, he served as a strong ally of the ordinary taxpayer and an implacable foe of monied special interests.

All in all, WRIGHT PATMAN surely will rank as one of the outstanding legislators ever to serve in the Congress during our Nation's first 200 years.

Beyond his outstanding contributions to the Nation, however, WRIGHT PATMAN was my dear and personal friend. From the earliest days of my congressional career, I could always count on Chairman PATMAN for sound advice and strong encouragement in any endeavor I undertook. As chairman of the House Banking Committee, on which I serve, he never failed to accord me complete freedom in my legislative work and, in fact, willingly shared the responsibility and authority of his important position.

The Congress has lost one of the last great populists of the Nation and WRIGHT PATMAN will be sorely missed by all who came to know and love him.

To Mrs. Patman and the family, I extend my heartfelt sympathy and condolences.

Mr. ZABLOCKI. Mr. Speaker, I would like to add a few words to what has already been said, about our late, beloved colleague, WRIGHT PATMAN. As you yourself observed, Mr. Speaker, WRIGHT PATMAN was one of the most courageous men you have ever known. Those of us who had the privilege to serve with him in the House of Representatives have lost a great friend, and the American people have lost a great leader.

During his long service in the House of Representatives WRIGHT PATMAN ac-

cumulated an impressive list of legislative accomplishments and reforms especially for the common man, such as legislation creating the Small Business Administration, establishing a national policy of maximum employment opportunity, and creating the Federal Credit Union as a method of savings and a source of loans for the average worker.

I believe the key to WRIGHT PATMAN's success in accomplishing so much was his total dedication to the causes for which he worked and in which he completely believed. He was not afraid of hard work and opposition, and his only special interest was the common man.

The State of Texas can be proud of its record in sending many fine men to Congress, and I believe that WRIGHT PATMAN can justifiably be included among that number of outstanding Texans who have come to Washington and left it and the country a better place by having served here.

WRIGHT PATMAN was a real gentleman in every sense of the word, tough and unyielding in fighting for what he believed was right, but always without pettiness or vindictiveness. He was for what he believed in the long run was the best for our country by working for the needs of all the people. I am proud to have been one of his colleagues, and it is with deep regret I say farewell to WRIGHT PATMAN, a man of honor and integrity, a true American.

Mr. MAZZOLI. Mr. Speaker, I am deeply grieved by the recent death of our distinguished friend and colleague, WRIGHT PATMAN. Our feelings of grief can only be matched by our deep admiration for a man who contributed tremendously to this body, to his constituency in Texas, and to the country he loved so much.

WRIGHT PATMAN, who dedicated the great majority of his life to serving his country at the Federal level, will be sorely missed.

He championed the causes of individuals who most needed representation—the ordinary, common folk, the little people.

He originated, and through his leadership and support saw enacted, countless legislative measures to improve the plight of all Americans.

His service in the House was marked with controversy. But, the very nature of his kind of hard-driving, hard-working representation guaranteed that his service would be controversial—and also that it would be unforgettable.

The Nation has suffered a great loss—his family has suffered a great loss—and the Congress has suffered a great loss.

His concern and compassion for the American people and the mark he made in the legislative history of the United States insure that his memory will live on and through it, he will continue to wield great influence on us all.

I extend my deepest sympathies and condolences to Pauline, his partner in public service whose encouragement and understanding played a major role in the life and achievements of a great man. I extend my sympathies and condolences to the entire family.

Mr. COLLINS of Texas. Mr. Speaker, as the dean of Congress, WRIGHT PATMAN made history as he served for half of the 20th century. A few days ago, I sat in the First Baptist Church in Texarkana, and I thought back on the many active years WRIGHT had in Texas and Washington.

Everyone in Texas knew who WRIGHT PATMAN was and you also knew where he stood on every issue. It seemed that on most issues WRIGHT PATMAN and I differed. But he could differ with you on the floor, yet when the congressional door closed behind him, he was the same friendly east Texas neighbor. PATMAN had a strong belief in principles but he never carried this into a conflict with opposition who also sincerely believed in their views.

I will always remember WRIGHT PATMAN as a gentle, kindly personality. His twinkling eyes were always smiling. He had the charm and the polite manners of a Southern colonel. His friendly greeting and country enthusiasm made you feel like just last week he just left Patman Switch down in Texas. He always had a story and experience. His life was full of rich experiences because he was so full of life.

Last campaign when he was 81 years old and had served in Congress for 47 years, several challengers entered the race as they thought he getting soft. I read about his campaigning activities in the newspaper. One night they had a new special train coming from Little Rock to Dallas. The paper said he got on at Texarkana at midnight and walked the length of the train shaking every hand until the train pulled into Dallas the next morning. He swept the Democratic primary and took his Republican opponent by 2 to 1.

When WRIGHT PATMAN announced a few months ago that he would not seek reelection again, everyone was surprised. The Dallas Morning News said that PATMAN certainly retired by his own choice, because there is no man alive that could ever beat WRIGHT PATMAN in the First District of Texas.

Somehow I could never picture WRIGHT PATMAN retired. It seemed natural for him to be in a fight with the big bankers. I wonder if the good Lord might have called him from his active seat in Congress to sit in up above and keep the bankers busy.

And to Pauline, Dee and I extend all our love and sympathy. Pauline has always meant so much to all of us in Congress and to all of Washington with her gracious and warm personality. On this occasion when we voice our farewells for WRIGHT PATMAN we will all be thinking of the entire family.

The children and grandchildren of WRIGHT PATMAN, as well as all of Texas, have a great heritage with the memory of PATMAN of Texas, Congressman of the First District of Texas and dean of the U.S. Congress.

Mr. DE LA GARZA. Mr. Speaker, the death of the Honorable WRIGHT PATMAN is a loss to this House and a severe loss to me personally. High tribute has been

paid in newspaper accounts and in statements here to the character and fighting spirit and accomplishments of our late colleague. All that has been said was deserved. WRIGHT PATMAN was a truly outstanding figure, a statesman of national stature.

If my colleagues will permit me to mention a personal note, one I think should be preserved for the future, I will tell you about this great man's rare sense of humor. We had a little act we put on periodically for our friends.

I would ask Dean PATMAN if he spoke Spanish. He would reply, "Yes, quite a bit." With this reply, I would challenge him to say something in Spanish, and he would drawl "Kika de la Garza"—extending it to a considerable length. And I would then say, "Why Mr. Chairman, you speak a great deal of Spanish."

It is of this human being that I speak—of a man who was enormously helpful to me when I was a freshman Member and who through the years was one to whom I, like many another Member of this body, could always turn with confidence that his great knowledge and vast experience were at my command. I will miss his wise counsel. I will miss his friendly presence.

When Mr. PATMAN announced in January that he planned to retire from Congress at the end of his present term, he addressed a message to his friends and Texas constituents in which he said:

Together I believe we can be very proud of all that we have accomplished. Thank you for a wonderful, fulfilling 48 years.

Let those words, his own, be WRIGHT PATMAN's epitaph. And let the knowledge that he was a friend to mankind bring solace to the wife who survives him and who is present at this time in the House gallery. Our warm sympathy goes to her in her loss, which all of us in this Chamber share.

Mr. VAN DEERLIN. Mr. Speaker, there have been many tributes to our late colleague, WRIGHT PATMAN, and this great man of principle deserved them all. Surely, there have been few among us who have done as much as Mr. PATMAN to champion the cause of the ordinary citizen, against some of the most powerful financial interests in the Nation.

He served in this House an incredible 47 years, long before many of our present colleagues were even born. It was an incredible career, which made a lasting impact on our banking and related financial institutions.

I suppose I best remember Mr. PATMAN for his unwavering devotion to duty. I had a parking space near his in the Rayburn garage, so I was able to observe something of his comings and goings. No matter how early I arrived for work, Mr. PATMAN was usually already there, and he was usually still on the job when I left in the evening. His habit of putting in long hours did not change even after he yielded the chairmanship of the Committee on Banking, Currency and Housing—and all this at an age when most people have long since retired.

Mr. GONZALEZ. Mr. Speaker, WRIGHT PATMAN, that gentle prophet, was my friend.

In all the years that I knew him, he never deserted his principles. In all the hard and bitter fights he had while I knew him, I never saw him lose his grace or temper, and I do not believe that a mean thought ever crossed his mind.

I have said that WRIGHT PATMAN was a prophet, and he was, for he had set for himself a mission in life, the cause of what he called the plain people, or the little people. Whatever would help ordinary people, WRIGHT PATMAN was for. Whatever would hurt them, he opposed. It did not matter to him that the big bankers and the movers and shakers of the Federal Reserve did not agree with his cause; it never bothered him that opponents of his crusade might belittle him, or use any tactic conceivable to defeat him. WRIGHT PATMAN believed in his cause, and his faith that he was right gave him a sense of serenity that he never lost. He could lose a fight, and he lost many, but no one ever defeated WRIGHT PATMAN.

Not long after WRIGHT PATMAN came to Washington, the enormous catastrophe of the Great Depression struck. He had already seen the terrible effects of the farm depression of the twenties, and had brought with him to Washington a viewpoint that he never lost: While economists and bankers and bureaucrats saw the Depression as a kind of technical problem, he saw it as a human one. He wanted to stop human suffering, meet human needs, and make it possible for ordinary people to have a decent life.

Everything WRIGHT PATMAN did was founded in his vision that plain people counted, and that government was intended to serve them. If the Federal Reserve followed monetary policies that hurt ordinary people, WRIGHT PATMAN demanded different policies; if big business hurt small business, he demanded fair treatment; if big banks harmed the interests of modest folks, he called them on the carpet. He cared in small ways; every week, WRIGHT PATMAN sent out a simple little newsletter, filled with wise and useful information. He published a little book on our Government, with questions and answers on how it works. He printed a primer on money, in an effort to take the mystery out of monetary policy.

WRIGHT PATMAN understood the desperation of veterans during the Depression, and he worked hard for a bonus bill, to help them over their hard times. He believed that the policies of the Secretary of the Treasury had multiplied the grief and hardship of the Depression, so he called for an impeachment of the Secretary. He wanted to have some kind of place where people could save and borrow money at reasonable cost, so he worked for the enactment of the credit union act, the law that made possible credit unions as we know them today. He wanted small businessmen to have a fair deal from manufacturers, and the Magna Carta of small business, the Robinson-Patman Act, resulted.

Every major housing bill, every piece of financial legislation since 1928 has borne the stamp of WRIGHT PATMAN. If he did not always get what he wanted,

he always endeavored to get at least something for the little man.

I suppose that WRIGHT PATMAN could talk economic and financial theory with the most remote of academicians, but he did not care about that. He had access to the corridors of power, but the temptations of power never dimmed his vision. He never forgot, as some do, that the rich and the powerful have their lawyers and lobbyists; it was up to him, he said, to look after the interests of the little folks, who had nobody else to defend them.

Had he strayed from his principles, WRIGHT PATMAN's chairmanship of the Banking and Currency Committee would certainly have been more peaceful. He did not wish for conflict; but neither could he compromise his beliefs. He was portrayed as a tough and relentless critic of the Federal Reserve, and so he was. But he did not thunder out his sermons; he would deliver his message in a kind and gentle voice, with a few mild gestures, like a disappointed father lecturing a wayward son.

Big financial interests saw WRIGHT PATMAN as a special kind of demon, and they worked constantly to frustrate his investigations and defeat his financial bills. The pressures of legislative fights would often produce pandemonium in the Banking and Currency Committee, but WRIGHT PATMAN never lost his gentle humor and good grace.

He was a kind man, a good man. He always had a smile, a good word, and time to spend with ordinary people. His last interview, or close to it, was with a student journalist. He was a loyal friend; once WRIGHT PATMAN gave his word, there was never any question that he would keep it.

Perhaps WRIGHT PATMAN was a product of a different era. Some say that his ideas were impossible. But were they? His credit union legislation, his housing legislation, and his financial legislation are at the very foundation of the country's economy. Ideas that WRIGHT PATMAN believed in and worked for have made possible the economic miracles—and there are many of them—that occurred during his career. Perhaps he was a man ahead of his time, even in his last days.

WRIGHT PATMAN was a man of courage. At a time when the Ku Klux Klan was a great power, he stood in the State Legislature for anti-Klan legislation. It was the decent thing to do, the right thing to do. Decades later, he still made his legislative decisions on the side of decency.

A year ago, WRIGHT PATMAN was deposed from his chairmanship. He was too old, they said, and ineffective. It was a brutal business, and a lesser man than WRIGHT PATMAN would have been embittered by the loss. But he would not bend to this temptation, any more than he had succumbed to the temptations of power. No, he worked to heal the wounds, because he believed that the country had business that came first.

WRIGHT PATMAN was a good and gentle man. He was despised by many, but himself despised no one. Like a prophet, he

preached certain beliefs as if he had a divine mission. His belief was complete, and it made him a man of rare serenity. He alone knew how great his legacy to this country is; we can only guess at the extent of his influence on our lives. We only know that this gentle prophet reached into all our lives, and now that his voice is stilled, we can only wonder who can replace him. We can only pray that somewhere, someone among us is driven by that same devotion, that same love of people that he was, and that some one among us will see the visions he did, and have the same fidelity that he did, the same courage that he did.

No one except WRIGHT PATMAN always remembered to ask the most important question, no matter how arcane the subject matter, no matter how urgent the demand for action, no matter how great the pressure: What does this mean for the people?

It took an old man to demand the first investigation of the scandal that ended the Presidency of Richard Nixon. It was the same man who demanded that Andrew Mellon be impeached. Decades of time lay between these events, but the vision of WRIGHT PATMAN was the same, and the result the same. Mellon was not impeached, and WRIGHT PATMAN did not get to investigate Richard Nixon, but neither Mellon nor Nixon held office for very long afterward. His eye and aim were as true in 1972 as they had been in his youth.

No man ever served this House with greater faith and fervor than WRIGHT PATMAN. A few served as long as he did, but none with greater love for this House, or the people it represents. None ever did as much as he did to advance the interests of the plain people, those without advantage, those without power. His life work was for him, for us; and it moves in all our lives, a great and inextinguishable power, the real monument to this kind and gentle prophet.

Mr. NATCHER. Mr. Speaker, in our time, giants have walked the face of the Earth and WRIGHT PATMAN was one among them.

We are today honoring him in death but he did not have to wait for the many honors and the respect his colleagues and Americans everywhere accorded him during his life. These sometimes took the form of the silent admiration of the Members even when they were constrained to differ with his position on a particular matter. They took a more material form in the award of many honors conferred upon him during his lifetime.

Never was there anyone more dedicated to the service he performed or the people he served. What an inspiration he has been to me and the other Members of Congress as he assumed the demanding duties of the chairmanship of the Committee on Banking, Currency and Housing and continued his outstanding work for the people of Texas whom he represented so well for so many years.

Mr. Speaker, WRIGHT PATMAN served all the people of this Nation. His guidance and his counsel have become monuments to responsibility in public office. As the dean of the Congress of the United States, he was loved and respected by the Members and by all of the people

who at any time had an occasion to call upon him for assistance and guidance. He was my friend and he had a mind that never flagged, a physical well-being that age and prodigious exertions could not attack. It has been a distinct honor and a privilege for me to serve with this able Member in the Congress. As a member of the Committee on Appropriations, I had the opportunity on a great many occasions to discuss with him matters concerning the budget, the deficit, and control of the money in this country by the Federal Reserve System. He was a noted authority on the banking system in this country and on the financial structure of the many institutions that play a part in the economy of our country. He had a quick mind and was one of the hard-working Members of the Congress. It is impossible to surpass in sincerity or depth of feeling some of the words that have been so well and eloquently said in this Chamber on the passing of our brilliant and beloved colleague.

The status of our Nation is built on the careers of such men. They perform the demanding and necessary job which must be done every day and they make the hard and often unpopular decisions. Their only watchword is duty and they bring to the performance of duty a sense of purpose which permits no interference by those with selfish motives.

The achievements of our dean as a major figure on the American scene over the years will be long remembered. He was a gentleman in the finest sense. He had charm and wit and he extended a warm courtesy and consideration toward others even in times of stress. His loss to the Nation will be felt down through the years and will be mourned by all those who had the great privilege to have worked with him in seeking to build an even better Nation. All down through the years I have been impressed by his intelligence and dedication, his compassion and his humor. He loved his country, his State, and the House of Representatives, the greatest legislative body in the world.

WRIGHT PATMAN came to this Chamber as a young man in 1928 and, true to his concept that government is the servant of the people, he fought the good fight when he felt this principle was threatened and in most cases, he won. We hear that he was the last of the Populists. I know that we who served with the gentleman from Texas will always remember him as the champion of the little man and we, as well as those who will serve in the future, can only be strengthened by his example. This Member served for nearly one-half century in the House and he will long be remembered as one of the great men to serve in this House.

I will miss WRIGHT PATMAN and, in his memory, it is my fervent wish that this body may forever dedicate and decide the matters before it with that same fairness which was always the trademark of the Honorable WRIGHT PATMAN of Texas.

Mr. Speaker, I extend to Mrs. Patman and to the other members of his family my deepest sympathy in their loss and bereavement.

Mr. BARRETT. Mr. Speaker, the death of WRIGHT PATMAN on March 7 has ended, for me, some 31 years of friend-

ship and service with him here in the House of Representatives. When I arrived on this floor in January of 1945, as a freshman Member of Congress from the First Congressional District of Pennsylvania, my colleague from the First Congressional District of Texas had already been serving in the House for 16 years. I did not begin my service with him on the Committee on Banking and Currency until my second term which began in January of 1949. I served beside WRIGHT PATMAN on the Committee on Banking and Currency and worked closely with him on every major piece of legislation that went through the committee from that time until his recent hospitalization. I believe that no two members of the Banking Committee have ever had such a similar voting record on legislation that the committee considered and voted upon. Our views on banking matters, monetary policy, economic policy matters, and the Federal Reserve Board were identical, and his support of our major housing legislation was always solid and supportive. WRIGHT PATMAN and myself have served as subcommittee chairmen on the Committee on Banking, Currency and Housing longer than any other members in the recent history of the committee and, speaking for myself, no other member of the Banking Committee in my service on that committee has contributed more to the American public than our distinguished late colleague from Texas.

While legislative triumphs did not often come Chairman PATMAN's way, he blazed the path for others to follow and now we see many of these proposals now in law or well on their way to becoming law. As Ralph Nader so aptly put it, "PATMAN was right before his time." WRIGHT PATMAN came out of the rural and poor area of east Texas, populated mainly by small farmers and small businessmen to whom he devoted a lifetime of service. The economic calamities that these people of east Texas lived through formed the political and economic philosophy of this great Representative.

And, Mr. Speaker, he held true to these beliefs to the end. No amount of political pressure, nor new waves of political ideology or new administrations could shake him from his beliefs. Even his late and great colleague from Texas, our former President, Lyndon B. Johnson, found it futile at times to try to change WRIGHT PATMAN's way of doing things. This, I believe, is a great testimony to the man, and an attribute that I most admired.

Mr. Speaker, an era of American history has passed with the death of WRIGHT PATMAN, an era which produced the Populist tradition in this country, an era which has ended today with the death of the last son of the Populist movement. The tradition has not died with this great leader. That tradition will continue for generations in our American political system.

Mr. Speaker, I offer my sincere condolences to WRIGHT PATMAN's devoted wife, Pauline; to his three sons, Connor, Harold, and William; and to his many grandchildren. I salute WRIGHT PATMAN

as one of the greatest men who ever served in the House of Representatives.

Mr. MILLS. Mr. Speaker, it is with a heart full of sadness that I rise in the House today to note the passing of Congressman WRIGHT PATMAN of Texas.

When I first came to Congress in 1939, WRIGHT PATMAN had already been here for a decade. He had, even at that time, established for himself that reputation for sincere and deep concern for the ordinary citizen, the small businessman, and the farmer that stayed with him until his death on Sunday.

WRIGHT PATMAN, during his long and dedicated career in the Congress, longer than any living Member of the House, has been responsible for a number of landmark enactments. Early in his service he coauthored with the late Senator Joseph T. Robinson, of my own State, the Robinson-Patman Act, which has done so much to further competition in this country and to protect the interests of small business.

Also in his early years here WRIGHT PATMAN was foremost among those who championed the cause of World War I veterans. A soldier himself, throughout his almost half a century of service here in the House he was a strong supporter of legislation providing benefits for veterans of all wars in which this country has participated.

During his chairmanship of the Committee on Banking, Currency and Housing, great strides were made in housing legislation and in the other areas of jurisdiction of that very important committee of the House.

Mr. Speaker, WRIGHT PATMAN was a great American and a dedicated public servant. The United States Code today is replete with his very significant contributions to the laws of this country.

We all mourn the passing of this dear friend and our deepest sympathy abides with his family in this sad hour.

Mr. EVINS of Tennessee. Mr. Speaker, flags are flying at half-mast over the Capitol today in tribute to the memory of a great American, the Honorable WRIGHT PATMAN, our beloved colleague, the late dean of the Congress, who passed away early Sunday at Bethesda Naval Hospital.

Certainly I was shocked and saddened to learn of the passing of the great Texan whose distinguished career and courageous fight on behalf of the "little man" against the "special interests" spanned almost five decades—all of the 48 years he served in the Congress.

Only a few days ago, it was my special privilege to present to WRIGHT PATMAN the Award of the Phoenix, the highest award which Cumberland College of Lebanon, Tenn., can present to an alumnus. He was graduated from the Cumberland University Law School and previously had received an honorary doctor of laws degree from Cumberland.

He was pleased by the recognition accorded him by his Alma Mater and recounted for the audience of Cumberland alumni some of the fascinating highlights of his life of public service.

WRIGHT PATMAN served his District, State and Nation faithfully and well, with diligence and perseverance. He was always the champion of the "little

man"—the small businessman, the tenant farmer, the sharecropper, the wage earner. He waged unrelenting warfare against moneyed interests and high interest rates and restrictive monetary policies by the Federal Reserve Board.

He served as chairman of the Banking and Currency Committee for 12 years, from 1963 to 1975 and although he was under constant attack from big financial interests, he never wavered in his crusade against these same interests—he was a true Populist.

His distrust of big business was ingrained from his hard scrabble childhood when he learned first-hand of the impact of high interest rates on Americans of modest means. He was reared in the east Texas farm country, the son of a tenant farmer forced to pay up to 50 percent interest on crop loans.

It was WRIGHT PATMAN who in 1941 introduced and led the fight for passage of the resolution which first established the Small Business Committee. Speaker Rayburn appointed him as the first chairman following passage of the resolution, and he served for a period of 19 years as chairman prior to becoming chairman of the Committee on Banking and Currency. He also served as chairman of the Joint Economic Committee and of the Joint Committee on Defense Production at the time of his passing.

He was pleased by the action of the Congress in elevating the Small Business Committee from a Select Committee to a standing committee with legislative authority, with membership expanded from 18 to 37 members. He was also pleased with current action of the House Small Business Committee in conducting hearings on the efforts to maintain, preserve and enforce the Robinson-Patman Act, the "Magna Carta" of small business.

WRIGHT PATMAN was one of the last public officials in America to come from the "log cabin" tradition and school in American politics. He was born August 6, 1893, in a log cabin in Patman's Switch, Tex., and rode 6 miles to school every day on a mule. He raised cotton to pay for his college and law school education.

He was first elected to the House in 1928 and here began his fight against monopolies, mergers, and concentrations of wealth. He had a deceptively mild voice that was in sharp contrast to the bitter and biting words he uttered in his attack on "special interests." Without raising his voice, he would calmly and deliberately rip into the institutions he disliked and the policies he opposed in his matter-of-fact delivery, to the delight of the "little people" who saw in him their champion and defender and of others who shared his views and philosophy.

WRIGHT PATMAN grew physically old in Congress and had announced his decision not to seek reelection—but his mind was alert and keen to the end and his zeal was never compromised by the passage of time or dulled by cynicism.

He believed in liberty, freedom and the cherished American way of life and he fought for almost half a century to preserve our Republic and make democracy safe for the world of the "little man" faced with financial predators.

As one reviews the life of this great and good man, the words of the Apostle Paul in Second Timothy are indeed applicable:

I have fought the good fight, I have finished my course, I have kept the faith.

WRIGHT PATMAN has left his imprint on the legislative history of the Nation and his unwavering defense of the public interest no matter what the costs to him personally attests to his strength of character and his deep love of this great country.

WRIGHT PATMAN will be missed—his shoes will be difficult to fill.

I want to take this means of extending to Mrs. Patman and members of his family this expression of my deepest and most sincere sympathy in their loss and bereavement. My wife, Ann, joins me in these sentiments.

Mr. ANNUNZIO. Mr. Speaker, in the days to come the memory of WRIGHT PATMAN will be honored in many ways by those who worked with him and benefited from his active leadership of the Banking, Currency and Housing Committee.

But perhaps the best remembrance of the man, known for his tirelessness, came yesterday when the Board of Directors of the House Credit Union voted unanimously to change its name to the Wright Patman Congressional Federal Credit Union.

Mr. PATMAN, who served in the House of Representatives for 47 years, authored the Federal Credit Union Act in 1934. He sponsored every piece of credit union legislation in the Congress and at the time of his death he was strongly backing legislation that would have granted broad new powers to credit unions. One of PATMAN's favorite expressions in describing credit unions was, "next to the church, credit unions do more good for the people than any other institution."

It was more than a saying with Mr. PATMAN, he honestly and deeply felt that way about credit unions.

During his years in Congress, PATMAN was honored by virtually every State for his credit union work and was the second recipient of the Man of the Year Award given by CUNA, International, the worldwide credit union organization.

In the late 1960's, Mr. PATMAN established branch offices of U.S. credit unions on major military installations in both the Far East and Europe. The establishment of these credit unions came after PATMAN's committee found that servicemen stationed overseas were being charged interest rates by finance companies that sometimes went as high as 100 percent. PATMAN's investigation forced most of these finance companies out of business and he then moved to open credit unions on military bases. Since the credit unions began operation overseas, it has been estimated that servicemen have saved more than \$50 million in excessive interest rates that would have been paid to high-interest-rate finance companies.

PATMAN was one of the guiding forces behind the formation of the Congressional Employees Federal Credit Union which was chartered in 1952. Today the credit union has grown to 3,000 members and has assets of \$10 million.

Mr. PATTERSON of California. Mr. Speaker, it is with deep regret that I join with other Members of Congress today honoring our colleague and dean, WRIGHT PATMAN, who passed way this last weekend. His vast experience and wisdom will be greatly missed by all of us in the House.

While I have enjoyed only a brief acquaintance with WRIGHT PATMAN, I have gained deep admiration for his vigorous fight to protect the interests of the average family in a marketplace dominated by big business. In all of his 48 years of distinguished service in this body, he never lost sight of those ideals that brought him to Washington, D.C. and the House of Representatives in 1928. His unflinching dedication will be missed not only by his constituents in the First District of Texas, but by all of the people in all of our districts across the country.

I join my colleagues in sending my deepest sympathy to Mrs. Patman and family.

Mrs. MINK. Mr. Speaker, it has fallen to the Members of this 94th Congress to bid a final farewell to one of our colleagues who was first elected to the 71st Congress in 1928. I rise today to pay tribute to the late Honorable WRIGHT PATMAN, Congressman from Texas, who died this past weekend and who was buried at home, in Texas, at services yesterday.

WRIGHT PATMAN's career in the U.S. Congress spans 4 dozen years in the midst of this century which have seen such tremendous changes in this Nation that it is a wonder to contemplate the durability of this extraordinary man. Only three Members of Congress served for longer periods in these Chambers, our former colleagues Carl Vinson, Emanuel Celler, and Sam Rayburn.

WRIGHT PATMAN served in this House as the country entered the Great Depression, and witnessed and helped to guide the economic recovery which followed. He saw our entry into World War Two, and our emergence from that conflict, and our subsequent involvement in Korea and Vietnam. WRIGHT PATMAN served in this House through the technical triumphs of the moon landings and the terrible traumas of Watergate. He served in this House as a witness to and participant in nearly five decades of America's history, one quarter of our Nation's existence.

This gentleman from Texas mastered the complexities of the world of banking and finance, serving for many years as a member, and then for 12 years as chairman, of the Committee on Banking and Currency. His legislative initiatives have resulted in tremendously significant reforms in the way our banks and financial institutions conduct their business. The landmark legislation to build the housing industry through the 1960's, those laws through which our Nation's vast system of credit unions was established, and those acts of this Congress aimed at the control of banking power, all owe their existence to WRIGHT PATMAN.

Mr. Speaker, we have been privileged to live and work in the presence of a national legislator who can honestly be

labeled a Populist, who worked tirelessly for the little man in this country. We have seen numerous examples of the foresight of this man who was often thought "too far out" in his legislative and investigative proposals when they were made, but who lived to see many of those "far out" proposals become accepted reality in his lifetime.

That lifetime has now come to an end, and we will miss the gentleman from Texas in these chambers and in the hearing room. I join with my colleagues today in offering our deep sympathies to WRIGHT PATMAN's widow, Pauline, and to other members of his family on the loss of a husband and father. And together we mourn the loss to the Nation of this outstanding legislator.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, the nemesis of the big bankers, the crusader against economic concentration, the populist champion who did daily battle with the Federal Reserve System is gone. WRIGHT PATMAN died Sunday, after serving 47 consecutive years in the House of Representatives.

Those of us who served with him, especially on the House Banking Committee, watched this deeply motivated man year in and year out spend himself trying to put a collar on those financial forces he thought were the cause of high interest rates, large deficits, and various and sundry other practices he felt detrimental to the national good.

He emerged from many of these engagements a winner. Sometimes his opponents triumphed, but throughout his career WRIGHT PATMAN never stopped once in his single-minded campaign.

He is recognized as the main sponsor of landmark bills creating the system of Federal credit unions, the Small Business Administration, the Joint Economic Committee, and the Council of Economic Advisers, the latter two as part of the Employment Act of 1946.

But it was his constant skirmishing with commercial bankers and the officials of the Federal Reserve System that truly highlight his long career.

It is ironic and perhaps very fitting that during his final days, the House Banking, Currency and Housing Committee embarked on a major legislative effort to reform the laws regulating banks, savings and loans, and credit unions—an action violently opposed by commercial bankers. At the same time, other committees in Congress are investigating lax bank regulation and official profiteering from "insider loans."

While I would not be so maudlin as to suggest that passage of the Financial Reform Act of 1976 and approval of legislation to make the Federal Reserve System more responsive to congressional initiative would be a fitting memorial to WRIGHT PATMAN, I think both actions—whose antecedents can be found in the early work of the gentleman from Texas—would show that his near half century of congressional effort was not in vain.

Mr. DELANEY. Mr. Speaker, I join in paying tribute here today to the late Honorable WRIGHT PATMAN, Representative from the First District of Texas. As dean of the House and former chair-

man of our Committee on Banking, Currency and Housing, WRIGHT PATMAN was doubtless one of the most colorful Members Congress has ever had. Born some 7 years before the turn of the century in a log cabin at Patman's Switch, Tex., he had distinguished himself in these Halls continuously since 1929. His legislative career had been the fourth longest in our Nation's history.

Numerous public laws bear his lasting imprint—including the Federal Credit Union System and guarantees of the rights of small business to share in Government contracting.

He demonstrated constant commitment to the public good as chairman of the Joint Economic Committee, of the Small Business Committee, and in numerous other official congressional capacities.

All of us, whether we agreed with him or not on individual issues, admired his fighting spirit, his sincerity, and his courage. Those traits endeared him to the entire Nation and he has left his accomplishments as his permanent legacy.

I want to take this opportunity to extend my deepest personal condolences to his wife, Pauline, and the other members of the Patman family.

Mr. MORGAN. Mr. Speaker, few men in the history of this House have compiled such an outstanding record of achievement as did the Honorable WRIGHT PATMAN of Texas.

From his first days as a freshman Member 47 years ago, continuously to the present Congress, he was active in the causes in which he believed and able and persevering in championing them. Throughout, he never lost sight of the goals to which he was dedicated.

He was, of course, dedicated to the well-being of the common man. He sought to promote an economic system under which there would be maximum employment for American workers. He fought for the small businessmen and farmers of the Nation. He vigorously opposed favored treatment for big money interests and corporations.

Today various important statutes stand as monuments to his legislative achievements. Among them are the Employment Act of 1946, the Robinson-Patman Act, the legislation which created the Small Business Administration, and the measure setting up the system of Federal credit unions used by ordinary workers for savings and loans.

At his home in Texas, his constituents rewarded his outstanding service with continuous reelection over a span approaching a half century. He became dean of the House of Representatives.

Personally, WRIGHT PATMAN—was a friend of mine and I will be among the many to miss him deeply. He was kind and decent and helpful, and he had true integrity. I extend my fullest condolences to his wife, Pauline, and to his family.

Mr. LAFALCE. Mr. Speaker, I was greatly saddened to learn of the death of a truly great American—Mr. WRIGHT PATMAN. The dean of the House of Representatives, he served in Congress for over 45 years, a career longer than that of all but three Congressmen in the Nation's history.

I had, of course, read and heard a great deal about Mr. PATMAN long before becoming a colleague of his only last year. But I came to know him as an individual rather than a media image when I had the good fortune to become a member of the Banking, Currency and Housing Committee. The House Banking Committee has for more than a quarter century been synonymous with WRIGHT PATMAN "turf," and as a new Member, I could see quite clearly how the committee bore the stamp of Mr. PATMAN's activist career as its chairman.

WRIGHT PATMAN was a fire-eating defender of the consumer's cause against all comers, and he maintained his strong advocacy role throughout his lengthy service in the House. But behind the prickly facade, which could make government officials and bankers quake, was an extremely kindly and thoughtful man. A distinguished legislator with numerous achievements of national significance to his credit, WRIGHT PATMAN to me was an elder statesman whose counsel and wisdom born of experience were always welcome.

His abundance of prairie commonsense always injected into discussions of high finance a down-to-earth logic that needed to be heard and heeded. His battles against big banks and big government were the battles of the average American, and his farsighted efforts to stem the tide of giantism in finance and industry preceded the mobilization of the country's consumer movement by several decades. He coauthored the Robinson-Patman Act which has been termed the "Magna Carta" of small business because of the essential protection it affords small concerns in competition with huge retail outfits. Mr. PATMAN was one ever willing to take on anyone or any institution that threatened the consumer in his view, and his now legendary struggles with the Federal Reserve System are ample evidence of the kind of courage and determination with which he approached his adversaries.

I shall deeply miss Mr. PATMAN's sagacious presence on the Banking Committee and in Congress. As an individual, he was extremely benevolent—as a Congressman, he rode at the head of the vanguard of those truly concerned about the consumer. The consumer movement has lost one of its founders, and the country one of its most battle-tested activists who fought for the average American. We shall all mourn his departure.

Mr. PICKLE. Mr. Speaker, among the many fine legacies left us by the late Representative WRIGHT PATMAN certainly the 1936 Robinson-Patman Act ranks very high.

No one worked more diligently to make sure that the Federal Trade Commission strictly enforced this effective piece of legislation which attacks predatory practices in pricing used by monopolies to force small independent entrepreneurs out of business.

Unfortunately, enforcement in this area has lagged severely in recent years. The Honorable WRIGHT PATMAN was one of the leaders in a move to rejuvenate the Robinson-Patman Act. I am proud to say that I stood alongside him in this effort

along with our colleague, HENRY GONZALEZ, of the Small Business Committee, as the Honorable JOE EVINS of Tennessee, chairman of the committee, will continue to carry this fight on in memory of that great American, WRIGHT PATMAN.

A strong supporter of the efforts to revive the Robinson-Patman Act has been the National Federation of Independent Business. I enclose a letter from that group's president, Wilson Johnson, in praise of Dean PATMAN:

NATIONAL FEDERATION OF
INDEPENDENT BUSINESS,
Washington, D.C., March 8, 1976.

To: All Members of the 94th Congress.

We of NFIB share your sorrow over the loss of your former colleague, the Honorable Wright Patman of Texas. His distinguished record as a member and Chairman of the House Committee on Banking & Currency is well known. We mourn him as a vigorous and effective fighter for small business.

The Congressman's record of championing the small fellow goes back to the time of his election to the Congress in 1928. His attention caught by a Federal Trade Commission lengthy investigation into the reasons why the Clayton Act had failed to curb unfair price discriminations which some giant firms were using to drive small competitors to the wall, he joined with the late Senator Joe Robinson of Arkansas in a drive which resulted in 1936 in passage of the corrective Robinson-Patman Act. In the years since, this Act has become known as "the Magna Carta of small business".

The father, in 1941, of the House Small Business Committee, Mr. Patman served for years as its Chairman or Ranking Minority Member. Through the period of World War II, and in the difficult period of conversion from wartime to a peacetime economy, he and the Committee stood as a bulwark of strength in insuring small firms of a fair break in allocations, price controls, and other government programs. It was he who introduced the first legislation to divorce manufacturing from retailing. Typically, and in the fashion of the Robinson-Patman Act, he eschewed the "meat-axe" approach, carefully tailoring the measure to apply only in those situations threatening creation of monopoly. In this and all other matters he worked closely with our late Vice President, George J. Burger, Sr.

Mr. Patman's concern over small business continued strong in the years that followed. We are saddened by his death, but all the richer for his having been among us.

Sincerely,

WILSON S. JOHNSON,
President.

Mr. GILMAN. Mr. Speaker, in November of 1928 a gentleman from Patman's Switch, Tex., was elected to this great legislative body. Almost 48 years later that distinguished Representative, WRIGHT PATMAN, died in a hospital near Washington, a city he grew to love almost as much as his native congressional district in the Southwest.

WRIGHT PATMAN took part and contributed to a significant portion of our Nation's history. Eight Presidents were in the White House while Congressman PATMAN piled up years of congressional service. He served through a depression, a devastating world war, the Korean conflict, the cold war, the assassination of one American President, the resignation of another, and the tragedy of Vietnam. He was seated in the House the day Franklin Roosevelt spoke of the "Day of Infamy"—he witnessed and worked with

many great men—he set several records for longevity. He was a statesman that we all grew to respect and admire, on both sides of the aisle.

WRIGHT PATMAN will long be remembered by his State and Nation for his continuing fight for the rights of the little man against big business—and by his colleagues as an energetic, devoted legislator—devoted to caring for the needs of his fellow man.

Mr. WON PAT. Mr. Speaker, it was with deep regret that I learned of the passing of our good friend and colleague, Representative WRIGHT PATMAN.

During the 47 years Congressman PATMAN had served in the House, he had compiled a record of unstinting service to the people of the First Legislative District of Texas.

Equally important was Congressman PATMAN's devotion to preserving the economic integrity of all Americans. I doubt that there are many officials of the major banks who have not, at one time or the other, felt the wrath of Congressman PATMAN. Probably more than any other Member of this body, WRIGHT PATMAN felt it to be his duty to fight tirelessly against high interest rates, big banks, the Federal Reserve Board and misuse of tax-free shelters by foundations and wealthy individuals.

Although his actions earned him many powerful critics, I believe that Congressman PATMAN will be long remembered by the legion of friends he earned among the working men and women of this country.

Under his sound leadership, the House Banking and Currency Committee enacted a number of major banking reform bills. The committee also was responsible for major housing measures which have funded several large-scale public housing projects in Guam.

Congressman PATMAN will be sorely missed by his many friends in the Congress, including myself. His was a record of distinguished service to the people of his district that should be a model for all who sit in the Congress.

Having the privilege of knowing and working with Congressman PATMAN was an honor I shall never forget. His guidance and support served to enhance many legislative proposals for Guam and, on behalf of the people of Guam, I express my deepest sympathy to Mrs. Patman and the Congressman's three sons, Connor, Harold, and William.

Mr. ANNUNZIO. Mr. Speaker, I rise in tribute to Honorable WRIGHT PATMAN, a great man whose recent passing has saddened all of us. For almost 48 years, since he was first elected to the 71st Congress, WRIGHT PATMAN compiled an outstanding record of dedicated and devoted service to the people of America, and he will be missed by all of us who knew him and admired him.

It was my privilege to serve on Chairman PATMAN's Banking and Currency Committee since I was first elected to Congress in 1965. During this time, I witnessed his vigorous campaign to help the Nation's poor and disadvantaged people overcome their excessive financial burden. As a Congressman from Chi-

ago's Northwest Side, I have noted with admiration Mr. PATMAN's indefatigable efforts to champion the cause of the "little man" and to bring him financial relief. Indeed, Chairman PATMAN was not afraid of anything.

When he first tried to enlist in the armed services in World War I, he was turned down because of a heart defect. He persisted and finally was enlisted as an Army private. Rising through the ranks, he became a first lieutenant in a machinegun battalion, and gave outstanding service to our country during those turbulent war years.

In 1928 he ran for Congress at the height of the Ku Klux Klan's power in an area of Texas where they were then strongest, and he won despite the Klan's fierce opposition.

In 1936, although the administration in power was opposed, he took a stand for the soldiers' bonus and in the face of overwhelming odds, won this battle, too. As a result of his efforts, bonus certificates were paid to the extent of \$2 to \$3 billion during the rock-bottom days of the depression.

One of the great accomplishments in WRIGHT PATMAN's career was the exposing of usurious interest rates, sometimes as high as 50 and 60 percent, which were being charged American boys in uniform all over the world. Through the efforts of the Domestic Finance Subcommittee, on which I was privileged to serve at that time when WRIGHT PATMAN was chairman, we exposed these juice racketeers who were charging exorbitantly high interest rates, and we eliminated these racketeers and loan sharks from operating on military installations all over Europe and Asia.

Today, thanks to WRIGHT PATMAN, we have Federal credit unions in Europe and Asia with millions of dollars in deposits and extending millions of dollars in low interest rate loans. Congressman PATMAN fought vigorously over the years to strengthen the credit union system in the United States, and as a result, he came to be known as "Mr. Credit Union" in our country. His legislative efforts helped develop a credit union movement which today totals tens of thousands of credit unions, some 32 million members, and tens of billions of dollars in assets.

Chairman PATMAN was also a sharp and energetic critic of the Federal Reserve System, and fought to make the Federal Reserve Board answerable to the Congress of the United States, because it and not the Federal Reserve is comprised of lawfully elected representatives of the people. In an era of growing inflationary pressures, the inability of the Federal Reserve Board to help alleviate this situation was justly criticized by Mr. PATMAN.

In this regard, another prominent authority on financial affairs, Senator Paul Douglas, the former great Senator from Illinois and a mainstay of the Senate Finance Committee for more than 10 years, paid this tribute to WRIGHT PATMAN:

He knows more about the Federal Reserve System than anybody in Congress and has more factual knowledge of its operations than its officials themselves.

In an age of ever-increasing mechanization and depersonalization of our so-

ciety, we all have felt the need for a more human and individual approach to the problems we face. WRIGHT PATMAN fought the anonymity of conglomerates for many years. This well-known Robinson-Patman Act is a living memorial to his belief that small businesses must be protected from monopolies.

Mr. PATMAN also played a crucial role in securing passage of some of the most progressive and outstanding legislation passed in the last 47 years. The Truth-in-Lending Act, the Federal Credit Union Act, the Model Cities program immediately come to mind, as well as the Bank Reform Act and welfare reform proposals. The House Select Committee on Small Business was established in 1941 as a result of Congressman PATMAN's legislative proposal, and the Housing and Urban Development Act and subsequent amendments came out of Chairman PATMAN's Banking Committee and have contributed immensely toward improved housing for the people of America.

WRIGHT PATMAN was also a great teacher. He contributed two of the most outstanding books on the subject of the Federal Government: "How Our Laws Are Made" and "Our American Government." These books have a tremendous circulation and they continue to be two of the most popular publications in their field. They established WRIGHT PATMAN as one of the country's outstanding authorities in the area of civics and the legislative process.

The list of WRIGHT PATMAN's accomplishments is long indeed, and his philosophy was best expressed when he himself remarked:

As a Congressman, I think I'm here to help people. I've always had that attitude, though sometimes I've been almost alone in the position I've taken . . . but this hasn't deterred me, somebody has to stand up for the little man.

Texans were devoted to WRIGHT PATMAN, and they have reason to be proud of that devotion. Congressman PATMAN could have run for—and won—a seat in the Senate, but he chose not to run because he loved the House, and because he felt he could serve the people of his district and his State better here.

In his years of service in Congress, WRIGHT PATMAN never failed in that trust. He served with honesty and dedication the people of his district and his State, and our Nation as well. As chairman of the House Banking and Currency Committee, he was one of the most eminent leaders in Congress in this century.

I was proud to be his colleague, and to have had the opportunity of knowing him, working with him, and having the benefit of his wise counsel and advice. Mrs. Annunzio and I extend our deepest sympathy to WRIGHT PATMAN's wife, Pauline, and also to his three sons, Connor, Harold, and William and their families.

Mr. MONTGOMERY. Mr. Speaker, there have been so many laudable comments on the life and achievements of our late colleague, WRIGHT PATMAN, that I find it difficult to express my own feelings and sense of loss without repeating the very fine words of tribute of others, both in this Chamber and the Nation's press.

The one outstanding trait for which I shall always remember WRIGHT PATMAN was his very keen and sincere interest in each of his colleagues as an individual. His concern for other Members was always genuine and much appreciated. He always wanted to know what special legislative area a member was most interested in and he would encourage you to become active in this area and work for those legislative goals you sought. Of course, this was the pattern of his own life as exhibited by his constant and successful efforts to improve life for the so-called "common man." In this respect he was an "uncommon man" himself because of the tenacity and single mindedness with which he attacked his objectives.

Mr. Speaker, I shall always treasure the advice Wright gave me which was freely given whenever sought. He was especially helpful during my freshman year in Congress when I was trying to learn the ropes in the House.

I will definitely miss having the wise counsel and advice of WRIGHT PATMAN, but at the same time I realize how fortunate I am for having had the opportunity to know and work with him, and I know I am a richer person for having been able to call WRIGHT PATMAN colleague.

Mr. WOLFF. Mr. Speaker, I rise today to join with my colleagues in honoring a man who has truly left a profound impact on the House of Representatives and our Nation.

WRIGHT PATMAN's 47 years of service to both his constituents and the Nation should stand for us all as an example of unrelenting dedication to the protection and rights of what many might term the common man. In this respect WRIGHT PATMAN is perhaps the last of the great populists he has left a void which will be difficult, if not impossible, to fill.

To attempt to recount his achievements during his 47-year tenure in the House of Representatives would not do WRIGHT PATMAN justice. It is simply not possible to grasp the accomplishments of this great man. His career was marked with many battles—some won, others lost—to end and reverse the trend that was concentrating economic power in the hands of a few to the detriment of many.

When I first came to the House of Representatives, one of my initial committee assignments was on WRIGHT PATMAN's Banking Committee where I was impressed with his dedication and integrity. I only wish that all of my colleagues could have had the opportunity to work with and learn from WRIGHT PATMAN.

To WRIGHT PATMAN's memory I sincerely say "thank you" for all you have done and all you have shown us. We have all lost a great colleague. The Nation has lost a great man.

Mr. BURKE of Massachusetts. Mr. Speaker, I am deeply saddened by the death of my dear friend, WRIGHT PATMAN of Texas. I have lost a friend, and we have lost a dedicated Member of the House. We are all diminished by his death, as we were uplifted by his life.

Surely every Member of this body remembers WRIGHT PATMAN's dedication to the people he represented. His service in the House has taken its place among the

record achievements of our time. There are few men who served as long as he, or with such devotion. His breadth of knowledge and dedication to duty serve as a high standard for us all. He was unique among us.

His influence spread out from Patman's Switch, Tex., and touched the whole of the Nation. He championed the cause of the ordinary citizen with a zeal unequaled in this century. His struggles for badly needed reforms in the banking industry were often lonely, but always courageous. His challenges to the commonly accepted wisdom were often softly spoken, but always strongly felt. People throughout our Nation are indebted to his untiring efforts on behalf of working men and women, veterans, and the small farmers and businessmen. We may never hear again a voice as clear as his, calling for understanding of the very human problems which confront the people of this country. He was a reformer with a heart.

His own life was an example of virtue and honesty. He possessed a sense of determination which strengthened him in the midst of controversy. He was devoted to his country, a patriot of high principle. And he was loyal to his family and friends.

I am pleased to have been among those who counted WRIGHT PATMAN as a friend and colleague. My brief service on the Banking and Currency Committee was an honor because I was privileged to come to know WRIGHT PATMAN. The better I grew to know him over the years, the more I came to respect him. I held WRIGHT PATMAN in the highest regard and will cherish the memory of my association with him. More than that, I will miss him, for I came to count on his wise counsel.

This past January, WRIGHT PATMAN wrote his constituents, declaring his intention to retire, and thanking them for their support over the past "wonderful and fulfilling 48 years." Today I want to say, thank you, WRIGHT PATMAN, for all those wonderful and fulfilling years of service. We are all the better for WRIGHT PATMAN having been among us.

Mr. CONTE. Mr. Speaker, with the death on March 7 of our beloved colleague, Congressman WRIGHT PATMAN, the House of Representatives has lost one of its most distinguished Members.

There are many facets of this remarkable man's career that will be trumpeted today as we solemnly meet to mark his passing. As ranking minority member of the House Small Business Committee, I would like to focus on his work to aid the small business man and woman of this country.

A governmental official all of his life, Congressman WRIGHT PATMAN understood the intricacies of the business world. An outstanding leader of men, he had great compassion for the "little guy."

Foremost among his accomplishments in the area of small business was his sponsorship of the Robinson-Patman Act. Not only did he lend his name, but he bent all of his persuasive talents to gain its enactment in 1936. The Robinson-Patman Act amended the Clayton Anti-Trust Act to protect small business

against anticompetitive price discrimination. The law has now stood for 40 years without change. This year, through a series of hearings, members of the House Small Business Committee were treated to witness after witness testifying to its value to the small business community. I anticipate that the Robinson-Patman Act will further weather the test of time and continue to exist as a testament to Congressman Patman's legislative foresight.

Five years after the enactment of the Robinson-Patman Act, Congressman PATMAN introduced and fought for enactment of House Resolution 294, which authorized the establishment of a select committee to investigate the national defense program in its relation to small business. Congressman PATMAN was accorded the honor of chairing that select committee. Out of the committee's probing study came the enactment of two measures invaluable to small business during World War II, the Murray-Patman Act and the Smaller War Plants Corporation authorizing law.

The Select Committee on Small Business was reestablished in the 78th Congress, the 79th Congress, indeed, it was reestablished at the beginning of every subsequent Congress until 1971 when it became a permanent select committee. For 18 years, Congressman WRIGHT PATMAN served at its helm. I could continue and recount a lengthy litany of Congressman PATMAN's achievements on behalf of small business through his activities as chairman of that committee, but they are well documented in the volume, "A History and Accomplishments of the Permanent Select Committee on Small Business, House of Representatives of the United States," which I commend to my colleagues. At the conclusion of these brief remarks I would like to include for the RECORD, the biography of Congressman PATMAN that appeared in that book, published in 1973.

Mr. Speaker, the passing of Congressman WRIGHT PATMAN reminds us all of our mortality. As freshmen Members of Congress, on both sides of the aisle, many of us turned to him for the benefit of the wisdom his years in Congress had gained for him. To us, he was unfailingly generous in his advice and counsel. The Congress has suffered an irreplaceable loss with his passing. But more, the small business community, which for so long has known it could depend on his support in their behalf in the Halls of Government, has lost a staunch champion. At this time, I join my colleagues in extending deepest sympathy to Mrs. Patman, their three sons and the entire Patman family.

At this point in the RECORD, I insert the biographical material to which I have previously referred:

[From "A History and Accomplishments of the Permanent Select Committee on Small Business, House of Representatives of the United States, 77th to 92d Congresses, 1941-1972."]

THE COMMITTEE'S FIRST CHAIRMAN A BIOGRAPHICAL SKETCH

Hon. Wright Patman, Democrat, of Texas, Chairman, Select Committee on Small Business, House of Representatives (1941-46, 1949-52, 1955-62.)

The Honorable Wright Patman, a distinguished Member of the House, is known far and wide as a champion of American small business. During all the 44 years that he has served in the Congress, he has fought consistently and vigorously in behalf of the Nation's small business community.

It was Wright Patman who introduced and led the fight for passage of the resolution that first established the House Small Business Committee in 1941. Speaker Sam Rayburn promptly named him chairman, and he continued to serve the committee in that capacity until 1963, except for the 4 years that the House was under Republican leadership.

Earlier, in 1936, Wright Patman introduced a bill designed to close the loopholes in the Clayton Act and to further protect American small business against destructive, discriminatory competitive practices. He successfully led the fight for adoption of this legislation. The act is known throughout the land as the Robinson-Patman Act, the Magna Carta for small business.

Throughout his career in Congress, Wright Patman has championed the cause of the people. His name has long been synonymous with the battle for low interest rates and economic justice. Despite formidable opposition, he succeeded in getting the House to authorize payment of the bonus to the veterans of World War I. He introduced legislation authorizing the establishment of credit unions. There are 23,000 of them today.

The Full Employment Act of 1946 flowed from legislation introduced by Representative Patman. This bill, among other things, established the Council of Economic Advisers and the Joint Economic Committee.

In 1942, he introduced legislation which led to the establishment of the Smaller War Plants Corporation, a Government agency that helped small manufacturers produce essential war materials.

Mr. GIBBONS. Mr. Speaker, WRIGHT PATMAN was a great man. We will all miss him. His legislative works are monumental. Yet with all of his greatness he always had time to be friendly. He was a gracious person.

In 1964 I had the opportunity to visit his congressional district. I found that he was not only admired by his constituents but he was also greatly loved by them.

In the legislative area Mr. PATMAN's investigation of the foundations will be long remembered. His continuous battle against the abuse of power is in keeping with America's best traditions and his courage and fortitude is an inspiration for all of us.

WRIGHT PATMAN had a crusading spirit, yet with all of his drive and determination I found him to be a friendly, optimistic counselor. Mrs. Gibbons joins me in extending our warmest wishes to his family. We will miss him.

Mr. SLACK. Mr. Speaker, the passing of our colleague, Congressman WRIGHT PATMAN, writes the final lines on a page of American history.

Much has been said of his many years of service in the House of Representatives, and his unswerving support for his principles.

But in one sense his career was unique. It is seldom indeed that we may look back across the span of 47 years to find that an elected public official had adopted at the beginning of his career a pattern of convictions that could be successfully maintained through years of war and peace, depression, recession and inflation.

Congressman PATMAN was one of the final links between the problems and challenges of today, and the dark and dangerous years of the thirties, when for a time our people were plagued by a doubt that we could continue to govern ourselves without vast changes in our Constitution and our historical commitment to private ownership and personal freedom.

He was already serving in Congress when I was a schoolboy, and his name had become a household word among the people as I grew to young manhood and entered business in the face of depressed conditions. During the time of fear and doubt, he was one of those who stood fast. His spirit, supported by deep knowledge of his country's affairs, united the men of confidence who believed that our country could best survive economic disaster by broadening the opportunity for the people to participate in future growth.

When I was first elected to this body and had the opportunity to meet him personally, I was struck by the thought that his continuing presence served notice on all of us that no national problem could be so grievous that it could defy solution by the people's representatives. We need only take advantage of the reservoir of experience available through him and those who had worked with him.

The famous statement by President Franklin Roosevelt that, "We have nothing to fear but fear itself" is well remembered. It was WRIGHT PATMAN who stood prominently among that small group of national leaders determined to drive back the clouds of fear and stabilize our society through carefully balanced and judiciously written legislation designed not only to meet the demands of immediate crisis but also to add strength to the structure of our system so that the dark days of the Thirties might never again recur.

It has been the great good fortune of our country that a time of deepest need produces the men of special talents required to meet that need. Such a man was WRIGHT PATMAN. He brought his special abilities to serve his country in a special way at a time of critical need, and with the passage of the years he will assume his proper place in the hall of great Americans.

Mr. CONYERS. Mr. Speaker, WRIGHT PATMAN's faith in the people's capacity to govern themselves was unshakable throughout his 47 years in Congress. To him citizens were not inert, but often misled, and so he coached and coaxed the public continually. Because he applied the strictest standards to the conduct of leadership, he was ever watchful of abuses of the public trust. It was not surprising then that he moved to have Treasury Secretary Andrew Mellon impeached for conflict-of-interest, President Herbert Hoover for gross mismanagement of the economy, and was in the forefront of congressional action to impeach Richard Nixon for subversion of the political process.

WRIGHT PATMAN is best known as a leading populist, as a chairman of the economic rights of citizens. Born in 1893,

he began his public career in Washington in 1929—the dates of the two worst economic crashes up to that time—and his searing experience of the ravages of economic depression led him to advocate, among many other economic reforms, that the government guarantee a job to each and every American who could not obtain work in the private sector.

In an otherwise creditable public life, I only regret WRIGHT PATMAN's inability to merge his impulse for economic justice with full support for legislative remedies to insure that all Americans enjoyed unconditionally civil and political rights. For liberty is inseparable, its denial in one area being a denial overall.

WRIGHT PATMAN understood that access to information as well as to income was the key to political power. A tireless public defender, he fought to safeguard the public's right to know what the Government was doing in its name. For this reason he remained to the end a critic at the cutting-edge of the leading issue of the day—the struggle against privilege whether it be economic or bureaucratic.

In all the great legislative and political battles of his lifetime WRIGHT PATMAN kept his democratic faith. "This is just one inning in a battle to lay these facts before the American people," he said on October 3, 1972, after the Banking and Currency Committee voted to end its investigation of the Nixon Reelection Committee's financial transactions:

The battle is far from over and all the White House pressure in the world won't prevent the facts from coming out. The American people will not tolerate this massive cover-up.

WRIGHT PATMAN's belief in democracy and his humane economic vision were inspiring, and how much greater this body would be if we had more Representatives like him.

Mr. ADDABBO. Mr. Speaker, I wish to join with Hon. GEORGE MAHON in paying respect to the late Congressman WRIGHT PATMAN.

Mr. PATMAN, our departed colleague, served faithfully and with distinguished honor in the House of Representatives from the 71st Congress to the 94th Congress.

He served with honor for 24 terms and at the time of his death he was the Dean of the House of Representatives. I served as a Member of the House Select Committee on Small Business under the chairmanship of the Honorable WRIGHT PATMAN. He distinguished himself as a champion of Small Business and always defended them with honor and dignity.

Some of his other achievements as a Member and colleague is worthy of mention at this time; chairman of the Banking and Currency Committee, and senior member of the committee in this Congress; chairman of the Subcommittee on Domestic Monetary Policy; member of the Subcommittee on Financial Institutions; Supervision, Regulations and Insurance; member of the House Committee on Interior and Insular Affairs; Subcommittee on Public Lands; member of the Democratic Steering and Policy Committee; chairman of the Joint-Senate Committee on Defense Production; vice chairman of the 20-member Joint

Economic Committee; chairman of the Subcommittee on Economic Progress; member of the Subcommittee on Priorities and Economy in Government and the Subcommittee on Energy.

It is with deep regret and respect that I extend deep condolence to his family and wife. We, the Members of the House will miss his presence in this Chamber for he was an active participant in the legislation of the House of Representatives.

Mr. EILBERG. Mr. Speaker, it is almost impossible to imagine the House of Representatives without WRIGHT PATMAN. This Chamber has been called the "People's House" and WRIGHT PATMAN was the embodiment of that philosophy.

In the Banking Committee, which he chaired for so many years, it was his public position that the banks could afford to hire all of the spokesmen and lobbyists it needed and that he was there to speak for the people. Mr. PATMAN never deviated from this position and he was always concerned about how legislation would affect the welfare of the individual citizen and family.

During the last terrible years of the Nixon administration WRIGHT PATMAN was one of the first to recognize the significance of Watergate and he tried to investigate the matter, but was thwarted—as were so many people—by the White House.

WRIGHT PATMAN was a giant who knew that he was here to do the people's business and that it was his duty to represent only them. His record should be a model for all of us who follow him.

Mr. COTTER. Mr. Speaker, I had the privilege of working with WRIGHT PATMAN during the 4 years I served on the House Banking and Currency Committee. I know from experience that many people looked up to this man as an example of what a legislator can do for the people he represents.

During his 47 years in the House, the small farmer, the small businessman, the veteran, and many others looked to him as their advocate. As he grew older and wiser in legislative experience, he never forgot the people back home.

An implacable foe of wealthy and powerful interests, Mr. PATMAN was ahead of his time when first elected to Congress in 1928. In many ways he continued to be ahead of his time throughout his long career.

World War I veterans remember with gratitude that he was an energetic proponent of the \$3 million veterans' bonus of 1936. He helped create the credit union system and the Small Business Administration.

He was a strong force behind passage of the Full Employment Act of 1946, which created the Council of Economic Advisers and set the search for maximum employment as a permanent national objective. He first called for such legislation in the 1930's.

In 1972, he became the first Member of Congress to demand an investigation into the Watergate break-in, at a time when few others realized the significance this event would have for American political life.

I join my House colleagues and the

American people in mourning the death of this great man.

To his wife and family, I offer my deepest condolences.

Mr. DAN DANIEL. Mr. Speaker, the Nation has suffered a great loss in the passing of our colleague and friend, WRIGHT PATMAN.

His long and distinguished service will be prominently recorded in the annals of this body—for his contribution was one of lasting quality that has served his country well. He has left his mark in the legislative arena.

He was an able servant of his constituency in Texas, but WRIGHT had a far broader concern and influence in behalf of people all over our country.

His impeccable character, his compassion for the middle American and his recognition of his legislative responsibility were hallmarks of his 47 years in the Congress. He was unaffected by influence and power, and will ever be remembered as a friend by all of us. During my service in the House, it was my privilege to count WRIGHT as a personal friend.

Alongside his accomplishments should also be placed the contributions which his wife, Pauline, has made. She was his companion and partner in public service. The encouragement and understanding which she offered played no small role in the total achievements of the man. Our deepest sympathies go to her and other members of the family. Their loss is indeed our loss.

In times such as these, we are made more conscious that we expect much of our public servants, in the expenditure of time and energy. Those of us who are left to serve, and all those who come after, would do well to emulate the dedication of WRIGHT PATMAN.

Mr. BENNETT. Mr. Speaker, when Congressman WRIGHT PATMAN died, not only did our country lose an outstanding statesman, but each of us Members of Congress lost a close personal friend.

A man of tremendous ability and force of personality, Congressman PATMAN forged and passed much landmark legislation in his almost 50 years of service in Congress. We will all treasure the memory of his sparkling eyes, his wonderful smile and his kindly spirit, while we acknowledge with honor the great legislative achievements of his life.

Mr. WAGGONER. Mr. Speaker, with the death of WRIGHT PATMAN, the Nation and the Congress has lost one of its most distinguished legislators. The people have lost a dedicated public servant. And, like most of us here today, I have lost a long-term personal friend and valued colleague.

Few men have had the privilege to serve their country over so long a period as Congressman PATMAN. Few men have filled their years with such enduring accomplishments. His 48-year career in the House was as remarkable as the man himself.

WRIGHT PATMAN will be best remembered as a fighter in the finest Texas tradition. He was never one to back away from a challenge, despite odds against him or criticism of his positions. This determination and diligence in cham-

pioning his deeply held beliefs won him the respect of all who knew him as a friend. Even those who on occasion opposed his stand regarded him as a worthy adversary and a man of uncompromising principle. His "workhorse" energies also won him the satisfaction of seeing many of his ideas—some the objects of scorn when they were first presented—enacted into law.

The newspapers, in reporting his career, used such adjectives as "crusty." To those of us who admired WRIGHT PATMAN, he was a tough-minded southern gentleman of wisdom and charm. We learned a great deal from him. And the legislative process benefited from his "crustiness."

He loved his people and they returned the affection, sending him to represent them for 24 terms in Congress. And he represented them well. His First District of Texas and my Fourth District of Louisiana are neighbors and share many miles of common border. Our people share mutual traditions and ideals. He was a friend of the people of Louisiana, and many of them knew him personally. They appreciated him as a man, what he stood for, and his fine record and work. I speak for them in paying this brief tribute to him today.

WRIGHT PATMAN's years as a crusader against injustice wherever he saw it have ended, but his imprint on legislation will remain. As with any giant, his absence will be noticed.

We shall miss him. To his wife and family, I extend my most sincere condolences and sympathies.

I join with WRIGHT PATMAN's many friends in this Chamber and throughout the Nation in mourning the death of a courageous leader, a fine American, and a beloved friend.

Mr. BRINKLEY. Mr. Speaker, both the length and the magnitude of the service performed by the late WRIGHT PATMAN in this Chamber far surpass those of us who think we have been here a long time and worked hard.

When I and a great many of my colleagues in the House first came here, Mr. PATMAN had already established an enviable record for his service, and indeed had accomplished much of the work he set out to do. He was already a legend, and never did those of us with less tenure and less accomplishment to our credit stop looking up to him.

Seldom has any other Member of this Congress made, as did Mr. PATMAN, such a clear commitment to a segment of the population—the proverbial "little man"—and stuck to that commitment regardless of where that commitment led. No special interest was as awesome to him as the special interest of the working, taxpaying people of his State and his country.

Who among us can honestly deny that we learned much by his example, and who among us will not miss WRIGHT PATMAN's presence each time the House convenes?

Mr. ROYBAL. Mr. Speaker, it is with deep sorrow that I join with my colleagues today in paying tribute to the memory of Congressman WRIGHT PATMAN. This was his 48th year in Con-

gress—making him the most-senior Member of either House. And since he had announced his retirement plans earlier in the year, we all looked forward to paying him a well-deserved tribute at the close of the 94th Congress. His death came as a surprise, even to those closest to him, and we will certainly miss this cheerful man who had achieved such respected stature in the House of Representatives.

When I was elected to Congress 14 years ago, WRIGHT PATMAN had already been here 34 years and established himself as a hardworking leader, a man of commitment and principle. As a freshman congressman, I remember WRIGHT PATMAN taking over as chairman of the House Banking Committee, a position he had set his sights on years earlier and which he held until 1975.

Over the years it was WRIGHT PATMAN who fought tirelessly against high interest rates, big banks, the autonomy of the Federal Reserve Board and misuse of tax-free foundations as wealth shelters. He championed the cause of the small farmer, small business and the veteran whom he helped win a World War I bonus at the depth of the Depression. He was a prime mover in setting up federally backed credit unions and was one of the original sponsors of the Full Employment Act of 1946.

Further, it was WRIGHT PATMAN who first spoke out in Congress to call for an investigation of Watergate. He wanted to issue subpoenas to suspected contributors, campaign committees and banks to trace the money. Unfortunately, members of his committee did not agree and the inquiry was blocked.

While his major interest has always been money matters, he has the singular distinction of being the originator of the congressional newsletter. Back in 1933, it was WRIGHT PATMAN who began sending weekly newsletter to his constituents in order to keep them informed of events in Washington.

WRIGHT PATMAN had a most noteworthy career. Beginning as a cotton farmer, he worked his way through school and was admitted to the Texas Bar in 1916. He served as assistant to the prosecuting attorney of his home county until the beginning of World War I when he enlisted in the Army and became a machinegun officer. In 1920, he was elected to the Texas House of Representatives. His 4 years in the Texas Legislature were followed by 5 years as district attorney and 24 successive elections to the U.S. House of Representatives.

It is with deep sorrow that we now mark the passing of this outstanding American who repeatedly evidenced such great concern for the average American. My sincerest sympathy is extended to his widow Pauline and three sons, Connor, Harold and William.

Mr. JOHNSON of California. Mr. Speaker, an important era has come to a close for the House of Representatives with the passing of our dean, the honorable WRIGHT PATMAN of Texas, Tex. Each of us who served with him are well aware of his outstanding leadership over nearly half of a century. He was an expert legislator, a champion of the ordi-

nary American citizen, and a respected Member of Congress. We shall miss his wise counsel and fighting spirit.

WRIGHT PATMAN was a man of courage who never shied away from controversial causes. He walked alone, if necessary, until others saw he was traveling the right path. He was not afraid to be a leader.

Many people have tried to place a label on the type of service he provided this country. None is appropriate. He had only one interest in mind, the people's interest. His approach was simple and direct and not clouded with fancy frills or verbose language. He was a man of wisdom.

WRIGHT PATMAN will be best remembered for his long-standing struggle against the financial community on behalf of the little man.

It was a courageous battle and one which brought him the fruits of victory on many occasions. His success was not personal, however, but rather a victory for the American people. Mr. PATMAN was also a diligent servant of the people who elected him to Congress. In particular, he worked hard on behalf of the veterans of World War I.

To many schoolchildren all across this great country, the name of WRIGHT PATMAN is closely associated with the Congress through his authorship of the book entitled, "Our American Government and How It Works: 1001 Questions and Answers," which was the stimulus for the congressional publication now distributed by each Member of Congress, "Our American Government."

WRIGHT PATMAN has made an important contribution to democracy in the United States of America. His ideas, his philosophy, and his achievements will long be remembered and respected. His courage and voraciousness will inspire others to take up the standard and continue his fight.

We will miss him greatly. Mrs. Johnson joins me in extending to Mr. PATMAN's family our deep sympathy.

Mr. WHITE. Mr. Speaker, the untimely passing of Representative WRIGHT PATMAN, dean of the House of Representatives and for 47 years the champion of the little guy in Congress, brings to a close a career of distinguished public service.

Dean PATMAN's achievements while a Member of Congress are perhaps the finest tribute to this extraordinary man.

Elected to the House from the First District of Texas in 1928, Dean PATMAN secured an appointment to the House Banking and Currency Committee and immediately emerged as the defender of the small businessman.

Mergers, monopolies and the Federal Reserve Board were Dean PATMAN's favorite targets, and none escaped his scrutiny. His greatest legislative triumph might have been the Robinson-Patman Act, a protective measure that helped small businessmen by forbidding manufacturers from giving chain stores discount prices.

Well-respected by his colleagues, Dean PATMAN served as chairman of the House Banking Committee from 1960 until 1975, at which time he lost his chair-

manship in the wake of a revolt by the liberal freshman who sought to relieve the older chairmen of their posts.

It has been said that these liberal Members have regretted their rash underestimation of the accomplishments of Dean PATMAN.

WRIGHT PATMAN will be remembered as the champion of the middle class, and his accomplishments will certainly leave a lasting impact.

I join my colleagues in Congress and my fellow Texans in mourning the loss of a devoted public servant, a great man and a good friend.

Mr. FAUNTROY. Mr. Speaker, I was deeply saddened to learn of the death of WRIGHT PATMAN, a dedicated public servant and one of the most dynamic Members of this House.

Few people will ever match his outstanding record, not only in tenure of office, but as a spokesman for the taxpayer, small businessman, laborer and all those who make the backbone of our country. His recognition of the needs of the average American citizen were so realistic, they were sometimes called simple. He fought to provide jobs, increase veterans benefits and keep checks on big business. Anything that was to the advantage of the "little guy," was a priority in Mr. PATMAN's mind.

Many of my colleagues and fellow Americans will honor his achievements by mourning his death, renaming schools and other institutions for him and telling of his accomplishments and beliefs. These tributes to him can only represent but a fraction of what this man has achieved and deserves. The Robinson-Patman Act, his help in passing the Employment Act of 1946, Veterans Act of 1936, establishment of Federal credit unions and the Small Business Administration are just a few examples of the tireless efforts of this great populist. As we look back on WRIGHT PATMAN's life, we see nothing but benevolence, honesty, desire and many years of dedicated public service.

He brought his beliefs with him to the Banking, Currency and Housing Committee, of which he was chairman for 12 years. He was continually weary of the actions of financial institutions believing correctly that the concentration of economic power in the hands of a few was the root of many evils. His foresight and wisdom brought him much criticism from those who saw him as a political maverick for failing to conform to the conventional expectations of the political system. Many of the changes WRIGHT PATMAN proposed years ago are today before the Banking Committee. Ralph Nader is correct when he says "[A]s so often in his career, PATMAN was right too soon."

It was a privilege and an honor for me to have served with him on the Banking Committee during his tenure as chairman. Our Nation has lost a model citizen, patriot and outstanding legislator. I join my colleagues in extending my condolences to his wife and family.

Mr. JONES of Oklahoma. Mr. Speaker, the Members of the House are today privileged to honor and pay tribute to the memory of Chairman WRIGHT PATMAN.

There are few among us that will ever have the opportunity to serve the common man of this country for as long or with as much understanding of their plight as Chairman WRIGHT PATMAN. Elected to the House of Representatives in 1928 whereupon he set out to assure that every American would be able to have first-class citizenship, first-class opportunity, first-hand justice at home. Few men have struggled as long and as hard in the interests of so many people against such strong adversaries. He will live on as a legend of frontier spirit.

Chairman PATMAN is the "populist" of this century. He fought from 1928, through the 1930's, the 1940's, until his death with an endurance and aggressiveness that few of us will ever be able to match. Never did he lose sight of his goals. Full employment, decent wages, lower interest rates, adequate housing, education for everyone, opportunity for all, good health, good medical care, good hospitals, above all, equal justice under the law for all of our fellow men. He fought for the simple and basic goals of America.

Throughout the pages of history we read stories of those who set out in quest of great goals and discoveries, and yet when they were almost to the edge of success, they hesitated—not realizing how close they were to their aims. Today we honor a man who never hesitated, who fought his whole life with his mind, his soul, his heart for what he thought was right.

Mr. Speaker, all of us here today are poorer for his passing. But he has left for us an example that can serve all of us. Few men have ever fought as long, as hard and with as much love for his fellow man.

Mr. OBEY. Mr. Speaker, WRIGHT PATMAN was as kind and gentle to me in my first days as a Member of this House than almost anyone else here.

In 1970 I began to warn about the potential health hazards of mercury. I remember how surprised I was when WRIGHT PATMAN came up to me on the floor one day, sat down next to me and said:

Young man, I've seen what you've been saying about mercury. You keep it up. These are worrisome things and you're doing good work.

He did not have to do that. I did not even think at that time that he knew who I was. I think it exhibited a special grace and kindness, especially for a man of his stature in the House.

He fought for the public interest against special interest with a zest which made him almost a folk hero with certain groups in my own northern Wisconsin district.

I am proud to have been given the opportunity of serving with him. He too did good work.

Mr. DRINAN. Mr. Speaker, one of the first memories of the young JOHN WILLIAM WRIGHT PATMAN was the cruelty of his east Texas cotton farming father being required to pay as high as 50 percent interest on crop loans. The memory of this injustice probably explains better than any other factor in the life of

the late Congressman WRIGHT PATMAN his zeal and devotion during 47 years as a Member of the House of Representatives to battling big banks and corporations.

The grinding poverty which young PATMAN experienced developed his gracious personality as well as his political ideology. I recall with the greatest admiration and fondness an incident when I was a freshman in the House of Representatives in 1971. A 10th grade student had written, unbeknownst to me, to Congressman WRIGHT PATMAN, asking if he and his 70 classmates could visit with Congressman PATMAN when they would be in Washington. The young student mentioned that I was his Congressman. Congressman WRIGHT PATMAN immediately agreed to spend well over an hour with these youngsters and gave to each of them his autograph. This event is undoubtedly only one of thousands upon thousands of such acts of kindness and graciousness in the career of Congressman WRIGHT PATMAN.

The late dean of the House was most remarkable in combining an astonishing legislative record while simultaneously being a prophet with ideas whose time has not arrived. Among the major legislative achievements of Congressman WRIGHT PATMAN were the passage of the Employment Act of 1946, which created the Council of Economic Advisors and the Congressional Joint Economic Committee. In addition, Mr. PATMAN was the architect of legislation creating the system of Federal credit unions as the repository of savings for workers from which they could obtain modest loans. It was WRIGHT PATMAN's legislation that created the Small Business Administration and his thinking that led to the now familiar concept that small businesses have a right to share in defense contracts.

Congressman WRIGHT PATMAN, when he spoke with the group of students that I have referred to above, was understandably delighted when at least a few of them knew that he was the author of the Robinson-Patman Act.

All of the foregoing are only a few of the monumental achievements of Mr. PATMAN. At this time and perhaps for years to come, he will be remembered for his crusade to impose a major restructuring on the Federal Reserve System. He won a limited number of victories in this area. But he has made it possible for legislation to be enacted—hopefully in the very near future.

Around 1963, Chairman WRIGHT PATMAN of the House Banking Committee began to investigate the extent to which banks had interlocks with each other. At that time the whole notion was denounced by almost everyone, but around 1970, the Federal Reserve Board was itself offering legislation to deal with the problem.

It is sad to contemplate that the late beloved dean of the House did not see enacted the legislation which he proposed and which, because of his efforts, may well become law in the near future. One of many examples is the law that will permit banks to pay interest on checking accounts.

It will be a long time indeed before a giant like Congressman WRIGHT PATMAN will denounce with the same authority the monopolies and mergers against which he struggled all of his life.

Congressman WRIGHT PATMAN had been an inspiration to me long before I became a Member of the 92d Congress in 1971. During the 5 years when, as a Member of Congress, I was honored to be associated with him, Mr. PATMAN continued to be a person whose courage, resourcefulness and tremendous industry impressed me more and more as the months and years went on.

The memory of Congressman WRIGHT PATMAN will be held in benediction in the House of Representatives as long as this noble body exists.

Mr. RANGEL. Mr. Speaker, I rise to pay tribute to the former dean of the House of Representatives, WRIGHT PATMAN. As my colleagues are no doubt aware, Congressman PATMAN died on Sunday after having been hospitalized in Bethesda Naval Medical Center with pneumonia. I would like to at this time point out some of the highlights of his impressive career here in the House, a career that spans nearly one-half a century.

Throughout most of his career, PATMAN was an ardent supporter of the "small guy." Probably the one piece of legislation that people associate with PATMAN the most is the Robinson-Patman Act which he coauthored. This act was designed to prevent large chain stores from pushing their small competitors out of business by lowering prices in the areas served jointly by the large and small businesses and raising the prices in areas where just the large concern was found.

WRIGHT PATMAN wrote the legislation which established the Small Business Administration. For my constituents who are engaged in business pursuits, this legislation is probably the most important of PATMAN's contributions. The concept behind the legislation is that the small guy who seeks to enter the business world should be allowed that opportunity free from undue obstacles. Most of the businesses in my congressional district are not conglomerates in size. The assistance that the Small Business Administration provides is quite helpful.

After 12 years as chairman of the House Banking Committee, PATMAN was removed at the beginning of this Congress. Those who served on his committee argued that he attempted to conduct the committee without consulting them. The critics said that his age was a factor which made his removal all the more necessary. During the entire debate on the question of keeping his chairmanship, never once was his knowledge of the subject matter questioned, and although I supported his removal, I believe it is important to remember the reason for his removal was not his lack of knowledge.

WRIGHT PATMAN will most definitely be missed in this Chamber. His attacks on the Federal Reserve System were all designed to break up conspiratorial efforts

by the banks to keep interest rates high. The gentleman from Texas was not reluctant to wage the big battles on behalf of the consuming public. It is my hope that his unfinished work will be picked up by all of us here in tribute to this fine public servant.

Mr. ICHORD. Mr. Speaker, on Sunday, March 7, our good friend and outstanding colleague, WRIGHT PATMAN, passed away, and it is with a sense of deep personal loss and sadness that I join today in tribute to the great leader from Texas.

Forty-seven years ago, WRIGHT PATMAN was first elected by the people of the First District of Texas to represent them in the 71st Congress. From that day until his death at 83, WRIGHT PATMAN served Texas and this Nation as one of this country's outstanding legislators whose talents of compassion, goodwill, hard work and excellence were a source of admiration and inspiration to many of his colleagues.

WRIGHT PATMAN came to Congress deeply instilled with the importance of a stable economy and personally aware of the devastation that accompanied recession and depression. This knowledge and his deep concern for the effects of economic fluctuation on the American people set the tone of WRIGHT's leadership in the House and his work on and chairmanship of the House Banking and Currency Committee. WRIGHT PATMAN became the watchdog of Federal monetary policy assiduously overseeing the enormous power and influence of big banking interests and the growing independence of Federal Reserve policymaking. He authorized the legislation which created the Joint Economic Committee, set up the Council of Economic Advisors, and which required periodic reports to the American people by the President on the state of our economy. He served as a constant counterforce against secrecy in domestic financial circles publishing the first ownership list of major banking units and interlocking directorships.

WRIGHT PATMAN was also a strong supporter of America's veterans and an aggressive advocate of the American public and this Nation's small business in their confrontation with powerful financial conglomerations. He cosponsored the Robinson-Patman Act which outlawed discriminatory price and anticompetitive practices by business. He authored the resolution which created the House Small Business Committee and served as its first chairman. WRIGHT PATMAN also introduced consumer credit legislation including the Truth-in-Lending Act; wrote the Federal Credit Union Act of 1934 which today benefits over 32 million credit union members; and sponsored the veterans' "bonus" bill of 1936 and the Veterans Emergency Housing Act of 1946.

It was my privilege to serve with WRIGHT PATMAN for 16 of his 47 years in Congress. I admired him greatly and shall sorely miss his friendship and leadership in the House. I hope this body will continue with his excellent work and his championship of the free enterprise system. Free enterprise to WRIGHT PATMAN meant what it should mean to all of

us. Free enterprise was not a free-for-all by a few large interests but a system whereby interests, both small and large, have a place and a system in his own words where there "never will be room for the ruthless exploitation of the many for the benefit of the few."

WRIGHT PATMAN's work in Congress mirrored this philosophy. His passing marks a deep loss to this body and to the Nation and I join today with his many friends and colleagues in tribute to this man and great leader from Texas. My wife and I extend our heartfelt condolences to WRIGHT's wonderful companion and wife, Pauline, and all the members of his family.

Mr. ARCHER. Mr. Speaker, I commend my distinguished colleague from Texas, Chairman MAHON, for leading this tribute today to the life and career of WRIGHT PATMAN.

It is indeed appropriate that we gather here today to honor such a great American who spent so many years in this very Chamber serving his constituents and his country. He was a man for whom the description "honorable" was truly intended. Few have served their country with such honor and dedication as our departed colleague from the First Congressional District of Texas.

WRIGHT PATMAN gave his entire adult life in the service of his neighbors, never seeking further fame or fortune for himself. His was total commitment to the principles he so strongly believed in.

I had the honor of serving with Mr. PATMAN on the Committee on Banking and Currency during my first term in Congress. During those years I came to know him as a man of high integrity, with a devotion to duty that is the mark of a true statesman.

A statesman he was, a man of conviction who served his country well in times of despair as well as times of prosperity.

A man of great energy, he approached his work with an enthusiasm unmatched by many in the history of this elected body of the people.

All who had the opportunity to know WRIGHT PATMAN during his lifetime are far richer in spirit for having had that opportunity. For those of us who knew him in the Congress, his memory remains as an example of human dedication from which we can all learn.

We will miss WRIGHT PATMAN in this Chamber, just as his constituents and his country will miss him.

But his memory will live on. He was truly a man who left his mark on America, a man deserving of respect by generations of Congressmen to come.

It is indeed fitting that we pay tribute today to the life and career of this great American. For when we speak of WRIGHT PATMAN, we are speaking of a life and career that were one and the same.

May God bless and keep him.

Mr. STEED. Mr. Speaker, in a career in the House of Representatives of more than 46 years, WRIGHT PATMAN was a consistent and courageous champion of the common man.

In a phenomenal way he kept close to his people in the First District of north-eastern Texas and their concerns, yet at the same time he came to grips with na-

tional issues and faced them bluntly and effectively.

One of the highlights of my career here came when I was placed on the Select Committee on Small Business in 1953 with WRIGHT PATMAN as chairman. For almost 10 years I worked closely with him on that committee. He gave me the opportunity to hold a wide series of hearings over the country—on the dairy industry, the oil industry, poultry, tomatoes, and many others. Most of what I know of small business and its problems, so vital to our economy, I learned through constructive association with WRIGHT PATMAN.

It was this aspect of his career with which I had the closest contact. His active efforts in behalf of the small business section of our economy began in 1935, when Mr. PATMAN had been here for 6 years. He had already demonstrated that he was for the little man in regard to the veterans bonus and other economic issues.

In May 1935, Congressman John J. Cochran of Missouri introduced a resolution to establish a select investigating committee on certain lobbying activities. When the resolution passed, Speaker Joseph W. Byrns named Cochran as chairman. But almost at once health problems forced him to step aside, and Mr. PATMAN, who had been appointed as a member succeeded Cochran.

He broadened the scope of the investigation with an amendatory resolution that enabled him to go into larger scale buying and selling and their effects on small business.

Other members of the select committee who later became very well-known included Scott Lucas of Illinois, Sol Bloom of New York, and Sterling Cole of New York.

As chief counsel Mr. PATMAN named Everett MacIntyre, then with the Federal Trade Commission. They conducted hearings through the summer of 1935, and their findings led directly to the Robinson-Patman Act. This landmark measure, the Magna Carta of Small Business, passed the House with only 16 votes against it, passed the Senate without opposition, and was signed by President Franklin D. Roosevelt on June 19, 1936.

Frequently through the next 40 years Mr. PATMAN intervened in behalf of free and fair competition. He sponsored bills, appeared before many committees and conducted many hearings on this issue. The last was on November 5, 1975, when he was the opening witness at the hearings of the ad hoc Small Business Subcommittee on Antitrust, the Robinson-Patman Act and related matters. This committee was named by Chairman JOE EVINS, who expressed his concern at alleged efforts to repeal or weaken the Robinson-Patman Act, which he described as "vital and important to assure small businessmen of needed protection in the marketplace in such areas as volume sales by large manufacturers."

In opening the series of hearings, Congressman HENRY GONZALEZ, chairman of the subcommittee, cited the policy of the Congress as stated in the United States Code, title 15, section 631 a bill sponsored by Mr. PATMAN in 1958 as follows:

It is the declared policy of the Congress that the Government should aid, counsel, assist and protect, insofar as it is possible, the interests of small business concerns.

In this series of hearings Everett MacIntyre, who had worked with Mr. PATMAN in the 1935 hearings, again served as counsel.

It was fitting that this should be the final scene of Mr. PATMAN's appearances for small business. As Congressman WILLIAM HUNGATE commented, it was an occasion for "respect and appreciation of the gentleman's work on behalf of small business and for his foresight generally. He warned us of Watergate when most of us thought it was just a hotel, and he continues to show leadership."

WRIGHT PATMAN introduced the resolution creating the House Small Business Committee in 1941, and it passed just 3 days before Pearl Harbor. Speaker Sam Rayburn named him as first chairman of the select committee, and he served in that capacity from 1941 until 1962 with the exception of the 80th and 83d Congresses when the Republicans had a majority in the House.

During World War II the select committee helped secure for small business a part of the procurement for the war effort. We needed small business and its expertise, and the committee helped to make effective use of them.

In 1958, Mr. PATMAN was coauthor, with Senator Lyndon B. Johnson, of the Small Business Investment Act, another significant measure.

It would take a catalog to record all his efforts in this field. He was a true gentleman, a faithful friend, and in my belief the most effective of fire competitive enterprise in Congress in this century.

Mr. SISK. Mr. Speaker, we all mourn the loss of our late colleague, WRIGHT PATMAN. Thousands of words have been spoken and written about this wonderful man, but I suspect he would have been a little embarrassed over the tributes.

"What's all the fuss about?" I am sure he would ask.

WRIGHT PATMAN would prefer, I believe, that the House of Representatives simply conduct the Nation's business. But seldom does a man like our former colleague bless these Chambers, and it is the Nation's business to pay respect and tribute to one who gave so much to his country.

We are all witnesses to history, but most of us have insufficient time on this Earth to taste but a bit of history. And we have not the time to view events in their proper perspective.

WRIGHT PATMAN was one of the lucky few. He not only witnessed history, he was a part of it. More importantly, he was able to view events and his actions against time; that perception enabled him to remain an effective legislator.

WRIGHT's life spanned 22 Presidential elections—elections which sent 15 different men to the White House. Four of them died or were killed in office; an unwanted war drove another from office, and one left in disgrace. Nothing could have hurt WRIGHT PATMAN more than the

latter, for he loved the office of the Presidency.

WRIGHT PATMAN also saw war many times over. He saw a Nation of feast and famine. He saw, too, a great technological explosion and one of the most severe economic collapses in man's history.

He saw the little man suffer, and knew that was not right. His classic fights on behalf of the little man were often scorned, but time proved him right. We are, indeed, a better Nation as a result of those battles—battles which he sometimes fought alone.

But for all the fights, skirmishes, and debates, WRIGHT PATMAN remained a fair man, for he was pained by any abuse of power. He fought—he fought hard—but one could never question that man's integrity.

I was fortunate to spend almost 22 years in the House of Representatives with WRIGHT PATMAN. I think I knew him well. I know that I learned much from him.

We will go on with the Nation's business. But the little man from Texas has left a void in these Chambers.

I shall forever miss my good friend.

Mr. MILFORD. Mr. Speaker, having spent most of my life in Texas—and growing up in northeast Texas—I have heard of and witnessed the dedication to his people of the late Congressman from the First District, Mr. WRIGHT PATMAN of Texarkana.

As a boy in a neighboring area of that rural section of Texas, I saw a man who cared about his people. He cared not just for the votes they could cast. But he cared about injustices they had suffered. And he tried to correct those. He understood and cared about hard times. And he labored long—47 years in Washington—to help alleviate those.

Congressman PATMAN frequently rankled the "sophisticated city slickers," but he was a popular man of the people in his northeast corner of the State of Texas.

Forty-seven years in public service, fighting for the rights of his people, and the rights of those nonmoneied, non-powerful people all over this country—Mr. PATMAN never lost touch with his world at home. He never became a "Washingtonian" imbued with his own self-importance.

But he became a good teacher in the ways of being a good elected public servant for those of us who have come after him. And that is all of us, for he was the senior Member of this House. WRIGHT PATMAN will be missed. But he will be long remembered for what he did here in this House of elected Representatives.

Mr. VANIK. Mr. Speaker, I had the rare privilege of serving with the late WRIGHT PATMAN on the House Banking and Currency Committee when I first came to Congress in 1954. He was always a source of inspiration to me and to many Members of this body.

WRIGHT PATMAN's important work as chairman of that Committee and of the Joint Economic Committee will remain with us for years to come. His mark can be seen all around in the world of bank-

ing. The credit unions that were established under his guidance are now flourishing, providing millions of consumers with a needed alternative to traditional savings institutions. The Robinson-Patman Act is but one of his many accomplishments to protect the interests of small business. The Employment Act of 1946 established "maximum employment, production, and purchasing power" as permanent objectives of national policy. His efforts to maintain low interest rates for borrowers for homes and other necessities must not be forgotten.

All these initiatives focus attention on WRIGHT PATMAN's chief concern: the common man. His efforts have always seemed to come years ahead of their time. Mr. Speaker, this Congress will gravely miss WRIGHT PATMAN. He was a gentleman of great force and foresight.

Mr. FREY. Mr. Speaker, I would like to join with my colleagues on both sides of the aisle in honoring the long and distinguished service of our late colleague WRIGHT PATMAN of Texas.

The gentleman from Texas served in the House for 47 years. His career ranged from the Depression Years to World War II to the trials of Korea and then Vietnam. He served as chairman of the Banking and Currency Committee for many years. As the results of his efforts, legislative accomplishments were many. For instance, the Robinson-Patman Act is a basic part of the law regulating competition. All of us are proud of his service to his State, this Congress and our Nation. We extend our sympathies to his family and are proud to have had the opportunity to serve over the last 8 years with such a distinguished Member of Congress.

Mr. MURPHY of New York. Mr. Speaker, words cannot do justice to the memory of WRIGHT PATMAN, so I shall be brief. WRIGHT PATMAN's record in the Congress will stand for decades, if not centuries, as a paragon for future Congressmen to emulate. This was a giant, and a leader of rare quality.

Here was a man of unquestioned integrity, total intellectual honesty, and untiring legislative zeal. His defense of the average American in the House Banking, Currency and Housing Committee has already become a treasured chapter in the history of American Government.

WRIGHT PATMAN joined the Congress in 1928 when many of us here today were not yet born. His political career followed distinguished military service in World War I as an Army officer. For nearly half a century this eminent Texan was renowned as the opponent of predatory corporate and banking practices which sought to victimize American citizens. During the Great Depression he was one of the legislative craftsmen of the reforms which resurrected our economy and restored faith in our financial institutions.

I can vividly recall the many summer evenings when this senior Member would be the last to leave this Chamber. He was the first to get to the people's business on most mornings, and the last to depart. His cordial nature and plain good

sense eased the burdens of many of his junior colleagues, and proved that political life can be an enjoyable challenge. I considered him to be a steadfast personal friend, and I am deeply grieved by his passing.

I shall miss the dean of the House. It is no overstatement to say that his presence here enriched all of us, while it seems inadequate, I can only say that he was one of the most outstanding men whom I have ever met, and I shall never forget the chance that I had to work with him on legislation to halt the funding of local governments with gambling proceeds.

While we mourn Mr. PATMAN's death, we can be thankful for having had the high honor of serving the American people alongside one of our most distinguished countrymen.

Mr. ST GERMAIN. Mr. Speaker, we are met today to pay tribute to a giant of a man who no longer walks amongst us—Chairman WRIGHT PATMAN. Much has been written and spoken about the length of his service in Congress, a remarkable near half-century of service as a Member of Congress. There will never be sufficient time on this and other occasions to come to reflect fully on the quality of his service to his fellowman.

I deeply treasure the many occasions and opportunities that have come my way during the past 16 years to work closely with him as chairman of the Banking and Currency Committee, where his determination and his wisdom helped guide this Nation through many perilous moments. His wise counsel and advice, which he gave so freely to me, will be missed, but the principles and causes which he espoused in nearly a half-century of service, indeed, will live on inspiring future generations to come.

The entire public life of WRIGHT PATMAN was devoted to the care of the little man and he used whatever forum was available to espouse it. To this end he spent his life trying to expose the evils of concentration of economic power and to restrict this power. His tenacity in fighting those who he felt had too much power is legendary. He lived to see many of his ideas embodied in law and many others, originally ignored or denounced by his colleagues, it can be freely predicted, will in time be adopted by those less blessed with his magnificent sense of history and total dedication to the public interest.

Mr. Speaker, beginning in December, the Subcommittee on Financial Institutions Supervision, Regulation, and Insurance, which I chair, began hearings on the FINE study principles, which incorporates many of the goals, ideals, and principles for which WRIGHT PATMAN battled for nearly a half a century. Our legislative hearings began on March 4 and right up to Mr. PATMAN's last hospitalization, he was ever by my side, participating fully in those hearings. The recent outburst of statements in opposition to this pending legislation by vested interests would have come as no surprise to Chairman PATMAN, who on similar occasions in the past delighted in recalling a poem taught him at an early age

by his mother which gives some insight into the makeup of this truly remarkable American:

He has no enemies, you say
My friend, the boast is poor.
He who hath mingled in the fray
Of duty that the brave endure
Must have foes.

If he has none,
Small is the work he has done.
He has hit no traitor on the hip,
Has cast no cup from perjured lip,
Has never turned the wrong to right,
He's been a coward in the fight.

In recent times, Chairman PATMAN is perhaps best known by his eternal vigilance over the operations of the Federal Reserve Board. I can add little to the moving tribute paid to Chairman PATMAN last week during our continuing hearings from the present Chairman of the Federal Reserve Board, Dr. Arthur Burns, and former Vice Chairman, Governor Robertson.

First, from Dr. Burns:

WRIGHT PATMAN had a long and distinguished career in the Congress. His feelings about the Federal Reserve are well known, and it is fair to say that we had differences of viewpoint with him on many matters of mutual concern. I can also say, however, that we had great respect and personal affection for Mr. PATMAN. He was a man of great dedication, he was a highly skilled legislator, and a man of integrity. He made great contributions to this Committee, to the Congress, and to the country. We shall miss him.

Governor Robertson stated in part the following:

All of the years that I have been testifying before the Committee, in this room, this is the very first time that our former colleague and my friend, Mr. PATMAN, has not been here, or very close to the chair. I miss him. Over the years, he gave me a hard time, and many other federal supervisory authorities a hard time, by his interrogations, but I want to assure this committee that the Federal Reserve System, at least, is a better system today than it would have been if he had not been consistently and continuously looking over its shoulder.

Mr. Speaker, we shall continue in the task outlined for us by Chairman PATMAN by proceeding with our deliberations on the legislation emanating from the FINE study. Should we be successful in our efforts, this can be the finest tribute that we can ever hope to pay to a man who gave so much—legislation truly benefiting America's little man.

Mr. MOSS. Mr. Speaker, WRIGHT PATMAN is dead, and thus ends a career which will stand as a monument to a truly unique man, his ideas, and his convictions.

WRIGHT PATMAN achieved much legislatively, but he achieved more through understanding economic truths—particularly, as they related to the Federal Reserve Systems and the very large banks of this Nation.

WRIGHT PATMAN articulated the fears, the concerns, and the distrust of many of a system of increasingly centralized control of financial institutions of this Nation.

The Bank Holding Company emergence as an even more important part of our Nation's economic management concerned him. The congressional re-

luctance to audit the Federal Reserve System frustrated him, the failure to regulate with a firmer hand created the specter of unsound banking institutions and, in his view, constituted an abdication of constitutionally mandated congressional duties.

WRIGHT warned against the manipulation of the "cost of money"—high interest to him, was an ever-threatening presence that could only erode the Nation's ability to move ahead with growth and prosperity.

There are many who did not follow WRIGHT PATMAN—I am proud of my support of his efforts throughout my almost 24 years in the House.

WRIGHT PATMAN understood, as far too few legislators understand, the power of congressional oversight, the corrective value of legislative inquiry, and the need for the Congress to pursue both courses with vigor and dedication. To the extent of his own powers, WRIGHT PATMAN was tireless and relentless in asserting congressional need to know, and to do.

With the passing of WRIGHT PATMAN, the House has lost a giant—the Nation, a voice of courage and wisdom—the people, a friend and champion, and his family, a father and husband who loved them and enjoyed being with them.

Mr. Speaker, there will only be a few who serve in this House, in the future, with the distinction and dedication of our late dean of the House, the distinguished gentleman from Texas, WRIGHT PATMAN, a true son of the pioneer spirit of his native State and his Nation.

Mr. SEIBERLING. Mr. Speaker, 2 weeks after my first election to the House in 1970, I made my first visit to the House floor. One of the first Members I was introduced to was WRIGHT PATMAN. It was hard to believe that I was actually meeting the famed author of the Robinson-Patman Act, a law which I had been interpreting for my clients ever since I first entered the practice of law and one which was enacted many years before I became a lawyer. Needless to say, I was very impressed to meet someone who was already a "living legend."

In the years since, I had the opportunity not only to observe Mr. PATMAN in action on the floor of the House, but to develop a personal acquaintance with him. Despite his years, he dealt with complex subjects with a keenness of intellect and a coolness under fire that would have been remarkable even in a person in the prime of life. Even more impressive to me was the fact that after almost half a century in Congress, he seemed unflagging in his commitment to help ordinary people and to limit the power of the mighty.

Above all, however, I will remember WRIGHT PATMAN for his graciousness and warmth toward me as a person. He was always a gentleman, but he was more than that. He never seemed to miss an opportunity to bestow a word of praise or encouragement. Perhaps that was the secret of his greatness: He was a towering public figure, because he was, first and last, a warm and sensitive human being.

Mr. PERKINS. Mr. Speaker, few men have had the privilege of engraving their

stamp upon an institution in more relief than WRIGHT PATMAN in making his mark upon the House of Representatives.

WRIGHT was a Member of the House for 47 years and I venture to say that not even on the first day here was he a nobody. His was a commanding intellect and a commanding personality.

He had a keen sense of justice, not only in his personal dealings, but in justice as it applied to the economic field. He was quick to detect abuses of our system that led to injustices for other people. When these injustices were not promptly corrected, WRIGHT PATMAN was capable of towering indignation which he had a capacity to transmit to other people. A catalog of things in this country that WRIGHT PATMAN has made better would be an enormous volume.

I am proud to have served with him and to have been his friend for 27 of the 47 years he was with us. The House has lost a unique Member, Texas has lost a unique representative, and the American people have lost a champion, the likes of which we may not see again.

Mr. WYLIE. Mr. Speaker, I consider it a privilege to have had the opportunity of working closely with Mr. PATMAN in committee. I was an admirer of his even though we were on opposing sides oftentimes. Almost from the first day I was assigned to the Banking and Currency Committee, I listened to the chairman's speech about low-interest rates, making more money available for housing and consumer needs, and to his mind the enemies of these concepts, the Federal Reserve Board and the banks. I think the chairman's constant battle for low interest rates was more of an effort on his part to stimulate discussions on interest rates, money supply, and to remind Members of Congress of the fact that it was the individual and not any special interest group that the Congress represents.

Although he introduced a bill to fix the interest ceiling at 6 percent year after year, I do not recall he ever called for a vote in committee on his pet bill. Whether or not you agreed with what WRIGHT PATMAN had to say, you had to admire the way he was able to generate discussion on important issues not only involving the Congress but the whole Nation.

Personally, I liked Chairman PATMAN. I had great admiration and respect for him. Some accused him of being dictatorial, but he was always fair to me. I think rather than being dictatorial he was just a strong advocate for his views and with the power of the chairmanship had the position to voice them. His two powerful adversaries were the president of the American Bankers Association, whoever he might be, and Dr. Arthur Burns. Yet, I do not believe Mr. PATMAN ever held a personal grudge. Truly, I believe he and Dr. Burns were great friends.

In 1967 shortly after I went on the Banking and Currency Committee, I noted that the chairman had difficulty remembering my name. His solution was to nickname me "Professor," a nickname I rather liked. From that day to the day I last saw him I was "Professor" to Representative WRIGHT PATMAN.

It was a pleasure and honor to serve in

the House of Representatives and on the Banking and Currency Committee with WRIGHT PATMAN for the 9 years I have been in Congress. It is often said that any man can be replaced, but WRIGHT PATMAN's combination of drive and fierce dedication will never be duplicated.

Mr. DERWINSKI. Mr. Speaker, it is with deep sorrow that I join this afternoon in eulogizing our late colleague, Mr. WRIGHT PATMAN.

It was my privilege to have served as a freshman Member with WRIGHT PATMAN, on the Banking and Currency Committee, as it has been my privilege, these past 18 years, to have served with him in the House.

I knew him as conscientious, hard working, and aggressive man, and at the same time, he was a warm and personable individual.

WRIGHT PATMAN was an outstanding Member whose death leaves a void in the House that will be most difficult to fill. WRIGHT dispelled the false notion that age can be an impediment to effectiveness, for he was consistently innovative and had an energetic outlook far beyond his years.

The blend of his knowledge and vast experience in Government and his continued interest in current events and future developments was certainly a motivation for his effective legislative leadership.

He was controversial, but that is a tribute to his effectiveness as an extremely dedicated public servant, which makes his passing an even greater loss. He was a man who not only believed but practiced the greatness he felt in America and its heritage.

My wife, Pat, joins me in extending our condolences to Mrs. Patman, Pauline, and his three sons. They can remember him proudly as a dedicated and respected public official; just as we, who were privileged to serve with WRIGHT PATMAN, will long remember his unselfish service to his Nation.

Mr. KRUEGER. Mr. Speaker, I rise on this sad occasion to join my colleagues in lamenting the passing of our late friend and colleague, WRIGHT PATMAN. For 47 years he served in the House, an effective representative for the people of his Texas district and a strong defender of the rights of Americans everywhere. He sought to further the best interests of his country, and hard work and dedication to duty helped him attain this goal. WRIGHT PATMAN's first great legislative effort in 1933 led to passage of a veterans' bonus bill over the objections of the White House; in the years that followed, he was instrumental in winning approval of the Robinson-Patman Act to protect small businesses, the 1934 Federal Credit Union Act, the Veterans Emergency Housing Act of 1946, and the Full Employment Act of 1946. In 1972 he was the first major public official to call for an investigation of Watergate, and he maintained his position as legislative steward of our Nation's economy throughout these many and diverse legislative efforts.

WRIGHT PATMAN was a man of exemplary intelligence, courage, and integrity, and these qualities grew through the

years, enriched by his legislative and personal experiences. For over four decades he was a model for Americans in all walks of life, but particularly for those of us in his chosen field of public service. In Congress he leaves behind many admirers, many of whom, like myself, were not yet born the day WRIGHT PATMAN was first sworn in as a Member. The Congress is poorer for his passing, but the Nation is richer for his service here. Dean PATMAN was a controversial figure during his tenure in the House, but his efforts won him the admiration and respect of those around him, and the common people loved him for the enemies he made. Democracy has lost a champion, but those of us who are left behind can continue his work in our own small way by seeking justice for all and fair play for the common man.

Mr. GIAIMO. Mr. Speaker, I am certain that all of us who have had the privilege to serve with WRIGHT PATMAN during his long and eventful years in the House of Representatives share my sorrow at his sudden passing. Mr. PATMAN, as we all know, had decided in January to bring his distinguished career to a close at the end of the current term, his 24th in Congress. An unfortunate illness, however, prevented him from fulfilling his wish to return in well-deserved retirement to his beloved east Texas homeland.

Mr. PATMAN's long tenure as chairman of the Banking Committee was sometimes marked by controversy but more often by success. He did more in his lifetime than perhaps any Member who ever served in Congress to focus public attention on and to change the policies of the Nation's commercial banking system and the Federal Reserve System.

Just as important, in the economic sector, his crusading efforts led to the elimination of the former practice of passing without hearings or debate tax bills sponsored for the benefit of a single firm or individual. His efforts also led to House passage of standby authority to impose wage and price controls when economic conditions required such action.

Mr. PATMAN's fiscal and monetary views impact to some degree on all Americans. He was responsible for the passage of other major legislation: the Employment Act of 1946 which created the Council of Economic Advisers and the Congressional Joint Economic Committee; creation of the system of Federal Credit Unions; creation of the Small Business Administration; the principle of sharing defense contracts with small businesses; and the Robinson-Patman Act, which aimed at preventing large chainstores from running small retail competitors out of business by cutting price manipulation.

Mr. Speaker, there are a number of other bills pending before the Congress which embody the principles which Mr. PATMAN espoused for so long and which have a reasonable chance of passage. Among them are bills which would permit savings and loan associations to make consumer loans; to create a single agency to regulate commercial banks; to require payment of interest on U.S. Government deposits held by banks; and to

make the term of the chairman of the Federal Reserve System coincide with the Presidential term.

WRIGHT PATMAN's 48 years in the House were distinguished, fruitful, and always busy. He never compromised his deeply held beliefs, and fought for them with integrity and principle. History will remember and respect him for the laws which bear his name.

We remember him as a friend and colleague who served Texas and the Nation as only a great man can.

Mr. FORD of Tennessee. Mr. Speaker, as I said in a letter to Mrs. Patman last week:

The poet Tennyson once declared, "I am part of all that I have met." With the passing on of Mr. PATMAN, a very large and irreplaceable part of each of us who has had the privilege of knowing him, is gone but will always remain a vivid memory.

Words cannot accurately convey the deep respect and admiration my wife, Dorothy, and I have for this great statesman. When I came to Congress just over a year ago, it was this venerable man of sound judgment and vast experience who always took the time to offer sorely needed words of guidance and encouragement to young Members of Congress.

During flights back to our respective districts, I often had an opportunity to discuss important issues pending before the Congress with him. During these conversations and during my services on his Subcommittee on Domestic Monetary Policy, I came to know him for the infinitely devoted and immensely capable servant that he was.

Mr. Speaker, I will not dwell here on Chairman PATMAN's record of service in the Congress and to the good people of the First District of Texas. His numerous accomplishments in his early five decades in the House of Representatives speak for themselves. But I will say that I can recall no other Member of this body throughout its long and illustrious history who contributed more to the welfare of the people of this Nation than the Honorable WRIGHT PATMAN.

Mr. PATMAN was a humble man of exceptional talents. There is not a doubt in my mind that he would have been successful at any career he chose. Thank God that he chose public service, for this Nation is now a better place because of his unique contributions.

Mr. Speaker, my wife, Dorothy, and I pray that Almighty God will be with him and that he will grant Mrs. Patman the strength and courage for the living of these days.

Mr. KOCH. Mr. Speaker, WRIGHT PATMAN was the chairman of the Banking and Currency Committee, a committee on which I served in the 92d and 93d Congresses. In the course of that 4-year period, I came to know him and notwithstanding occasional orneriness on his part, I came to respect and to have great affection for him. Others who will recall their service with him in Congress will undoubtedly tell of his heroic efforts for the little people and his actions against the banks of this country. I would like only to share a personal reminiscence.

When I first came on the committee in 1971, I wanted desperately to serve on

the Housing Subcommittee. At that time the subcommittee did about 60 percent of the legislation for the full committee and was chaired then as it is now by my good friend from Philadelphia, **BILL BARRETT**. Over the years and for reasons unknown to me there was always a competitive albeit friendly relationship between the chairman of the full committee and the chairman of the Subcommittee on Housing. And so one day Chairman **PATMAN** for reasons best known to him decided in the Democratic caucus of the Banking and Currency Committee to move that matters relating to mass transit be taken out of the Housing Subcommittee and that a new Mass Transit Subcommittee be formed. I, of course, thought this was a wonderful idea since I might then be appointed to the new Transportation Subcommittee. I assumed I had no chance of being appointed to the Housing Subcommittee, being so far down the list in seniority and the latter having a total of only 15 members, with at least 10 Democrats on the full committee between me and that subcommittee.

So I made what I like to think of as an eloquent speech supporting Chairman **PATMAN**'s proposal. Unfortunately the proposal went down to defeat. And then **BILL BARRETT** in his competitive relationship advanced his proposal, to wit, to enlarge the Housing Subcommittee from 15 to 25. This suggestion struck me as a good one, too, because I could then advance to the Housing Subcommittee and so I spoke eloquently for the Barrett proposal. But the Barrett proposal would have made his subcommittee larger than a majority of the full committee and so it was unacceptable to Chairman **PATMAN**. It too went down to defeat. A Mexican standoff.

The next day on the floor of the House, I saw Chairman **PATMAN** and sat down next to him and in the humble voice that junior Members tended to use at that time in talking to senior chairmen, I said:

Mr. Chairman, I would very much appreciate it, if the opportunity arises and there is a vacancy on the Housing Subcommittee, that you consider me for such appointment.

He said:

But you don't support your Chairman.

I replied:

How can you say that, Mr. Chairman. Yesterday didn't I speak eloquently in support of your proposal?

He responded:

Yes, young man, but you are not constant in your affection.

I shall always remember Chairman **WRIGHT PATMAN** with fondness and constant affection.

Mr. **YOUNG** of Georgia, Mr. Speaker, I would like to join my colleagues today in paying tribute to one of the most dedicated and respected Members this Congress has ever known, **WRIGHT PATMAN**. When I first arrived in the Congress, I had the tremendous honor of being assigned to the Banking and Currency Committee. I was familiar with Chairman **PATMAN**'s reputation as a champion of the people and I would like to

share with my colleagues one of the first instructions he ever gave me:

The people of the first district of Texas elected me 44 years ago and they have stuck by me all of these years. Never forget that it is the common people that elected you and if you stick with them, they will stick with you forever.

WRIGHT PATMAN's legislative activities benefited all people of this country, urban as well as rural. He sponsored the Federal Credit Union Act, the Veterans' Emergency Housing Act of 1946 and all the major housing legislation which was passed during the last two decades. As a freshman member of the Banking and Currency Committee, I approached Chairman **PATMAN** during the first few days of the 93d Congress with the idea of creating a Mass Transit Subcommittee, separate from the Housing Subcommittee, so that Congress would focus on the distinct issues associated with mass transit. As the Representative from Atlanta, I had become only too familiar with the various problems that confront a city which tries to build a mass transportation system. Through the formation of this subcommittee, the Atlanta area has been fortunate to receive the largest Federal grant ever received by any one urban area for mass transit. However, if it had not been for the support and wisdom of **WRIGHT PATMAN**, mass transit might still be an issue of secondary importance and the city of Atlanta would still be confronted with the problem of funding one of the most massive and impressive transit systems this country has ever established. Mr. Speaker, I consider **WRIGHT PATMAN** one of the finest men I have ever had the pleasure to work with in this Congress and I know that not only the people of the First District of Texas, but the people of this entire Nation, will deeply miss our fine colleague.

Mr. **HANLEY**, Mr. Speaker, when I think of **WRIGHT PATMAN**, I am truly awed to realize that I was so honored as to have had the opportunity to know him and to work with him.

For 47 years, this giant personality in our U.S. House of Representatives continually made his stand for the welfare and protection of the American citizen his primary goal. His genuine concern for every individual was evidenced in far too many ways to enumerate here, but two achievements to which he contributed so significantly were the establishment of the Federal Credit Union system and the Small Business Administration. The millions of Americans who have benefited from just these two enterprises are living proof of the genuine love of fellow man that **WRIGHT PATMAN** always attempted to demonstrate.

He accounts for an illustrious record of other achievements dating back to his first years in Congress. Notably, his successful pursuit in behalf of the veterans of World War I which resulted in our Nation recognizing its obligation to those who served through the payment of the soldiers' bonus, which while obligated was not paid until **WRIGHT PATMAN** became the driving force behind the issue. That activity won for him the respect, admiration, and love of virtually all who served in that war.

Subsequently, 1935 saw enacted into law the Robinson-Patman Act, in essence designed to protect the ability of small business to function successfully in American private enterprise.

Most recently, in the 92d Congress, his alertness and perceptiveness led to the discovery of American currencies flowing into the Mexican banking system illegally. Mr. **PATMAN** determined the source of those moneys and with that information at hand sought subpoena powers for the Banking and Currency Committee. Unfortunately, by an 18 nay to a 15 yeas vote in committee that authority was not granted. Had it been, the House would have initiated the action subsequently taken by the Senate through the Watergate hearings. Had Mr. **PATMAN**'s thinking prevailed at that time, in all probability the result of the 1972 Presidential election would have been different.

Speaking of Presidencies, on many occasions in informal conversation with Mr. **PATMAN**, I would say, "Mr. **PATMAN**, you should have been and you could have been President of the United States: why not?" His consistent answer was, "The House of Representatives is my home. I love being a representative of the people. The House is where I want to work, live, and die." The good Lord granted his wish.

His chosen life's work took him through the depths of the Depression of the 1920's and 1930's; he saw our Nation's economic wealth grow in the 1940's and 1950's, and he recognized the changing times in the financial world of our country in the 1960's and 1970's and proceeded to devote his intense energies toward protecting the people of our Nation from perishing under a stranglehold financial dictatorship by big-business interests. While he was constant in his efforts, he was not always victorious. But in his defeats, he was still a powerful force to be reckoned with and was able to set in motion the wheels which would ultimately recognize the needs of our citizens.

History will be filled with **WRIGHT PATMAN**. He will be written of as a kindly and considerate man. He will be honored for his outstanding contributions to the growth of our Nation. He will be recognized as a staunch defender of the rights of every American citizen. Even by those with whom he did battle will he be eulogized for his honesty and integrity.

What greater honor can be given a man than to have said of him that he had true compassion for his neighbor and for this country. This honor is due in the greatest measure to **WRIGHT PATMAN**. He has won for himself the gratitude of all Americans. His family and the people of Texas can be especially proud of him. His wife, Pauline, has lost the one dearest to her. Mrs. Hanley and I have lost a friend so dear to us. May he rest in peace.

Mr. **RODINO**, Mr. Speaker, Davey Crockett, the great Texas frontiersman, had a motto: "Be sure you're right, then go ahead." Surely that credo fits another great Texan, our late colleague, **WRIGHT PATMAN**.

WRIGHT PATMAN was a man of his time—and a man ahead of his time. How often he advanced an idea, only to hear

it first condemned and later adopted. How often he was denounced as wrong, and then proven correct.

Through his long service to his State and his country, this gentle man clung to the belief that he was right—and he went ahead, doing the people's business.

Mr. Speaker, WRIGHT PATMAN has been described as a man who spent his career struggling against the concentration of economic power in the hands of a few wealthy men.

True enough, but that does not encompass the character of this man. WRIGHT PATMAN believed in equality. He fought the Ku Klux Klan as hard as he fought interlocking bank directorships. He stood for the right of honest men and women to earn an honest living. There was no more formidable opponent of those who made their fortunes by improperly manipulating the lives and fortunes of others.

WRIGHT PATMAN stood also for integrity, in his personal life and in the Government he served so well. He was the first to begin an official congressional inquiry into what would become the biggest, most frightening governmental scandal this Nation has seen.

WRIGHT PATMAN was my friend. I admired his courage, his tenacity, his leadership. He was a good man, a man of the people.

Mr. HORTON. Mr. Speaker, I join with my colleagues in paying tribute to the late dean of the House, WRIGHT PATMAN of Texas.

The words of praise and sorrow being spoken here reflect the uniqueness of this great statesman. He served in this House for 47 years—a near record—and his contributions during that time are unmatched.

We know that among our number, WRIGHT PATMAN was the chief congressional voice on a wide range of issues. He is a consumer advocate, a friend of the veteran, the father of credit unions, and a guardian of the needs of the small businessman. He took out after bigness and thus won the label populist. He was a crusader that did not win every fight he chose to make. When he did win, he did so graciously. Whenever he lost, he never gave up the fight.

My admiration for WRIGHT PATMAN stems not only from my respect for him as an articulate champion of the individual. He was a humble man, a man whose word and friendship were sincere to the core. There was no arrogance in him, even though his record proved him to be ahead of his contemporaries in so many instances.

It was a great honor for me to have served with him for many years on the Small Business Committee. Through that experience, I saw first-hand the diligence and strength of conviction which WRIGHT PATMAN brought to every task he undertook.

Mr. Speaker, this House and this Nation are indebted to WRIGHT PATMAN for his singular contributions. We shall miss him as a friend, counselor, and legislator of the highest caliber.

Mr. LONG of Maryland. Mr. Speaker, our late dean, the honorable and honored WRIGHT PATMAN, was a gentle man.

His half-century of service, almost unmatched in the annals of the American Congress, produced landmark legislation for the benefit of the average American. His liberal outlook gave him the vision to perceive a role for the Federal Government in protecting each individual citizen against the vagaries of the economic system and the all-too-frequent rapacity of big business.

Millions of Americans who benefited from his work never knew him. He sought neither power nor fame; his legislative achievements were to him their own reward.

Through the Depression, World War II, the cold war, the sixties and the seventies, WRIGHT PATMAN carried on his crusade for the "little man." Those of us who continue in Congress will miss him.

Mr. HUGHES. Mr. Speaker, I am deeply saddened at the death of Congressman WRIGHT PATMAN. We in the House have suffered a great loss, as have the people of the First District of Texas and the entire Nation.

As you know, WRIGHT PATMAN served in this body for 47 years and was dean of the House. During this entire time, he was never afraid to face the giants of industry or political life. He finished his career as he had started. In 1932, Mr. PATMAN moved to impeach Treasury Secretary Andrew W. Mellon, who he saw involved in a vast array of conflict of interest situations. In 1972, he was the first Congressman to call for a congressional inquiry into Watergate.

WRIGHT PATMAN will be remembered not only for his courage but also for his legislative achievements. He was the first chairman of the House Small Business Committee. He served for 13 years as chairman of the House Committee on Banking and Currency. He sponsored numerous pieces of major legislation. The Robinson-Patman Act of 1936 is a considerable antitrust achievement, which prohibits large chain stores from undercutting their competition in one area while raising prices in another. PATMAN worked hard for the Federal Credit Union Act of 1934, which created the present system of Federal credit unions to give ordinary workers a place to save and a source of loans. The Veterans' Emergency Housing Act of 1946 authored by PATMAN aided World War II veterans in obtaining housing. WRIGHT PATMAN also will be remembered for the Full Employment Act of 1946 and the Economic Stabilization Act of 1970. Additionally, of course, Mr. PATMAN was the sponsor of all the major housing legislation that has passed the House since the mid-1960's.

Most importantly, however, WRIGHT PATMAN will be remembered as a man of the "little people," as a populist in the finest sense of that tradition. He believed in the free enterprise system, but wanted a system that was truly free: Free of constraints on competition by large corporations and banking interests, free entry for the small businessman.

The passing of this man has left a tremendous void in this House. We will all miss WRIGHT PATMAN's courage, his willingness to fight for the right as he saw it.

Mr. HANNAFORD. Mr. Speaker, March 7 the American people lost a dedicated advocate and a tireless protector of their interests. The death of Representative WRIGHT PATMAN of Texas, after 47 years of service in the House of Representatives, leaves a void difficult to fill.

Throughout his life, he never lost sight of his one overriding goal: To safeguard the average American from the excessive demands of industry and the banking community. At the time of his death, Mr. PATMAN was involved in another battle of his lifelong war against big money control of our financial policy. His attempt to obtain a GAO audit of the Federal Reserve was his No. 1 legislative priority for many years. His efforts were repeatedly stymied by powerful opponents, but WRIGHT PATMAN never quit in his life. He was not about to give up on this one, and neither will we.

As a member of the Banking Committee, I served on Mr. PATMAN's Subcommittee on Domestic Monetary Policy. He was unfailingly generous in sharing with me his experience and knowledge of our financial policymaking institutions. He was my respected colleague and good friend. I will miss his sage advice, thoughtful comments, and kindness.

WRIGHT PATMAN's career is a shining example for all of us in this Chamber to follow. He never lost sight of what he was elected to do—serve the American people to the best of his ability. He did it with distinction for 47 years.

Mrs. Hannaford joins me in extending our deep sympathy to the Patman family.

Mr. ECKHARDT. Mr. Speaker, I rise today in praise of a man who, through nearly half a century, afforded inspiration and leadership in the U.S. House of Representatives. In so doing, I must be candid about the response of that House. Our body, for the most part, responded with appreciation to its distinguished Member. Even in ripe age, WRIGHT PATMAN was alert to the developing Watergate scandal, far beyond his younger peers and, in 1972, wanted his committee to investigate it. He undoubtedly influenced the House at an early point to move toward impeachment.

But outside the House, there existed certain stirrings against the very inaction in Congress to which WRIGHT PATMAN was the antithesis. Ironically, he became a target of poorly aimed reform.

For many years people raised a continual din that the main thing wrong with the House was its blind devotion to the seniority system. In 1974, made brave by a Democratic landslide of large proportions even when compared to a generation of Democratic landslides, the House announced with considerable fanfare that it was ready to begin paying real attention to complaints about seniority. The long term results of the application of the 1974 broom are still not clear. The trouble is that at the time we had to have some visible signs of our climb to grace.

One of our visible signs was WRIGHT PATMAN. We turned him out of his Banking, Currency and Housing Committee chairmanship for ritual, almost symbolic

reasons. After all, he was the dean of the entire Congress, and purging him showed we meant business, all right.

Fortunately, I believe that age and experience bring wisdom in many cases, and that Mr. PATMAN knew it was his fate to serve as the feather in the liberty cap we hoisted so proudly. I voted against turning him out, not because of blind devotion to seniority, but because of admiration for a career in Congress well spent. He came in railing against the same targets of privilege and oppression that he was railing against when he left.

As JIM WRIGHT so aptly stated at his funeral:

He comforted the afflicted and, sometimes, afflicted the comfortable.

The fact that he was not ultimately victorious in reforming the banking system and the Federal Reserve in the manner he thought desirable does not mean so much. Few if any of us here can end our careers with the satisfaction of winning in any cause completely. I would go so far as to say that Congress was not created with triumphs in mind. Our task—and a task Mr. PATMAN performed superbly for almost a half-century—is to goad creatively and perpetually. Now and then we have a brief opportunity to create. How well we perform at those times depends on how alert and feisty, if you will, we have been the rest of the time. WRIGHT PATMAN left his stamp on much legislation, like the Robertson-Patman Act. Speaker ALBERT put it well in his eulogy:

No member who served in the House during this century will make a more enduring impact on the House and the nation than Wright Patman. He is probably unmatched in his devotion to the problems of human beings.

WRIGHT PATMAN leaves a lasting mark as a conscience of this House. He was a superb gentleman, with roots deep in this people's populist past and with daily concerns about the continuing perils of bigness in our economic life as fresh as the headlines in today's newspaper.

Mr. MATHIS. Mr. Speaker, I rise today to pay tribute to the Honorable WRIGHT PATMAN, one of the finest gentlemen and one of the most conscientious Congressmen ever to serve in this august body. One whose record of dedication, determination, and stability will certainly live for many, many years. One who was a champion of the small businessman and the average American citizen. One who served his constituents, the people of his State, and Nation, with great ability, honor, and dignity.

For 47 years WRIGHT PATMAN distinguished himself through his vigorous and untiring service to the people of the First District of Texas and indeed to all the people of this country. His legislative contributions and accomplishments will be a guiding force in this country for many years to come and his work will persevere in the time-ravaged annals of the Congress. The loss of his counsel, guidance, and stabilizing force will sorely be missed by his colleagues in Congress. I extend my deepest sympathy to Mrs. Patman, his family, and the people of Texas in their great loss.

Mr. WHALEN. Mr. Speaker, the re-

cent death of the dean of the House, Congressman WRIGHT PATMAN is a loss deeply felt both here in the Congress and throughout the Nation.

Mr. PATMAN's devotion to his work is evident in the numerous pieces of legislation he was involved in during his 47 years as the Representative of the First District of Texas. During the depths of the depression he was successful in obtaining a bonus for World War I veterans. In addition, the Social Security Act, Robinson-Patman Act, Full Employment Act, Truth in Lending Act, Fair Credit Reporting Act, the Bank Holding Company Act, and his support of credit union legislation all attest to his unswerving dedication to fight for the welfare of the common man.

WRIGHT PATMAN was a populist in the true sense of the word. He devoted his efforts to the problems of the little man—the small farmer, small businessman, veteran, the wage earner, average income family, the poor, and the underprivileged. A firm believer in equality, Congressman PATMAN used every opportunity available to express his outrage at undue privilege and abuse of power.

A distinguished legislator, WRIGHT PATMAN enjoyed doing battle with those he deemed responsible for denying the people opportunities to enjoy a better life. He was both generous in victory and gracious in defeat. But he never surrendered the principles for which he stood.

Mr. Speaker, as we extend our sympathy to the Patman family at this time of sorrow, let us also remember the service WRIGHT PATMAN gave to his constituents and to his country. His career can serve as a model for us all.

Mr. O'HARA. Mr. Speaker, with the passing of our beloved colleague—the Honorable WRIGHT PATMAN, of Texas—this House, the people of the First District of Texas, and all Americans have lost a valiant leader, friend, able Representative, and tenacious fighter for the common man during more than 50 years of public service.

WRIGHT PATMAN was born in 1893 in Patman's Switch, Cass County, Tex.—the heart of east Texas, where the Populist movement had its beginnings. He graduated from Cumberland University with an LL.B. degree in 1916. After service in the Army in World War I as an enlisted man and officer, he was elected to the Texas House of Representatives, serving from 1921–24. From 1924 to 1929 he served as district attorney of the fifth judicial district of Texas.

He was elected to the 71st Congress in 1928 and took his seat in the House of Representatives in April 1929 when the first session convened and served continuously until his death. By many years, WRIGHT PATMAN was the dean of the U.S. Congress—House and Senate.

True to his Populist background, WRIGHT PATMAN fought a relentless battle against the forces of entrenched economic and monetary power. Soon after his arrival in Washington, the Nation was plunged into the depths of our worst depression. He knew first hand the devastating impact on the average American which resulted from bank failures, the

loss of farms and homes, and the hopelessness and despair which the Great Depression brought to millions of our citizens. He launched a determined fight against the fiscal and monetary policies of the Hoover Administration that marked the disastrous early years of the Great Depression, even calling for the impeachment of Treasury Secretary Andrew Mellon. His untiring efforts to help bring about a greater equality of economic opportunity among all Americans continued throughout his long and distinguished career.

Mr. Speaker, WRIGHT PATMAN was a staunch supporter of the major social and economic reforms of President Franklin D. Roosevelt's "New Deal," helping to reverse the downward trends of the Great Depression and to bring new hope, assistance, and dignity to our people. He was the principal architect of the Robinson-Patman Act, which brought about a more equitable, competitive pricing practices to protect and foster the growth of small business enterprises. He was the father of Federal credit unions and for many years the scourge of big banks, the Federal Reserve System, the Federal Open-Market Committee, and monetary and economic monopolistic interests. WRIGHT PATMAN's political philosophy, drawing heavily on his east Texas populist heritage, was truly in the highest traditions of the Democratic Party's interest and concern for the common man.

WRIGHT PATMAN believed, and practiced during the course of his long and outstanding life of public service, the basic democratic principle that the purpose and powers of Government should be directed toward the needs and aspirations of all the people—not a privileged few. He believed and did his best to advance the true principles of the free enterprise system, fighting the monetary and economic monopolists whose exploitation of American consumers and their policies of greed and corruption have weakened our economy and undermined our social and political institutions. WRIGHT PATMAN's long service as chairman of the House Banking and Currency Committee, his distinguished record on the House Interior and Insular Affairs Committee, the Joint Committee on Defense Production, and the Joint Economic Committee gave him the opportunities to implement his deeply held principles of democratic rule, vigorous economic competition, and regulatory protection of the public interest.

Mr. Speaker, we will sorely miss the courage and leadership of our beloved colleague from east Texas. We will miss his keen legislative insight and vast knowledge of the intricacies of the Federal Reserve System and banking law. We will miss his integrity and moral strength and his lifetime commitment to competitive economic practices. We will miss his incisive analyses of complex fiscal and monetary issues.

Mr. Speaker, WRIGHT PATMAN leaves a priceless legacy of distinguished dedication and service to this great body, to those residents of the First District whom he represented so long and so well, and to the Nation as a whole. To his widow, Pauline, and his three sons—Conner, Harold, and William—I extend my sin-

cere condolences on their great loss, which is so deeply shared with all of us who were privileged to serve with and learn from him.

Mrs. SPELLMAN. Mr. Speaker, this House of Representatives is diminished by the passing of one of this Nation's true leaders and respected statesmen, and we all have lost a friend. It was my privilege to have served with WRIGHT PATMAN as a Member of the 94th Congress and as his colleague on the Banking, Currency and Housing Committee. Even though our association was cut too short, I grew to understand even better what this great man stood for and to appreciate his long record of achievements for the people of our country.

WRIGHT PATMAN was a kind man; he was a gentle man; he was a human man. I know my freshmen colleagues will always recall hearing him say, "Hello, young fellow." And I shall never forget his regular cheerful greeting to me, "Hello, there, nice little lady."

The esteem in which he was held by his peers and his constituents is legion and so well-deserved. It is the measure of the man to realize his goals were sincerely and judiciously pursued, and it is the measure of the man to know his commitments once given were never allowed to fall short of completion.

What has gone before is so vital to what is to be. We have benefited from WRIGHT PATMAN's so graciously offered knowledge, experience, counsel, and genuine concern. And now, those of us who remain are better able to carry forward his principles and ideals.

Few of us can ever attain our colleague's distinguished achievements, but to be able to try is the true legacy WRIGHT PATMAN has left us. I shall remember him with great affection.

Mr. STARK. Mr. Speaker, in adding some words on the passing of our distinguished dean of the House to those of my colleagues, I would like to speak briefly as one who served under Chairman PATMAN on the Banking Committee.

As a freshman in this body, I was named to the Banking Committee in the 93d Congress. That was the time when our committee was extending the Economic Stabilization Act to combat Nixon inflation; we were writing new housing laws, equal credit opportunity laws. We were debating the creation of central bank for credit unions, to provide them with more liquidity. We were arguing over audits of the Federal Reserve system by the General Accounting Office. The two sessions of the 93d Congress, we can say with hindsight, were not just Chairman PATMAN's last in that role—they were typical of his commitment to action and reform in so many areas. He never grew tired of the good fight, and we saw it in those 2 years as others had seen it for decades before.

Foremost in my recollections, though, are thoughts of how the chairman welcomed me as the most junior member of the committee. Against the best traditions of the seniority system, I was given frequent opportunities to challenge the chairman, and even some to represent positions he was advocating. It was only due to the chairman's sympathy for the

impatience of a new Member—and his willingness to recognize me when we were in total opposition—that I was able to feel my voice could be heard.

The chairman recognized the value of creative tension, of open disagreement. He never blocked dissent procedurally, as he might have, and seemed to welcome all discussion as long as it fell short of real contention.

I only regret I could not have known him longer.

Mr. PEPPER. Mr. Speaker, the House of Representatives is not the same without the warmhearted, always smiling but ever deeply earnest figure of WRIGHT PATMAN, who for 38 years was an honorable Member of this body. WRIGHT PATMAN, known as the last of the old populists was a man deeply dedicated to the welfare of all the people. He had a particular anathema to the power of big business, big interests sometimes acting corruptly in the exercise of their power to make money to suppress the people and to deny them a fair share in the progress and prosperity of this country. His whole career was a battle against those who he thought took unfair advantage of the masses of the people and denied them the opportunity and gains to which they were entitled. But this career was also a positive one. He was a great advocate and leader of the fight for better housing, better health, for jobs, for a better life for all of the people. In his passing they have lost an unfaltering champion, a fighter whose courage never failed, an advocate who never let them down.

WRIGHT PATMAN was a friendly man. Even in his fiercest battles he always thrust his sword or hurled his javelin with a smile. He fought hard but not with rancor or bitterness. So the record of his 38 years is a record of a faithful public servant—incorruptible and ever diligent in the service of the people's cause. This Congress and this country have been made better by WRIGHT PATMAN. This country owes him a great debt of gratitude. Those who knew him will ever cherish the memory of him and his friendship in their hearts.

Mr. STEELMAN. Mr. Speaker, it is with profound sorrow that I pay final tribute to the late dean of the House of Representatives, WRIGHT PATMAN.

Mr. PATMAN was an outstanding example of the public servant who dedicates his life to the welfare of others. He had served the good citizens of the First Congressional District of Texas since 1928 and was considered a "champion of the little man"—one of the foremost populists in American history.

WRIGHT PATMAN served with distinction as chairman of the House Banking and Currency Committee for 12 years where he fought a continuing battle against high interest rates. He was a prime factor in the establishment of credit unions. Behind his soft-spoken manner he was a crusader, as evidenced by the 1936 Robinson-Patman Act which today still safeguards the interests of small businesses and prohibits unfair monopolies.

I feel privileged to have served with WRIGHT PATMAN in Congress, even for so short a time. I will miss his guidance and leadership, as will the country.

Mr. MATSUNAGA. Mr. Speaker, it is with a sense of profound sorrow that I rise to bid farewell to our late colleague and friend, WRIGHT PATMAN of Texas. I extend my deepest sympathy to his wife, Pauline, and to the family in which he took such great pride.

The dean of the House, WRIGHT was yet one of its most forward-thinking Members. He devoted his 48-year career in Congress to the establishment and operation of a national financial system which would serve the needs of consumers—the so-called little man or low- and middle-income American. The issues to which he addressed himself are as relevant today as they were in 1928 when he was first elected to the Congress. In fact, up until the time of his death, WRIGHT was deeply involved in the drafting of reform legislation designed to make our national banking system more responsive to the consumer and to correct abuses. He was also greatly concerned about the declining ability of middle class Americans to buy homes. Previous reforms which he authored or successfully sponsored in the House have made it possible for millions of families to obtain mortgage loans for homes which they otherwise would never have been able to purchase.

In addition to the admiration and respect of his colleagues, WRIGHT enjoyed the confidence and trust of his constituents, who reelected him 28 times, through depression and prosperity. His expertise and leadership will be sorely missed by all of us.

Mr. STRATTON. Mr. Speaker, I want to join with my colleagues in expressing my deep regret on the passing of the dean of the House of Representatives, our distinguished colleague, Mr. PATMAN of Texas.

I first remember meeting Mr. PATMAN back in 1941 when I came here to Congress as what is now known as an administrative assistant, but was referred to then as a secretary, to a Member from Massachusetts. Even at that time, 35 years ago, Mr. PATMAN was a very senior Member of the House of Representatives and recognized as an authority on financial and monetary matters. I recall very vividly the fact that he conducted a seminar in the Cannon Building on monetary policy, and as a staff member I spent several nights sitting in what was then the hearing room of the old Judiciary Committee chamber listening to Mr. PATMAN's theories on monetary policy.

Although I did not fully support those theories, we certainly recognize that WRIGHT PATMAN, more than anyone else, popularized the plain, simple truth that monetary policy is not something handed down on tablets of stone from the top of Mount Sinai, but is instead a device and procedure developed by human beings as a means of facilitating their economic transactions, and certainly should be viewed with as much skepticism and willingness to consider alternatives as we might address to any other topic.

In those days the country, still coming out of the depths of the depression, had lost its confidence in the banking system of the country and were interested in any suggestion that might make it possible for our financial institutions to do

a better job of avoiding economic crises than they had obviously done in the years leading up to 1929. Mr. PATMAN was still making many of the same arguments with the same quiet eloquence when I came back to this body as a Member in 1959. I have always marveled at his tenacity, his calm presentation of the issues, and his infinite supply of patience and good humor, even when challenged on some of his recommendations rather vigorously by other Members of the House.

In particular, Mr. Speaker, I want to pay special tribute to Chairman PATMAN for the very magnificent support which he gave a few years ago to the effort to provide some continuing financial assistance to Eisenhower College in Seneca Falls, N.Y., an institution that had been created at a time when I had the privilege of having that area included in my congressional district. In fact, under legislation which I introduced in Congress and was pleased to watch being signed into law under President Johnson, we had made Eisenhower College the official "living" memorial to President Eisenhower, and Congress had appropriated some funds to start it off on that basis. However, as has happened in recent years with many other colleges, Eisenhower College found itself faced with increasingly difficult financial problems as a new, struggling private institution, and it became clear that further assistance was necessary from Congress or else this unique memorial to a great President could end up in disaster.

It was at this time that Mr. PATMAN came forward on the floor of this House, in 1974, with a proposal designed to provide the support necessary to get the legislation for this assistance through Congress. Recalling the very close personal relations that existed between one of Mr. PATMAN's long-time heroes, the late Speaker of the House Sam Rayburn of Texas, and President Eisenhower who had also been a Texan, Mr. PATMAN agreed to link new support for Eisenhower College with an exchange program with the Sam Rayburn Library in Bonham, Tex., under this legislative formula developed by Mr. PATMAN, legislation was passed by Congress and did indeed rescue Eisenhower College from what could have been an extremely difficult period.

I have always admired WRIGHT PATMAN for his leadership in that fight. And I know that the people of upstate New York and indeed all the people of the country who, regardless of party, still hold President Eisenhower in high esteem, will always be grateful to WRIGHT PATMAN for his splendid legislative accomplishment in those circumstances.

To Mrs. Patman and their family and friends, I extend my deepest sympathy on this occasion.

Mr. WHITTEN. Mr. Speaker, I join with my colleagues in expressing my sorrow over the passing of our friend, WRIGHT PATMAN of Texas. He lived a full life. To his wife, Mrs. Pauline Patman, and to all members of the Patman family, and to the people of his congressional district, I extend heart felt sympathy on the part of Mrs. Whitten and myself. We have lost a great and dedicated public servant and friend.

Naturally, I treasure many personal memories of our friendship; but, as a legislator, WRIGHT PATMAN was an intense crusader for what he believed to be in the best interest of the average American. Though at times a majority of the Congress disagreed with particular measures, never did WRIGHT reflect an antagonism or unfriendliness. Always smiling, energetic, and a friend to all throughout his long service, he made for a wholesome atmosphere in the Congress.

WRIGHT PATMAN possessed the rare ability to give the other side the opportunity of proving its point, despite his being in direct opposition to it; and when defeated, he never let hard feelings remain with him but relentlessly forged on to the next battle.

We who had the privilege of serving with WRIGHT through the years came to know that he liked nothing better than the chance to do battle with those whom he felt were denying the people an opportunity to enjoy a better life.

Mr. Speaker, our body still needs his legislative courage and imagination. Never did WRIGHT PATMAN attempt to force any colleague to support his position; he always tried to convince his peers on the merits of the legislation. Whenever you found yourself against his position, he never considered it a personal matter. He was the kind of person who believed that, if everybody agreed with him, he must be doing something wrong. In fact, I feel he did not care so much what people thought, just so long as he was sure they were thinking.

We miss our friend. We treasure his memory.

Mr. ROSTENKOWSKI. Mr. Speaker, on the 7th of March this body and this country lost one of the strongest and most effective advocates of democracy in our history. WRIGHT PATMAN is no longer here in this well with us, but his memory, his spirit, his vigor, and his warmth, which was instantly felt by all those who had the privilege of sharing time with him, will inspire us for many years to come.

When WRIGHT PATMAN came to the Congress in 1929 he established himself as a leader in the fight to protect small businessmen and individuals from any mistreatment at the hands of big business or big government. In his 47 years as a Member of the House of Representatives he never wavered in this battle. He was responsible for the Employment Act of 1946 which established the Small Business Administration and the legislation which set up the system of Federal credit unions used by working citizens for savings and loans. His legislative genius and hard work help restructure our banking institutions and in fact our economy to get us out of the great depression.

I first met the man from the northeast corner of Texas when I came to the 86th Congress as its youngest Member. I learned many things from watching him and listening to his remarks here in the well. He was truly a man of the people and that is precisely why his constituents continuously elected him for 47 years. As the dean of the House and chairman of the Banking, Currency and Housing Committee, he earned the re-

spect and admiration of the entire country.

His absence on the floor of the House will be conspicuous. His absence in committee will be felt heavily by those who relied on his knowledge, wisdom, and foresight. This country has lost a great man. It is fitting that we should honor his memory with this special tribute.

Mr. ULLMAN. Mr. Speaker, WRIGHT PATMAN was the dean of this House and, but for knowing him, the concept of 47 years of service here—almost half a century of dedication to the people he represented and to his own beliefs—would be difficult to imagine. As dean, he embodied the long and proud tradition of this House. But we shall miss him most as the person and legislator who set an example for all of us by his actions.

From his first day as a Member of Congress to his last, WRIGHT PATMAN followed and voted his conscience. His vision of his duty to his electorate, molded in the crucible of the Depression years, made him the steadfast champion of the little man. He was the tireless opponent of the special interests which he saw as contraposed to the best interests of the ordinary American farmer and worker.

Ralph Nader has described WRIGHT PATMAN as a man who was right too soon. Many of his ideas came, if not before their time, before a majority of his colleagues were ready to support them, and he persevered in what he believed was right with an unswerving constancy. In the end it resulted in many major legislative accomplishments. Among these was the Employment Act of 1946, which established the Joint Economic Committee and made maximum employment, production, and purchasing power a permanent policy objective—one that remains a cornerstone of liberal Democratic philosophy of this day.

This kind of legacy, as well as bills before us now which evolved from Patman proposals made long ago, will keep the memory of WRIGHT PATMAN the legislator very much alive in this body even as we mourn the loss of WRIGHT PATMAN the man. To his widow and family, my wife, Audrey, and I join his many friends in extending our deepest sympathy.

Mr. DUNCAN of Oregon. Mr. Speaker, George Mason said:

Government is, or ought to be instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration.

For nearly 48 years WRIGHT PATMAN fought to make Government what George Mason thought it ought to be. Seeing the world through the eyes of Texas' First Congressional District, he was the formidable opponent of special interests in the financial sector of our economy. He never forgot the people of the First District or the United States as he zeroed in on American financial institutions as one of the most forbidding barriers to a truly populist Government.

Although Mr. PATMAN was often thwarted in his attempts to make Government more answerable to the individ-

ual, he did not give up. Throughout his career he constantly voiced opposition to what he perceived as abuses of big foundations and corporations, and led zealous campaigns against men and institutions he viewed as having too much power over too many.

WRIGHT PATMAN will not be forgotten. Definitions of political labels constantly change and it is rather ironic that he lost his chairmanship of the House Banking and Currency Committee as a result of liberal gains in the Democratic caucus. But this gentleman will always be remembered for unceasingly pursuing those objectives he thought people as individuals deserved from their Government.

Mr. REUSS. Mr. Speaker, the board of directors of the Cooperative League of the U.S.A. recently passed a resolution expressing appreciation for the many years of dedicated service which our late colleague, WRIGHT PATMAN of Texas, rendered to the American people. The text of the league's tribute follows:

RESOLUTION OF THE BOARD OF THE COOPERATIVE LEAGUE OF THE U.S.A. UPON THE PASSING OF THE HONORABLE WRIGHT PATMAN OF TEXAS

The Board of Directors of the Cooperative League of the U.S.A., meeting March 10, 1976, record their profound sorrow at the passing from the American scene of one of the great and remarkable men who has served in the Congress of the United States, the Honorable Wright Patman of Texas.

For nearly half a century, this great American fought untiringly and tenaciously for the interests of the people of the nation against the power of private and public groups who would subvert economic and political institutions for their selfish use rather than in the public's interest. Congressman Patman fought unceasingly for the needs and interest of the people of this nation, and was indeed their Representative in every sense of the word.

We particularly record our deep appreciation for his steadfast support of cooperative enterprises and especially for his leadership in establishing a national system of Federal Credit Unions, people's banks, as a means for people to have a voice and some control over their economic destinies.

The demise of Wright Patman removed from the nation and from the halls of Congress a conscience and a voice we could ill afford to lose. The nation has lost a true tribune of the people and we are all poorer as a result.

We extend our deepest sympathy to the family of this great American. May they be comforted in the knowledge that this life helped make the United States a better place for his contemporaries and for those who will come after him.

Mr. FUQUA. Mr. Speaker, not only the citizens of the State of Texas, but indeed the entire Nation lost a very dedicated and able public servant with the passing of our distinguished friend and colleague, WRIGHT PATMAN.

It was my privilege to work with Congressman PATMAN on a number of important matters and in each case he demonstrated a remarkable understanding and sensitivity to the problems of his own district as well as those of the Nation.

He was an outstanding member of the Banking, Currency and Housing Committee and his distinguished achievements during his long career are absolutely invaluable.

The Nation is indebted to WRIGHT PATMAN for his tireless efforts to make effective, responsive government a reality. Congress has lost one of its most esteemed Members as well as a dear friend.

WRIGHT PATMAN may no longer be with us, but his spirit will live in Congress for as long as the ideals of a true democracy, ideals exemplified by him in the highest degree, exist.

Mr. ROONEY. Mr. Speaker, it is with deep sadness that I join with my colleagues in the House of Representatives to bid farewell to our friend WRIGHT PATMAN of Texas. But along with our sorrow I believe there is a need and desire to express our appreciation for the many years of his life he devoted to the people of this country.

I feel privileged to have served with WRIGHT PATMAN for over 14 years in the Congress. He shared his wisdom and leadership with us for nearly half a century. He was an able legislator and worthy representative of his people. His family should take comfort in the knowledge that his legislative achievements were truly landmarks in our history.

As the first chairman of the Small Business Committee and chairman of the Banking and Currency Committee for 13 years, WRIGHT PATMAN brought reforms to our business and banking communities to protect the small farmer, small businessman and low- and middle-income families. It is perhaps in this light that we should pay a special tribute to this man.

In his long and distinguished career in the House of Representatives, WRIGHT PATMAN showed concern for the common man's ability to continue to properly maintain his family during many periods of economic uncertainty. As a sponsor of major housing legislation, he helped millions of families realize their dream of homeownership by making mortgage loans available to them at a time when the American family's purchasing power was rapidly declining.

Let us remember WRIGHT PATMAN for his special role in creating a national system of Federal credit unions, a network of banks owned and operated by their members, the workers of America, to provide for their special needs. This legislation, and the Robinson-Patman Act, which brought about more equitable and competitive pricing practices to protect small business enterprises, clearly shows WRIGHT PATMAN's commitment to the basic democratic and free enterprise principles and his special insight and understanding of our complex fiscal and monetary problems.

For the past 50 years, we have had a man in Congress who has fought to preserve the rights of our workers and consumers because he believed that Government should serve the needs of all the people. Rarely has a country benefited quite so much from one man's service. We have indeed been fortunate and our loss is great.

Mrs. Rooney joins me in extending our deep sympathy to the Patman family.

Mr. ROSENTHAL. Mr. Speaker, the recent passing of the Honorable WRIGHT PATMAN is greatly mourned by Members of Congress as well as countless others

across the Nation. For almost half a century the great Texas populist fought against the monopolistic power of big money and banking interests.

Ralph Nader, in a recent installment of his syndicated column, pays a fitting tribute to the accomplishments of this great representative of the people.

Mr. Speaker, I insert this column into the RECORD as testimony to WRIGHT PATMAN:

[From the Washington Star, Mar. 13, 1976]

PATMAN: A POPULIST'S LEGACY

(By Ralph Nader)

Wright Patman, the great Texas populist, represented the people of his East Texas district for almost half a century in the House of Representatives before pneumonia claimed him at Bethesda Naval Hospital early last Sunday.

He also spoke for all consumers, home owners and tenants who needed a champion against the power of big money and banking and their fraternal interlock with the Federal Reserve and other bank regulatory agencies.

Patman wasted little time after his election to the House in 1928 before taking out after the large New York banks and their Washington patrons.

That cost him about 20 years of being the chairman of the House Banking & Currency Committee because his more senior colleagues delayed his request to become a member of the committee and lost him valuable seniority. When he finally became chairman in 1963, he made up for lost time.

A flood of studies, reports and educational materials poured from the committee and its enthusiastic staff. He became a public educator of the people on money and banking, and his studies of conflicts of interest and financial interlocks radiated sunshine into long-darkened corridors of the powerful money centers.

A lifelong opponent of high interest rates, Patman would denounce and lecture alternatively one large bank executive witness after another at his committee hearings.

He was a genial legislator, notwithstanding his sharp criticism, remarkable perseverance and legendary battles with other pro-banking members of his committee.

But above all, Patman was unsung. He was right too often too early and committed the sin of repeating his charges because he wanted change.

His accomplishments, often despite overwhelming antagonism by his colleagues, are legion.

It was Wright Patman who did so much to launch the credit union movement in America with its current 30 million members. It was Patman who in the 1930s hammered away at monopolistic banking power, conflicts of interest and the lack of accountability of the Federal Reserve to Congress or the people.

No matter how often he was proved right or how important causes, the press gave him little recognition. After all, he was from Arkansas, he appeared old-fashioned, almost quaint, and kept repeating himself on the same old big-banking abuses.

So even when he was first with the big stories, few commentators did him justice. Back in 1967 at the peak of his investigations of corporate-related foundations, he came upon the infiltration of some of these foundations and their recipient organizations by the CIA.

Two years later he was leading a congressional move to harness the sprawling power of the giant bank holding companies.

In 1971 he became the first member of the House to take on Wilbur Mills in a successful floor challenge to the usual practice of unanimously passing special tax loopholes for special companies.

In 1972 he started the first investigation into the Watergate matter before being squelched by a majority of his own committee. He and his chief legislative staffer, Benet Gelman, drafted the comprehensive financial institutions reform bill now under consideration.

Always receptive to new ideas to provide easier credit to consumers, he enthusiastically backed a pending bill to create a consumer cooperative finance institution.

Last month, he inserted a detailed statement in the congressional record showing the glaring interlocks between the Business Roundtable—a top executive lobbying group—and the Federal Reserve System.

He called them "honeycombed with interlocking personnel" in their common opposition to a proposed bill permitting the audit of the Federal Reserve by the General Accounting Office.

In recent months, Patman was pleased with the almost daily disclosures of bank misdeeds and mismanagement—a pattern he had been talking about for years. He thought that such disclosures would produce a groundswell of support for bank reform legislation.

Perhaps they will. But to make it more likely, Wright Patman deserves another legacy beyond greater public understanding of what he has done in his long, often lonely struggle. His supporters can elect a person worthy of the Texas lawmaker.

Moreover, they can establish a public interest institution which would press Capitol Hill for banking reform as he did for decades inside those legislative halls.

Mr. REES. Mr. Speaker, I add my voice to those of my colleagues in expressing my sadness over the death of WRIGHT PATMAN.

I have had the privilege of being a member of the Banking, Currency and Housing Committee since my election to Congress, and I especially appreciated the honor of working with Chairman PATMAN. While we disagreed in many specific cases, I at all times respected his ideals and goals. We both were concerned about the problems of the availability of credit in a growing economy. We both were distressed about the control of credit by the big city banks and recognized the need to provide credit to consumers and small- and medium-sized businesses which provide fuel to our economy.

WRIGHT PATMAN has been called "the last of the great populists." He was a great populist and for many years he almost singlehandedly kept the flame of populism alive. But in the past few years that flame which he nurtured so carefully has again taken on a new brilliance. There can be no finer tribute to the man than this: that he was not the last of the populists, but that he kept his ideals alive for a new generation of politicians.

The issues which he unfailingly adhered to are again being discovered; and I suspect many of them will be implemented. I wish that WRIGHT PATMAN could be with us now as many of the Presidential candidates are adopting his causes and debating them in the national forum.

For those of us who served with Chairman PATMAN, we feel privileged to have received his insights into the workings of our country and economic system which we could not have received elsewhere.

We mourn the passing of WRIGHT PATMAN. We honor him. He will not be forgotten.

I would like to include in this tribute an editorial from the Los Angeles Times. It is a fitting memorial from a California newspaper that disagreed with him more often than not.

The article follows:

PATMAN: NOT ALWAYS, BUT OFTEN

People have a hard time categorizing Wright Patman, the veteran of 47 years in the House of Representatives who died this week at 82.

Here was the cranky old Texan whom everyone called Mister Chairman, the House member of longest standing, the head of the powerful Banking Committee for 11 years until his defeat in the House shakeup of last year.

Yet Patman never quite fit the mold of the powerful and inexorable old guard. He was a dictatorial chairman, but he was neither an astute parliamentarian nor a practiced consensus builder, and so the committee under his rule wrote few important new laws.

His familiar populist vendettas against big banks, the Federal Reserve and big business often seemed pointless, redundant and ineffective. Yet his perseverance did draw attention to one of his concerns—corporate interlocks between competing financial institutions. Antitrust officials are now trying to control those overlaps, and there is a chance that Congress will pass legislation similar to what Patman suggested long ago.

He helped create the Small Business Administration and the nation's credit union system. But then he also lent his name during the 1930s to the Robinson-Patman Act, an anticompetitive measure like Fair Trade, its contemporary.

Patman helped enact the Employment Act of 1946, the first concerted attempt to get all branches of government working together on modern economic problems. Those problems are not yet solved, but they clearly demand a coordinated approach along the lines first sketched by that legislation.

Because of his Banking Committee's interest in the laundering of campaign funds, Patman was the first to begin an investigation of the Watergate break-in. His investigation failed when committee members refused to subpoena witnesses.

He liked to boast that he had been damned by many Presidents but subsequently proved right. Patman fought with Richard Nixon over wage and price controls, which the President later embraced. As a newcomer to Washington, Patman pressed a bonus for World War I veterans and angered Herbert Hoover. Patman finally saw that measure become law under Franklin Roosevelt.

"So often in his career," Ralph Nader once pointed out, "Patman was right too soon." Yes. Not always, but often.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD relating to the subject of my special order today concerning the passing of our distinguished colleague, the late WRIGHT PATMAN.

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

There was no objection.

NO MEANS TEST FOR SENIOR CENTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York, (Ms. HOLTZMAN) is recognized for 30 minutes.

Ms. HOLTZMAN. Mr. Speaker, present law requires that, beginning on April 1, elderly persons undergo a means test in order to use senior citizens centers. Two weeks ago, the House passed a bill (H.R. 12455) to delay that means test requirement until October 1.

If the Senate passes this bill, it will avert the immediate crisis, but not solve the problem. The real answer is simply to remove the means test requirement for senior centers, as legislation which Congressman ROSENTHAL and I have introduced would do.

In my testimony before the Public Assistance Subcommittee of the Ways and Means Committee on March 4, I explained the reasons for doing away entirely with the means test for senior citizens centers. I would like to bring this testimony to the attention of my colleagues:

TESTIMONY OF REPRESENTATIVE ELIZABETH HOLTZMAN BEFORE THE SUBCOMMITTEE ON PUBLIC ASSISTANCE

Mr. Chairman, Members of the Subcommittee on Public Assistance, I appreciate your giving me this opportunity to testify about the need to exempt senior citizen centers from the Title XX means test requirement.

I would first like to commend the responsiveness which you, Mr. Chairman, and this subcommittee, have shown on the means test question, both in the successful effort to prevent the requirement from going into effect last October and in your decision to hold hearings today.

The question before this Committee is whether the Department of Health, Education and Welfare should require states to administer an individual means test to persons wishing to use senior citizen centers. I believe very strongly that such a means test requirement would cause unjustified hardship to the elderly and would constitute a pointless waste of the taxpayers' money. I would urge this subcommittee, therefore, to act quickly and favorably on legislation introduced by Congressman Rosenthal, myself, and others (H.R. 9280) to end the means test for senior citizens.

My own experience with the 12 senior centers in my congressional district is that the senior center program is one of the most helpful, most successful, and most appreciated programs funded by the Federal government. For many elderly people, senior centers are the chief source of recreation and companionship. To someone whose children have moved away and whose old friends have moved or died, a senior center provides perhaps the only opportunity to find friends, discuss politics, learn crafts, and generally ease the loneliness of old age.

In addition, we know well how desperately poor many elderly Americans are. In 1974, 72% of all people aged 65 and over had incomes below \$5,000; 87% had incomes less than \$7,000. 99% of elderly women receive less than \$7,000 a year—the median income for a woman over 65 is \$2,375. And these averages do not reflect the plight of the poorest of the elderly.

Last year, for example, I brought to the attention of this Subcommittee the fact that thousands of senior citizens living on SSI benefits are left with as little as \$1 a day to purchase food, drugs, toilet articles, and other necessities. For these people, a senior center may provide the only hot nutritious meal they will have in the course of a day.

Finally, a senior center is a valuable source of information to the elderly about government programs that are available to aid them. Few people, young or old, have the stamina to confront the bewildering maze of government agencies and programs, let alone to visit each office separately. At a senior

center, a person can find out about social security, SSI, Medicaid, Medicare, food stamps, housing and transit subsidies, and the like.

For these many reasons, thousands of senior citizens in my district, nearly 200,000 elderly people in New York City, and hundreds of thousands of others throughout the country have found senior centers to be a vital, life-sustaining service.

The Federal means test requirements poses a distinct and unjustifiable obstacle to persons in need of senior center services. In the first place, we know that many elderly people would be unwilling to undergo the humiliation of pleading and documenting their own poverty. Experience under welfare programs has demonstrated this repeatedly. Those persons too proud to beg for aid would, then, be denied membership in senior centers and, therefore, vital assistance by arbitrary Federal government fiat.

In addition, senior citizens do not choose their friends on the basis of financial status. Why should the Federal government take the position of segregating the elderly from their friends because of economic class?

The exemption of some services, for example, information, referral, and group recreation services, from the means test requirement would not solve the problem. It would simply result in the segregation of the elderly within senior centers at mealtimes and for other services.

In view of the hardship a means test would cause, is there any justification for requiring States to impose one? I believe the answer is clearly no.

The only conceivable justification for the means test is that it would exclude those who are ineligible and would save taxpayers' money. The means test, however, is not needed to achieve the first end, and would not accomplish the second. According to New York State's Department of Social Services, 79.5% of all New Yorkers over age 65 are eligible under the State's Title XX standards. 97% of the New York City residents actually using centers are estimated to be eligible. Thus, the overwhelming majority of persons using senior centers in the New York City area are eligible under the Title XX standards.

Would a means test improve this 97% eligibility ratio? Taking into account errors, misinterpretations of regulations, and possible cases of fraud, I think the answer must be no. Moreover, these same errors could lead to the exclusion of many eligible persons—witness the disastrous experience of the administration of the food stamp program in New York City.

Moreover, it is estimated that administering the means test in New York City will cost \$5.2 million the first year, and \$3.6 million each subsequent year—out of a \$22 million program. Thus, in order to separate out the ineligible 3%—and possibly separate out eligibles as well—New York will have to spend the first year 23% of the amount it uses for senior centers. In subsequent years, 16% of the program funds will go to the means test. This is a senseless bureaucratic waste of taxpayers' money.

I would like to make one final point about the unfairness and irrationality of the means test requirement. Title VII of the Older Americans Act creates Older Adults Luncheon Clubs which provide meals with no means test requirements. By what logic should the Federal government provide meals with no means test under one program and require a means test under another?

The legislation which Congressman Rosenthal and I have introduced would prevent this pointless waste of tax dollars and senseless hardship to the elderly. It would exempt group services to senior citizens from the means test requirement.

Services on an individual basis—such as

homemaker and housekeeper services—will remain subject to a means test. I believe this is a fiscally sound and sensible thing to do. Individual services are generally far more costly per person than group services. The New York City Department of Social Services advises me, for example, that it costs on the average of \$128 per person per year to operate senior citizen centers. On the other hand, it can cost more than \$100 per week to furnish an elderly person with a homemaker.

Therefore, while it would be clearly unnecessary to require an eligibility determination for a senior center, a means test may make some sense for expensive services furnished on an individual basis.

I know that you, Mr. Chairman, have introduced legislation which would resolve the means test problem in a different manner—by allowing a State to exempt 25% of its Title XX expenditures from the means test. This would be a satisfactory answer.

I believe, however, that the solution proposed by Congressman Rosenthal and myself—specifically exempting senior centers—is preferable. In the first place, as I indicated earlier, if a means test is imposed at all, it should be required for services which are relatively costly on an individual basis.

In addition, by raising the possibility that any service can be free of a means test, we invite decisions on such services to be made on the basis of political muscle rather than economic or social need.

I would add, Mr. Chairman, that I believe the provisions of your bill which would give States flexibility in determining how to administer a means test under Title XX are most important. This flexibility will allow States to use the most appropriate and economical methods of making the means determination. I hope this provision can be combined with the exemption for senior centers provided in our bill.

I hope, therefore, you will act to preserve and encourage the senior citizen center program by passing H.R. 9280, appropriately amended. Favorable action by this Committee will help to prevent a giant step backwards in Federal aid for the elderly and will help to assure that America's senior citizens can spend their retirement years among friends, living in dignity and economic security.

THE FOOD STAMP ACT OF 1976

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Georgia. Mr. Speaker, tomorrow I shall introduce a bill entitled "The Food Stamp Act of 1976." My bill repeals current law and establishes a food stamp program based on the same design as the current program, but with some major changes that attempt to meet the following goals:

First, to insure access to the program for those persons who truly need the benefits of food stamps in order to obtain a nutritionally adequate diet;

Second, to eliminate those persons from the program who are not truly in need;

Third, to provide equitable benefits for larger families and for families who fall into the category known as the working poor;

Fourth, to simplify the administrative procedures in the program; and

Fifth, to reduce the opportunity for abuse of the food stamp program.

I insert the following section-by-section analysis of the Food Stamp Act of

1976 into the RECORD at this point for the information of my colleagues. I hope that they will understand that my efforts to improve the food stamp program are made with a desire to help to eliminate hunger in our country, to lend a hand to those families who need some extra help to add to what they are producing for themselves, to design a simplified process for getting benefits to those who are entitled to them, with a minimum of red-tape and with the smallest possibility for error or fraud.

The analysis follows:

SECTION-BY-SECTION ANALYSIS

SHORT TITLE

The first section states that this Act may be cited as "The Food Stamp Act of 1976."

DECLARATION OF POLICY

Section 2 declares it to be the policy of Congress to raise levels of nutrition among low-income households by authorizing a food stamp program "which will assure low-income households the opportunity to attain a nutritionally adequate diet through normal channels of trade by increasing their purchasing power and by furnishing food purchasing assistance to all eligible individuals who apply for participation."

DEFINITIONS

Section 3(a) defines the term "adjusted semi-annually" to mean adjusted effective every January and July to reflect changes in the overall Consumer Price Index as of the preceding September and March, respectively.

Section 3(b) defines the term "authorization card" to mean any document issued by an appropriate welfare agency to an eligible household and showing the food stamp allotment to which the household is entitled.

Section 3(c) defines the term "bank." Section 3(d) defines the term "certification period" to mean a period of at least 3 months for which an authorization card is issued. This provision sets minimum certification periods at 3 months.

Section 3(e) defines the term "coupon." Section 3(f) defines the term "coupon allotment."

Section 3(g) defines the term "drug addiction or alcoholic treatment and rehabilitation program."

Section 3(h) defines the term "elderly person" to mean a person age 60 or over.

Section 3(i) defines the term "food" to mean any food for home consumption except alcoholic beverages and tobacco. The term "food" is also to mean—

Seeds and plants for use in gardens; Meals prepared and served to elderly persons in places such as senior citizens' centers, other public or private nonprofit programs, and private establishments that agree to offer meals to elderly persons at concessional prices;

Meals prepared and delivered to elderly or incapacitated persons ("meals-on-wheels") by public or private nonprofit organizations or private establishments that agree to perform the service at concessional prices;

Meals prepared and served to drug addicts and alcoholics by drug addiction or alcoholic treatment and rehabilitation programs, and Hunting and fishing equipment (other than firearms, ammunition, and other explosives) when purchased by households living in remote areas of Alaska who depend on hunting and fishing for subsistence.

Section 3(j) defines the term "food stamp program."

Section 3(k) defines the term "household" to mean individuals or groups who—

Are not residents of institutions or boarding houses—excepting residents of Federally subsidized housing for the elderly and

narcotics addicts and alcoholics living under the supervision of a treatment program;

Live alone or with others; and

Purchase, store, and prepare food for home consumption either alone or in common.

Section 3(1) defines the term "nutritionally adequate diet" to mean a diet costing no less than the value of the food required to feed a specified 4-person household as set out in the "Thrifty Food Plan." The cost of this diet would be the basis for food stamp allotments. Adjustments in the cost would be made with respect to: (1) household size (to reflect economies of scale); (2) food cost differences in Alaska, Hawaii, Puerto Rico, the Virgin Islands, and Guam; and (3) changes in the cost of the Thrifty Food Plan over time (semi-annually).

Section 3(m) defines the term "retail food store."

Section 3(n) defines the term "Secretary" to mean the Secretary of Agriculture.

Section 3(o) defines the term "State" to mean any of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

Section 3(p) defines the term "State agency."

ESTABLISHMENT OF THE PROGRAM

Section 4(a) authorizes the Secretary of Agriculture to establish a food stamp program. Under the program, eligible households would be provided with an opportunity to obtain a nutritionally adequate diet through the issuance of food stamp allotments which could be used—at face value—to purchase food from authorized retail food stores. No purchase price would be charged recipients.

Section 4(b) limits the simultaneous operation of the food stamp and food (commodity) distribution programs to: (1) Indian reservations in transition between the commodity distribution program and the food stamp program; and (2) areas in which food commodities are distributed to meet disaster relief needs. No household would be permitted to participate simultaneously in both programs.

Section 4(c) directs that the Secretary of Agriculture issue regulations for the effective and efficient administration of the food stamp program.

ELIGIBLE HOUSEHOLDS

Section 5(a) provides that food stamp program participation shall be limited to households whose income is determined to be a substantial limiting factor in permitting them to purchase a nutritionally adequate diet. Food stamp assistance is mandated to all eligible households who make application for participation.

Section 5(b) directs the Secretary of Agriculture to establish uniform national standards of eligibility in accordance with the provisions of this section.

Section 5(c) provides that the "net" income eligibility standards shall be the income poverty guidelines for the urban United States prescribed by the Office of Management and Budget and adjusted semi-annually (each January and July) to reflect changes in the overall Consumer Price Index through the preceding September and March.

The "net" income eligibility standards would be the same in every State except that Alaska and Hawaii would have higher standards based on the different poverty guidelines assigned to them.

Section 5(d) defines "net" income for food stamp program purposes as including all gross income which is received or reasonably anticipated to be received during the certification period, less listed exclusions. "Gross income" would be as defined in the Internal Revenue Code without regard to any specific exclusions contained in the Code. Income for food stamp purposes would be the average monthly income over the certification period.

The only permitted exclusions from income would be—

(1) any gain or benefit which is not in money paid directly to the household;

(2) income which is received too infrequently or irregularly to be reasonably anticipated;

(3) all educational loans, grants, scholarships, fellowships, and the like—to the extent that they are used for tuition and mandatory fees at institutions of higher education or schools for the handicapped;

(4) monies received in the form of non-recurring lump-sum payments—such as income tax refunds, gifts, and retroactive lump-sum pension payments;

(5) the cost of producing self-employed income;

(6) income that any other law specifically excludes from consideration in the food stamp program; and

(7) the deductions provided in section 5(e).

Section 5(e) provides that, when computing "net" household income for eligibility purposes, households shall be allowed to deduct the following—

(1) a basic standard deduction of \$100 a month (adjusted semi-annually to reflect changes in the overall Consumer Price Index);

(2) an additional \$25 a month if the household contains one or more elderly members (age 60 or over);

(3) an additional \$5 per person per month for each individual in the household beyond four; and

(4) an additional deduction of 20% of all earned income (for households with earned income) to compensate for taxes, mandatory deductions, and work expenses.

Section 5(f) provides that monthly income be calculated, for eligibility purposes, by focusing on income anticipated to be received in the certification period. Past income may be used as an indicator of anticipated income.

Section 5(f) also provides that any household that has received food stamps and is required to file a Federal income tax return—

Must declare the total food stamp allotment received on its return, and

Shall be liable to reimburse the Treasury for the full value of the allotment received if its annual adjusted gross income (as defined in the Internal Revenue Code and reflected in its tax return) exceeds \$9,500 for a household of four persons.[†]

Section 5(g) directs that the Secretary of Agriculture prescribe the amounts of liquid and nonliquid assets that an eligible household may possess. The maximum allowable assets level would be \$3,000 per household. The following resources would be excluded from consideration—

(1) the household's home and lot, 1 licensed vehicle, household goods, personal effects, and the cash value of life insurance policies;

(2) income-producing property or other property essential to the employment of a household member;

(3) certain Indian lands; and

(4) resources whose cash value is not accessible to the household.

Section 5(g) also provides that countable assets shall be valued at "fair market value less encumbrances."

Section 5(h) directs the Secretary of Agriculture to establish emergency standards of eligibility for households that are victims of disasters.

Section 5(i) provides that households shall be ineligible to participate in the food stamp program for periods of up to one year if—

They have been found guilty of a crime involving fraud in connection with their par-

[†]From gross income less exclusions.

† The \$9,500 level would be adjusted to reflect household size and, annually to reflect changes in the overall Consumer Price Index.

ticipation in the program by a court of appropriate jurisdiction, or

They have been found to have fraudulently obtained food stamps by their State welfare agency—after notice and hearing have been provided.

Section 5(j) mandates ineligibility for households that refuse to cooperate in providing information necessary to make an eligibility determination or complete a "quality control" review.

Section 5(j) also requires that every participating household report (or cause to be reported) to their State welfare agency—

Any increase in monthly income of more than \$25, and

Any other change in household circumstances that would operate to decrease the household's food stamp allotment.

The required report would have to be made within 10 days of the date on which the change became known to the household. And, if a household fails to fulfill the reporting requirements, its food stamp allotment in the next certification period would be reduced to reflect what would have been the impact of the change if reported—plus a 50% penalty.

Section 5(k) provides work registration and work acceptance requirements for food stamp program participants. In the event of a failure to meet these requirements, the individual concerned would be ineligible to participate in the food stamp program.

Physically and mentally fit food stamp participants between the ages of 18 and 60 would be required to register for employment at the time of application and once every 6 months thereafter. However, individuals who fall into the following categories would be exempt from the work registration requirements—

Mothers and other household members with responsibility for the care of a dependent child under 12 or of an incapacitated person;

Students enrolled at least half-time in a recognized school or training program;

Regular participants in a drug addiction or alcoholic treatment and rehabilitation program; and

Persons already employed for at least 30 hours a week earning the equivalent of the Federal minimum wage for a 30-hour week.

Registrants would be required to fulfill reasonable reporting and "job search" requirements imposed by the Secretary. However, the Secretary is directed not to impose any duty to inquire regularly about employment with prospective employers (i.e., "job search") in areas where the unemployment rate is in excess of 8%.

Registrants could not refuse (without good cause) to accept an offer of suitable employment. Suitable employment would be where—

Employment would be for more than 30 hours per week;

The wage offered is at least the applicable minimum wage or 80% of the Federal minimum wage (if it were applicable)—which-ever is higher;

The site or plant is not subject to a strike or lockout;

Employment does not require the person to join, resign from, or refrain from joining any legitimate labor organization;

Employment is not an unreasonable distance from the person's residence;

Employment does not involve an unreasonable risk to the person's health or safety; and

Employment is in the person's major field of work experience (but only for the first 30 days after registration, after which this condition would not be a cause for determining a job offer unsuitable).

Registrants could not refuse (without good cause) to continue in employment that meets the suitability conditions set forth above.

Section 5(l) prohibits eligibility to in-

dividuals that have reached their 18th birthday, are enrolled in an institution of higher education, and are or could be properly claimed as Federal tax dependents by a taxpayer, who is ineligible.

Section 5(m) prohibits eligibility to illegally and temporarily resident aliens.

ISSUANCE AND USE OF COUPONS

Section 6(a) provides that food stamps be printed in appropriate denominations and issued only to households certified as eligible to participate in the food stamp program.

Section 6(b) provides that food stamps be used to purchase food at approved outlets at prevailing prices.

Section 6(c) provides that food stamps be simple in design and not carry the name of any public official.

VALUE OF THE COUPON ALLOTMENT

Section 7(a) provides that the food stamp allotment be the cost of the Thrifty Food Plan reduced by 30% of the household's "net" income (i.e., after allowable deductions and exclusions from gross income). The 30% reduction is a "benefit reduction rate" and the household is not required to pay this amount.

Single-person and 2-person households would receive a minimum allotment of \$10 per month and all other households would be ineligible if their allotment is \$5 or less. The allotments for Puerto Rico, the Virgin Islands, and Guam could not exceed those of any of the 50 States.

Section 7(b) provides that the coupon allotment not be considered income or resources under any Federal or State laws, including welfare and tax laws.

APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS

Section 8(a) provides for the approval of retail and wholesale food concerns wishing to be certified as food stamp outlets.

Section 8(b) provides that retailers and wholesalers submit information necessary for making a determination.

Section 8(c) provides that food outlets whose application is denied are entitled to a hearing.

REDEMPTION OF COUPONS

Section 9 provides that food stamps accepted by retail food stores may be redeemed through approved wholesale food concerns or through banks—with the cooperation of the Treasury Department.

ADMINISTRATION

Section 10(a) provides that the appropriate State agency be responsible for certification of households and the issuance, control, and accountability of food stamps.

Section 10(b) provides that food stamp recipients who move from one "project area" to another may have their food stamp eligibility carried over in the new area for 60 days.

Section 10(c) provides that there shall be no discrimination in the certification of applicants by reason of race, religion, national origin, or political beliefs.

Section 10(d) provides that food stamp recipients' welfare benefits shall not be decreased because of their participation in the Food Stamp Program.

Section 10(e) provides that State agencies submit and have approved a plan of operation including the following provisions—

- (1) a. that the agency undertake effective action to inform low-income households about food stamps and insure the participation of all eligible households by, among other methods, notifying all Social Security, AFDC, SSI, and unemployment compensation recipients of the food stamp program;
- b. that the agency use multilingual personnel and materials where appropriate;
- (2) that applicants contacting a food stamp office in person shall be permitted to file an application that day;

(3) that eligibility determinations be made and authorization cards be issued no later than 15 days after an application is filed;

(4) a description of specific standards used to determine eligibility;

(5) that the State agency follow appropriate procedures and personnel standards prescribed by the Secretary and have a continuing, comprehensive personnel training program;

(6) that the head of the household may designate another person to represent the household in the certification or issuance process or when purchasing food with food stamps.

(7) safeguards restricting improper use of information obtained from applicants;

(8) that fair hearings be granted to aggrieved households;

(9) that food stamp allotments denied, delayed, or wrongfully terminated be promptly delivered; and

(10) that necessary reports be submitted.

Section 10(f) requires the Secretary and the State agencies to carry out nutrition education programs.

Section 10(g) requires that food stamps be issued at all post offices where postage stamps are sold and that a reasonable transaction fee be paid to the Postal Service, not exceeding 10% of the actual cost of issuance.

Section 10(h) provides that a State agency which is not in compliance with law or regulation shall be given 30 days to correct failures. If not corrected, the Secretary must refer the matter to the Attorney General for injunctive action or take over administration of the program (but still charge the State its share of administrative costs).

Section 10(i) provides that if the Secretary finds that there has been fraud or negligence on the part of the State, the State shall deposit in a separate account a sum equal to the value of coupons issued as a result of such fraud or negligence.

DISQUALIFICATION OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS

Section 11 provides that stores may be disqualified for violating provisions of the Act or regulations. Such disqualification shall be subject to hearings and court review.

DETERMINATION AND DISPOSITION OF CLAIMS

Section 12 gives the Secretary the power to adjust or settle any claims arising under this Act, including claims arising from over-issuance to recipients.

ADMINISTRATIVE AND JUDICIAL REVIEW

Section 13 provides that notice of administrative action shall be issued to a retail or wholesale food concern when—

- a. a store's application to participate is denied;
- b. a store is disqualified from participation; or
- c. a store's claim is denied.

If the store so requests, there would be an administrative review of the action, subject to judicial review.

VIOLATIONS AND ENFORCEMENT

Section 14(a) provides that the Secretary may provide for the issuance or redemption of food stamps to or by appropriate persons for enforcement purposes or in pilot or demonstration projects.

Section 14(b) provides that the misuse of food stamps valued at \$100 or more shall be a felony. The penalty shall be a \$10,000 fine, imprisonment for up to 5 years or both. When less than \$100, it shall be a misdemeanor and the penalty shall be a \$1,000 fine, imprisonment for up to 1 year or both.

Section 14(c) provides that presentation of food stamps valued at \$100 or more, if received, transferred or used illegally, shall be a felony. If valued at less than \$100, it shall be a misdemeanor.

Section 14(d) provides that food stamps shall be deemed to be obligations of the

United States (violations would be punishable under counterfeiting laws).

ADMINISTRATIVE COST-SHARING AND QUALITY CONTROL

Section 15(a) authorizes the Secretary to pay to each State agency 65 percent of all costs including but not limited to the cost of (1) outreach; (2) the certification of applicant households; (3) the acceptance, storage, and protection of food stamps; (4) the issuance of stamps to eligible households; (5) fair hearings; and (6) investigations, prosecutions, and other activities related to recovering losses under the program.

Section 15(b) provides that the Federal share of administrative costs for each State shall be reduced dollar for dollar for each dollar of food stamp monies that the State receives through the sales tax levied (if any) on food purchases made by food stamp households.

Section 15(c) provides that the Secretary establish "realistic" goals to improve effectiveness of the administration of the programs by the States, including quality control "tolerance levels" for eligibility errors and caseload-per-worker limitations. The Secretary must withhold no more than 10 percent of the Federal share of Administrative funds if the State has failed without good cause to meet any of the goals set by the Secretary.

RESEARCH, DEMONSTRATION, AND EVALUATION

Section 16(a) directs the Secretary to undertake research, through contracts or grants, that will help improve the administration and effectiveness of the program in delivering nutrition-related benefits.

Section 16(b) authorizes the Secretary to conduct experimental projects. No experimental project could have the effect of reducing or terminating benefits to eligible households.

Section 16(c) directs the Secretary to evaluate the effectiveness of the program in achieving its stated objectives.

APPROPRIATIONS

Section 17 authorizes such sums as Congress may appropriate for fiscal years 1977, 1978, and 1979—plus \$25 million for each of fiscal year 1977, 1978, and 1979 to carry out the research, demonstration and evaluation provisions of section 16. Sums appropriated under this Act would continue to remain available until expended.

REPEALER

Section 18 repeals, upon enactment of this law, the Food Stamp Act of 1964, as amended, with the proviso that all coupons issued pursuant thereto shall be usable for 180 days after the repeal. All other liabilities of the Secretary, States and applicant or participating households pursuant to the repealer law shall continue until finally resolved or terminated.

GAO SAYS SMALL NEW YORK FIRMS SUFFER UNDER WALSH-HEALEY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. DOWNEY) is recognized for 30 minutes.

Mr. DOWNEY of New York. Mr. Speaker, on Monday, March 1, I released a study which I requested from the General Accounting Office which concludes that small businesses in the New York metropolitan area have needlessly lost dozens of Defense Department contracts worth millions of dollars over the past 3 years as a consequence of the arbitrary and discriminatory administration of the Walsh-Healey Public Contracts Act by the Departments of Labor and Defense.

This systematic discrimination results from a Labor Department ruling—Opinion Letter No. 113—which provides that the Department of Defense may not award certain Government contracts to “assemblers”—businesses which produce items by assembling component parts built by other firms rather than by manufacturing each and every part of the finished product themselves. The Walsh-Healey Act allows 11 regional administrators to bar firms in their regions from competition for Government contracts exceeding \$10,000.

The study finds that during 1973, 1974 and the first quarter of 1975, more contracts were lost because of this ruling in the New York area than in all other regions of the country combined. During that period, small New York area contractors lost 53 defense contracts for alleged failure to meet this requirement of the Walsh-Healey Act—more than twice the number in Detroit, the Nation's second hardest hit region, and more than seven times the number of disqualifications in Dallas, the third highest region. During this same 2¼ year period, not one firm in the vast metropolitan areas in and around Chicago, Los Angeles, and Boston lost a defense contract because of this ruling.

I am today requesting the Subcommittee on Government Procurement and International Trade of the House Committee on Small Business to hold hearings on this study at the earliest possible date and will insist that representatives of the Departments of Defense and Labor and the Office of Federal Procurement Policy be called as witnesses to account for this highly inequitable situation. Moreover, I will introduce legislation to amend the Walsh-Healey Act to specifically authorize the award of Government contracts to assemblers if the departments involved refuse to take prompt action to bring a halt to these discriminatory practices.

As early as August 1974, according to the GAO, the Department of Defense advised the Department of Labor that the ruling was unworkable, warning that hundreds of their assembly contractors would be technically ineligible for award of defense contracts if the ruling were strictly enforced. In fact, the Defense Department refused to distribute the ruling to all of its contracting officers for fear that, if literally interpreted, the opinion would have the effect of disqualifying even major Department of Defense contractors. As a result, no two contracting regions have interpreted this requirement in precisely the same manner.

The text of the GAO study follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,

Washington, D.C., February 23, 1976.

Hon. THOMAS J. DOWNEY,
House of Representatives,
Washington, D.C.

DEAR MR. DOWNEY: As you asked in your letter of June 4, 1975, and in accordance with meetings with your staff, we have examined how the manufacturer requirement of the Walsh-Healey Act was being applied to small business firms bidding on Department of Defense contracts. As you requested we met with headquarters officials of the Department of Defense, Defense Supply Agency,

Defense Contract Administration Services (DCAS), and Department of Labor. In addition, we received preaward survey reports obtained from DCAS's New York region and we did fieldwork at the Chicago and Los Angeles regional and district offices. We also held discussions with the Office of Federal Procurement Policy.

The manufacturer requirement of the act was not being uniformly interpreted and applied by Government procurement officials. The Department of Labor, which has the statutory authority to administer the act, should develop improved standards for use by procurement officials and should establish managerial controls necessary to insure that the act is properly administered.

The Office of Federal Procurement Policy should provide direction and guidance to the Department of Labor and to the executive branch procurement agencies for the coordinated development of improved procurement-related policies, procedures, and standards that will carry out the intent of the act and at the same time have a minimal adverse effect on the procurement process.

BACKGROUND ON THE WALSH-HEALEY ACT AND THE REQUIREMENT THAT BIDDERS QUALIFY AS MANUFACTURERS

The Walsh-Healey Public Contracts Act (Public Law 846, 74th Congress) was enacted almost 40 years ago. The act applies to all supply contracts exceeding \$10,000 entered into by any department or agency of the Federal Government. The act provides that any contract covered by its provisions contain the representation that the contractor is a manufacturer of or a regular dealer in the materials, supplies, articles, or equipment to be manufactured or used in performing the contract. The legislative history of the act indicates that this provision was to eliminate bid brokerage. Bid brokerage occurs when persons who are not legitimate dealers or manufacturers submit bids so low that none of the established firms can successfully compete against them. The brokers then sublet parts of the contracts to substandard factories and sweatshops, thus overriding the Federal Government's attempt to promote fair labor conditions.

The Department of Labor is responsible for administering the act and has delegated to contracting agencies primary responsibility for determining compliance with the manufacturer requirement of the act. The contracting officers within the agencies making procurements are required to determine a bidder's eligibility as a manufacturer under the act. The Department's regulations direct that contracting officers reject any bids from firms which do not qualify as manufacturers. If a bidder protests the contracting officer's determination of its eligibility, the Department is required to make the final determination. In addition, the act provides for judicial review of any proposal or contract involving the provisions of the act.

DEPARTMENT OF LABOR ACTION NEEDED TO PROPERLY ADMINISTER THE ACT

The Department of Labor is required to make such rules and regulations as are necessary to carry out the provisions of the act. We found that (1) the standards which had been formulated by the Department were fragmented and unclear and had not been distributed to all persons responsible for carrying out the standards, (2) the manufacturer requirement of the act was not being uniformly interpreted and applied to small business firms bidding on Department of Defense contracts, and (3) adequate procedures had not been established to insure that implementation of the act was uniform.

Improved standards needed to insure uniform application of the act

The Department of Labor has issued various rules and regulations to help contract-

ing officers determine bidders' eligibility as manufacturers. One document the Department issued is Rulings and Interpretations No. 3 (R&I No. 3), which is a compilation of interpretative material on the act. Two pertinent sections of R&I No. 3 relating to the definition of manufacturer and assembler follow.

“SECTION 5. ASSEMBLING

“(a) A contract for an article which is produced by assembling miscellaneous parts purchased by the contractor from others is a contract to manufacture an article in the sense in which that term is used in the Public Contracts Act.”

“SECTION 26. MANUFACTURER

“(a) A ‘manufacturer’ is a person who owns, operates, or maintains a factory or establishment that produces on the premises the materials, supplies, articles, or equipment required under the contract and of the general character described by the specification.—Regulations, section 50-201.101(a).”

“(b) A producer of commodities such as sand, gravel, ore, or coal, will be considered a qualified bidder on Government contracts within the terms of section 1(a) of the Act.”

“(c) The Act is applicable to cost-plus-fixed-fee contracts as well as lump-sum contracts if otherwise within the coverage of the Act. This is so even though the contractors may operate Government-owned plants or process Government-owned materials, the title to which is in the Government at all times.”

“(d) Assembler.—A contractor who produces an article by assembling miscellaneous parts, all or some of which have been purchased from others, is a manufacturer within the contemplation of the Act.”

Although section 26 of R&I No. 3 seems to indicate that an assembler would qualify as a manufacturer, this has not been the Department's interpretation.

This question was addressed in March 1973, when the New York DCAS regional office asked the Department of Labor to determine whether an assembler qualified as a manufacturer. In its decision, which was later issued as Opinion Letter No. 113, the Department said that, although a plain reading of the language in section 26(d) of R&I No. 3 could lead one to conclude that any assembling qualifies a bidder as a manufacturer, the provision had not been interpreted that way by opinion or by administrative decision. The Department said its consistent position had been that an assembler must first qualify as a manufacturer before it is eligible for award of a Government contract in which assembling operations are principally or exclusively performed.

The Department pointed out that the administrative decisions supporting its view made it clear that the act and regulations defining a manufacturer contemplated something more than the occasional performance of assembling operations. The determination must rest on whether the bidder has or can demonstrate an independent ability to fabricate the item called for by the contract.

The Department also pointed out that, for a firm newly entering into manufacturing, other factors must be considered. The firm must show that its manufacturing activity has not been set up solely to produce under one Government contract and then be terminated. It must also demonstrate that its lease and arrangements for space, equipment, and personnel are not contingent upon receipt of the Government contract.

In July 1973 the Department of Labor sent Opinion Letter No. 113 to all contracting agencies. In April 1974 Defense Supply Agency officials met with Department of Labor officials to discuss the problems the Defense Supply Agency officials were having with Opinion Letter No. 113, such as the requirement that “something more” than mere assembling was required for a firm to be qualified as a manufacturer under the act.

By letter dated August 12, 1974, Defense Supply Agency officials reiterated their problems to the Department of Labor and said that hundreds of their assembly contractors would be technically ineligible for award of contracts subject to the act if Opinion Letter No. 113 were enforced. The Defense Supply Agency said that the solution to the problem would be to amend section 26(d) of R&I No. 3 to reaffirm the right of assemblers to be considered manufacturers. The amendment DSA suggested was as follows:

"(d) Assembler: A contractor who [owns, operates or maintains a factory or establishment and, on the premises] produces an article by assembling miscellaneous parts, all or some of which have been purchased from others, is a manufacturer within the contemplation of the Act." (Bracketed words were those DSA added).

By letter dated June 9, 1975, the Department of Labor rejected the Defense Supply Agency's proposed change to section 26(d) of R&I No. 3. In commenting on the Defense Supply Agency's problems with Opinion Letter No. 113, the Department said that it was not the Department's intent to give the impression that a firm must itself manufacture each and every component and part making up a complex procurement item. However, a firm must have manufacturing premises, equipment, and personnel sufficient to perform a significant, substantial part of the manufacturing, production, or fabrication operations and effort required for fulfilling the contract. The Department did not define what was intended by the terms "significant" and "substantial." It pointed out, however, that the qualifications of a bidder as a manufacturer which proposes to assemble must be decided on the basis of all the facts and circumstances of a particular procurement.

It was the Department of Labor's view that any misinterpretation or misunderstanding of its rules and regulations defining a manufacturer should have been clarified by the context of Opinion Letter No. 113 and by the further explanation set forth in its June 9, 1975, letter. The Defense Supply Agency was told that, if it could be conclusively shown that the application of the principles would seriously impair the conduct of the Government's business, the Department would consider a request from the head of the agency for an exemption or alternative definition of a manufacturer for such a procurement.

The Defense Supply Agency did not submit a request to the Department of Labor for an exemption or alternative definition of a manufacturer for any procurements. On July 10, 1975, however, the Defense Supply Agency again expressed concern to the Department that the interpretation of the intent of Opinion Letter No. 113 would cause continuing procurement difficulties.

Department of Defense headquarters procurement policy personnel are also concerned about the adverse impact that Opinion Letter No. 113 could have on its other procurements. We were told that Opinion Letter No. 113 had not been distributed to all the Department's contracting officers because of the Department's belief that the opinion, if it were literally interpreted and applied, would have the effect of disqualifying even major Department of Defense contractors.

In the 2½ years that have passed since Opinion Letter No. 113 was issued, the Department of Labor has, on several occasions, acknowledged that R&I No. 3 and Opinion Letter No. 113 have been misleading. Even as late as September 1975, the Department advised the House Subcommittee on Small Business Administration Oversight and Minority Enterprise that the literal language of Opinion Letter No. 113 could be misleading. Nevertheless, the Department has not clarified, consolidated, and published the

standards which are necessary to carry out the act's provisions.

Lack of uniform application of the manufacturer requirement

A Department of Defense contracting officer, to help him in deciding the qualifications of a bidder, may ask the Defense Contract Administration Services (DCAS) to make a preaward survey of a prospective contractor. A preaward survey is an evaluation of a prospective contractor's capability to perform under the contract and may include a review of its qualifications as a manufacturer within the meaning of the act. On the basis of the results of the preaward survey, DCAS recommends to the contracting officer whether to award the contract.

We obtained data from DCAS headquarters on the number of preaward surveys which had resulted in no-award recommendations to contracting officers because of the bidders' failure to qualify as manufacturers under the act. The data showed that, for 1973, 1974, and the first quarter of 1975, DCAS made 100 such no-award recommendations, as follows:

DCAS region:	Number
Atlanta	4
Boston	0
Chicago	0
Cleveland	3
Dallas	7
Detroit	26
Los Angeles	0
New York	53
Philadelphia	1
San Francisco	4
St. Louis	2
Total	100

As shown above, the New York region made 53 no-award recommendations, whereas three regions did not make any no-award recommendations.

To ascertain whether the DCAS regions were uniformly interpreting and applying the act's manufacturer requirement, we obtained information on how the regions made preaward surveys, and we reviewed a limited number of preaward survey reports from 3 of the 11 DCAS regions. We reviewed 5 of the 53 preaward survey reports in which the New York region had made no-award recommendations. In addition, we selected two of the three regions that did not make any no-award recommendations, to determine whether these regions were, in fact, evaluating bidders' qualifications as manufacturers. We selected the Chicago and Los Angeles regions and reviewed 19 preaward survey reports on small business firms representing themselves as manufacturers.

We found that the number of no-award recommendations in the DCAS field offices depended on the way the manufacturer requirement was interpreted and applied. For example, an official of the Chicago region stated that it is not their policy to reject bidders solely on the basis of their inability to qualify as manufacturers. In contrast, the New York region made no-award recommendations solely on the basis that bidders failed to qualify as manufacturers.

We also found that the DCAS field offices evaluated bidders for qualification as manufacturers on differing bases. The Chicago region considers a firm to be a manufacturer if it does anything, other than packaging, to add to the value of the product. The Los Angeles region considers a bidder to be a manufacturer if it can provide the item called for by the invitation for bid. The New York region determines whether a bidder has the necessary space, personnel, and equipment to manufacture the required item. Further, the New York region applies the criterion that a newly established firm must have definite and legally binding commitments for space and equipment, whereas the Chicago region is satisfied if the bidder has obtained written quotations for these items.

The DCAS headquarters distributes Department of Labor publications to the Industrial Labor Relations Offices in its regional offices, and officials of the Industrial Labor Relations Office in the New York region were responsible for evaluating bidders' qualifications as manufacturers; in the Chicago and Los Angeles regions, however, other personnel were responsible for such evaluations. The personnel in the Los Angeles region who made these evaluations had not received copies of Opinion Letter No. 113.

In only 3 of the 24 preaward survey reports we reviewed had the contracting officers asked DCAS to evaluate the bidders' qualifications as manufacturers. We talked to three contracting officers who had not asked DCAS for such evaluations how they had decided that the bidders were qualified manufacturers. One contracting officer told us that his normal practice was to accept the bidder's representation that it was a manufacturer; one said he relied on a bidder's prior history of having furnished the same or a similar item; and one said that he relied on a combination of factors, including the representation made by the bidder, the bidder's prior history of providing the same item, and the absence of any negative comments from DCAS on the bidder's eligibility under the act.

A Department of Labor official said, however, that a positive determination must be made in each case and that to accept at face value the bidder's representation that it is a manufacturer does not fulfill the requirements of the act. It is the Department's view that a contracting officer must verify a bidder's representation the first time a firm bids on a particular item.

The Armed Services Procurement Regulation (ASPR) and the guidelines the military services use do not delineate the circumstances under which a contracting officer should ask DCAS to evaluate a bidder's qualifications as a manufacturer.

In December 1975 the ASPR Committee was considering a change to ASPR that would instruct the contracting officer to accept the representation made by the bidder that it is a manufacturer, unless the contracting officer has reason to question the validity of the representation or unless a protest has been lodged. This ASPR change, if approved, will be in direct conflict with the views of the Department of Labor on how contracting officers are to make their eligibility determinations.

Controls needed to insure that the act is implemented

We believe the Department of Labor should establish controls for insuring that the standards are being uniformly interpreted and applied.

The Department does not obtain data from contracting agencies on the number of procurement actions to which the act was applicable or the results of the eligibility determinations that contracting officers made. The Department does not make any field reviews to ascertain whether contracting officers are making correct determinations.

If reports and periodic field reviews had been made, the Department would have known that some contracting officers were accepting business firms' representations that they were manufacturers and would have been alerted to problems that the contracting agencies were having in interpreting departmental regulations.

The Department apparently was not aware of the nonuniform application of the manufacturer requirement until congressional hearings were held in June 1975. The only statistics available were those which DCAS gathered specifically for the hearings on the number of no-award recommendations that the DCAS regions had made. The wide variation in the data among the DCAS regions was a strong indication that a problem existed.

OFFICE OF FEDERAL PROCUREMENT POLICY
SHOULD PROVIDE DIRECTION AND COORDINATE
DEVELOPMENT OF IMPROVED STANDARDS

Public Law 93-400, dated August 30, 1974, established the Office of Federal Procurement Policy. The act made that office responsible for providing overall leadership and direction in formulating and implementing procurement and procurement-related policies. One of its functions specified in the act is to establish a system of coordinated and, to the extent feasible, uniform procurement regulations for executive branch agencies. As conceived, the office is a focal point in the executive branch for resolving agency differences in procurement matters. Its cognizance in such matters extends to the procurement aspects of regulations issued by the social and economic agencies, such as those the Department of Labor issued under the Walsh-Healey Act.

We believe there are two issues which the Office of Federal Procurement Policy should resolve. The first issue relates to the area of disagreement that currently exists between the Defense Supply Agency and the Department of Labor with respect to the role of assemblers in furnishing material to the Government. Defense Supply Agency officials told us that they had met with Office of Federal Procurement Policy officials to obtain their help and advice in resolving the problems they were having in carrying out the Department of Labor's rules and regulations.

In discussions with Office of Federal Procurement Policy officials in October 1975, we were told that they had pursued this matter with the Department of Labor in August 1975 and were awaiting additional information from the Department before taking further action. At that time the Office of Federal Procurement Policy was considering asking the Department to revise its regulations or to have the Defense Supply Agency ask the Department for a class waiver to cover any problems it was experiencing.

Since the Department of Labor has acknowledged that its standards are misleading, we believe that the Office of Federal Procurement Policy should ask the Department to develop improved standards so as to obtain a more uniform interpretation and application of the manufacturer requirement.

The second issue which we believe the Office of Federal Procurement Policy should resolve concerns the relationship between the Department of Defense and other affected executive branch agencies when changes to ASPR are being considered. As discussed on page 8, the Department of Defense was considering a change to ASPR which would allow contracting officers in most cases to accept the bidder's representation that it is a manufacturer. In our discussions with Department of Defense procurement personnel, we were told that this change would not be coordinated with the Department of Labor. Since this proposed change to ASPR is in direct conflict with the Department of Labor's view on the matter, we believe that the Office of Federal Procurement Policy should have the Department of Defense defer action until the underlying issues are resolved and until a proposed solution on a Government-wide basis has been coordinated with the Department of Labor.

CONCLUSIONS

The Department of Labor is not fully carrying out its responsibilities to insure that the act's requirement is properly administered. Proper interpretation and application of the act's requirement depends on the formulation and publication of clear, consolidated standards.

The Department of Labor should develop improved standards and should establish the controls necessary to insure that the act is properly administered.

Improved standards would enable contracting officers to make correct initial eligibility determinations, DCAS to uniformly evaluate bidders' qualifications, and bidders to reasonably evaluate their status as eligible manufacturers before bidding on Government contracts subject to the act.

Since the Department of Labor's standards are confusing and unclear, the Office of Federal Procurement Policy should provide overall direction and guidance to the Department and the executive branch procurement agencies for the coordinated development of procurement-related policies, procedures, and standards to carry out the manufacturer requirement of the act with a minimal adverse effect on the procurement process.

RECOMMENDATIONS

We recommend that the Secretary of Labor:

Review, consolidate, and publish in R&I No. 3 all standards to be used by procurement officials in evaluating a bidder's eligibility as a manufacturer under the Walsh-Healey Act.

Amend the Department's regulations to make specific reference to the fact that the standards for carrying out the act are set forth in R&I No. 3.

Establish controls for insuring that the procurement offices are correctly interpreting and applying the requirements of the act.

We also recommend that the Director, Office of Management and Budget, have the Administrator for Federal Procurement Policy:

Provide overall direction and guidance to the Department of Labor and the executive branch procurement agencies for the coordinated development of procurement-related policies, procedures, and standards to carry out the manufacturer requirement of the Walsh-Healey Act.

In the interest of resolving the underlying issues and obtaining uniform application of standards on a Government-wide basis, exercise his regulatory authority by having the Department of Defense defer action on changing ASPR until the underlying issues are resolved.

As your office instructed, we did not obtain formal written comments on this report from the Department of Labor, the Department of Defense, or the Office of Management and Budget. We did, however, discuss our findings and conclusions with them. We will send copies of this report to these agencies shortly.

We will also send copies to the Chairmen of the House and Senate Committees on Government Operations and Appropriations; the House Committee on Small Business; the Subcommittee on Government Procurement and International Trade and the Subcommittee on Small Business Administration Oversight and Minority Enterprise, House Committee on Small Business; the House Committee on Education and Labor; the Subcommittee on Labor Standards, House Committee on Education and Labor; the Senate Committee on Labor and Public Welfare; and the Senate Select Committee on Small Business.

We invite your attention to the fact that this report contains recommendations to the Secretary of Labor and to the Director, Office of Management and Budget. These recommendations are set forth on page 11. As you know, section 236 of the Legislative Reorganization Act of 1970 requires the head of a Federal agency to submit a written statement on actions taken on our recommendations to the House and Senate Committees on Government Operations not later than 60 days after the date of the report and to the House and Senate Committees on Appropriations with the agency's first request for

appropriations made more than 60 days after the date of the report.

We shall be pleased to discuss this report with you or with your representatives.

Sincerely yours,
ROBERT F. KELLER,
Deputy Comptroller General of the
United States.

ON ENDING AMERICAN PARTICIPATION IN THE ARAB BOYCOTT OF ISRAEL

(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, today in the New York Times, an article comments on the impact of legislation recently enacted into law in the State of New York. The thrust of the article is that some exporters, concerned about this new State law that makes aiding the Arab boycott of Israel a misdemeanor, are diverting cargo destined for the Middle East from New York City to other ports.

The need for this legislation is clear. So is the immorality of those who are seeking to subvert both the law of New York State and the expressed national policy of the United States, which is as stated in section 3 of the Export Administration Act, "to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States," and "to encourage and request domestic concerns . . . to refuse to take any action" in furtherance or support of such restrictive trade practices or boycotts. The threats to the Port of New York and the attempts to divert commerce from New York demand a national law and reinforces the need for passage of H.R. 11463, which Congressman JAMES H. SCHEUER and I introduced on January 22, 1976, and which is cosponsored by 47 Members of the House.

The memorandum of William F. Haddad, office of legislative oversight and analysis, of the New York State Assembly, superbly documented the need for legislation in New York and the equivalent need on the Federal level. The memorandum follows:

[From the Assembly, State of New York,
Albany, Mar. 16, 1976]

MEMORANDUM

To: Stanley Steingut.
From: Bill Haddad.
Re: Arab Boycott.
Date: October 23, 1975.

Pursuant to your instructions we have looked into allegations that an Arab Boycott is operating in New York and elsewhere and that its ramifications extended not only to corporations doing business with Israel, but to Jews associated with these corporations. Our preliminary investigation is completed and what follows is a synopsis of what we found and recommendations on how we can proceed.

(1) The Arab Boycott is real and it is effective. It not only operates against companies doing business with Israel, but against Jews associated with those companies. Many of the major companies who won't supply Israel for fear the Arabs will stop doing business in this state, bringing them within range of our laws and subpoena.

(2) We have located the basic Arabic document outlining just what constitutes busi-

ness with Israel. It is even more far reaching than we suspected.

Incidentally, the Arabs maintain their boycott rules are "reasonable and clear" and in so reporting, are far more honest than the American corporations with whom we have dealt in this inquiry and miles ahead of the United States Government which is tangled in a web of lies, contradictions, half-truths and deliberate deceptions, some of which we will outline in the report below and many of which, I believe, should be exposed during the proposed hearings).

Examples of the boycott, according to the Arabic document we have obtained, include:

Manufacturing and trading companies should be barred from the Arab countries if they have main or branch factories in Israel, if they have assembly plants in Israel, if they have offices there, if they give the right of using their names or issue licenses to Israelis, if they hold shares in Israeli companies or factories or they or their directors or managers are members of joint foreign-Israeli Chambers of Commerce, "if they decline to answer the questionnaire addressed by Arab authorities requiring them to provide explanation of the nature of their relations with Israel in order to determine whether they constitute a violation or not" (this is significant because Arab U.S. Chambers of Commerce, U.S. banks and consulates serve as certifiers and, hence, enforcers).

In terms of foreign navigation companies the rules are equally restrictive and include prohibitions against visiting an Israel and an Arab port on the same trip, if they transport industrial, commercial or agricultural products, if they transport Jewish immigrants, and, generally, "transactions shall be banned with any foreign navigation company if it is established that such company has chartered any ship or tanker owned or chartered by it to an Israeli firm, company or institution with the intention of creating an international crisis involving any Arab country . . . this ban entails the blacklisting of all vessels owned or chartered by such company."

Foreign banks dealing with Israel are blacklisted if they give loans or subsidies to Israel public or private firms, if they take active part in distributing or promoting Israeli bonds, if they establish firms or companies in Israel, etc.

In movies and TV, if the film, story, script or content "distorts" Arab history, if it features Israeli actors or if the film features foreign actors or actresses whose Zionist tendencies are established."

And so forth.

We used these categories, and the others on this Arab document, as the basis of our study and proceeded to find examples in most categories.

(3) Here are some examples of what we have found:

(a) A Jewish partner in an architectural firm was told that he would have to move into a hidden subsidiary because the company wanted to do business with the Arabs; he was told that his "Jewishness" was embarrassing to the firm. He had been a partner for over ten years. He quit. He is a reluctant witness, now in Texas, but we are working him north. We will talk to him in Washington and there is a chance that he will testify; it is a career decision for him. I am convinced the story is true.

(b) Most manufacturing companies cooperate with the boycott. Our example is with a subcontractor to the major company who had to sign a certificate that he complied with the boycott. He told the company he didn't want to do it. They sent him a handwritten copy of what to say. He told them to "shove it up your —". They found someone else to certify for him. When we got into the company we found that thirty subcontractors had complied. We also found out how the Arabs work in this area.

(c) Most banks comply. We sent a long questionnaire to them. Lots of resistance,

especially with Chase and Chemical; FNCB was more responsive. In effect, the banks are the enforcers. We have the documents they use, how they are significant, etc. We have matched documents to banks and people so they can not wiggle out of it.

(d) With regard to the shipping companies, Section 14(a) provides that the Secretaries, we have them complying. Good examples, good statements.

(e) The U.S. Arab Chamber of Commerce was supposedly the most important clearance house. We evidently scared the hell out of them. They called one of the companies we were interviewing and said they would no longer certify. However, we have the previous documents, a clear case. They are a New York State Chartered operation.

In dealing with some of the Arabs, we find that they are being responsive to the political environment because no one is forcing them to be responsive to the business environment where they would really like to function.

(f) The U.S. government seems to be one of the major enforcers of the Arab blacklist by both direct and indirect actions. We have examples and one interesting letter from the Controller of the Treasury stating that Arab money interests have said they would not invest monies in banks with Jewish directors or with Jewish ownership. We plan to subpoena three Members of the Cabinet (Treasury, Commerce and Defense), but I am not sure how far our subpoena can reach. We have a law school theory that government officials in the carrying out of their duties can be in violation of state law. I am trying to get them informally. We are in a better position than the Congress because we have a new law and the feds may be breaking that law by their actions.

(g) We have companies vital to Israel who won't sell to them. Some are sensitive since Morton was going to talk to them, but I am personally pursuing this.

This is just the tip of the iceberg. The federal government has not touched this and, from what we were told, the Congress didn't want to touch this because of the Corporations. I understand some subcommittees couldn't even get the subpoena power to investigate. Therefore, the corporate defenders in the Congress say that the blacklist should be treated as an alleged blacklist. Bull—. We have the proof now.

As you know, Howard Squadron has been working with me. He has agreed to be special counsel at a dollar a year. Assemblyman Lisa's staff (Dennis O'Leary) has been working with us and they are aware of this info and we are preparing for the private hearings and the public hearings. We are issuing subpoenas this week for the private hearings.

In all, we have interviewed some 100 people; we will have around thirty to the private hearings; from that we should have the base for the public hearings at the end of November, either just before or right after Thanksgiving; we need to clear dates.

In short, we have the proof, there is a boycott and a blacklist, it is effective at certain levels, it is immoral and by the end of the year, it will be illegal.

We have a legislative purpose established for the hearing, the committee members are being informed.

What we need is the formal assignment to Lisa, the appointment of a bi-partisan subcommittee for the private hearings, dates for the public hearings and a closed ear to the corporate pressures which are building up.

SPONSORING A NEW NATIONAL HISTORIC SITE

(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 have recently joined Congressman DRINAN in

sponsoring legislation to establish the Frederick Law Olmsted Home and Office in Brookline, Mass. as a national historic site.

I am pleased to join in this very worthwhile endeavor as Olmsted is an internationally known landscape architect who beautified many of the large cities of America. His work resulted in giving urban areas much of their attractive open space of today. Central Park in New York City was one of his first and most famous creations. He envisaged the towers of concrete and brick that now surround the park and planned for the people inhabiting them. His design of this and other parks have accommodated themselves remarkably well to modern society, including the automobile.

Olmsted spent some 20 years working on the Grounds of the U.S. Capitol, making it what it is today. He was first contracted by the Congress, by an act authorizing the expenditure of up to \$3,000 for a topographic survey and plans for laying out, improving, and enclosing the Capitol Grounds. When he began this project he saw the Capitol as a squat, graceless structure. Among his first suggestions was the design of the grand terraces and stairways which today flow from the west front of the Capitol to the Mall. Everything he did on the Capitol Grounds reflected his interpretation of Andrew Jackson Downing's plan for the mall, which was laid out in 1851. Much of Downing's plan has been changed to more accurately reflect L'Enfant's plan for the city, but the Grounds of the Capitol remain close to Olmsted's plans because of their adaptability.

Olmsted thought the Capitol should be visible from as many angles as possible and to accomplish this objective he had 8 feet shaved off the hill to the east of the Capitol. Many people suggested doing away with the large trees on the ground that they had suffered from neglect and were old before their time but Olmsted managed to save 157 of them and planned the planting of many more. By 1889 there were 229 different species of plants on the Capitol Grounds.

I believe it would be accurate to say that Frederick Law Olmsted has had a greater influence on the Nation's Capitol than any other individual except Pierre C. L'Enfant. In addition to the Capitol, Olmsted, his son, and the firm they founded did landscape planning for the grounds surrounding the White House, the Lincoln Memorial, the National Zoo, the National Shrine of the Immaculate Conception, and Rock Creek Park, as well as other landscape work within the boundaries of the District of Columbia.

Olmsted's influence was nationwide, having worked on city parks and universities in nearly all of the continental States. Many of his works have survived the years while others have been altered enough to accommodate new structures and the automobile. Many people have enjoyed and marveled at his works without knowing their creator. Few individuals have accomplished so much that has remained so long after their death. Frederick Law Olmsted is one of the Nation's great architects and his office and home in Brookline should be preserved for the future.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KELLY) to revise and extend their remarks and include extraneous material:)

Mr. LENT, for 5 minutes, March 23, 1976.

Mr. ARCHER, for 5 minutes, today.

(The following Members (at the request of Mr. HEFNER) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. VANIK, for 10 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Mr. EILBERG, for 5 minutes, today.

Mr. COTTER, for 5 minutes, today.

Ms. HOLTZMAN, for 30 minutes, today.

Mr. DRINAN, for 5 minutes, today.

Mr. YOUNG, of Georgia, for 5 minutes, today.

Mr. DOWNEY of New York, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SKUBITZ to extend his remarks immediately prior to the passage of Senate Joint Resolution 184 today.

(The following Members (at the request of Mr. KELLY) and to include extraneous matter:)

Mr. RINALDO.

Mr. FINDLEY in two instances.

Mr. SARASIN.

Mr. CONTE.

Mr. ANDERSON of Illinois.

Mr. DERWINSKI in three instances.

Mr. BELL.

Mr. WIGGINS in four instances.

Mr. HYDE.

Mr. KETCHUM.

Mr. RHODES.

(The following Members (at the request of Mr. HEFNER) and to include extraneous matter:)

Mr. ANNUNZIO in six instances.

Mr. ANDERSON of California in three instances.

Mr. GONZALEZ in three instances.

Mr. ALLEN.

Mr. WAXMAN.

Mr. McDONALD of Georgia.

Mr. VANIK in two instances.

Mr. BRODHEAD in three instances.

Mr. WIRTH.

Mr. WAGGONER in 11 instances.

Mr. MOTT.

Mr. BYRON in 10 instances.

Mr. RODINO.

Ms. HOLTZMAN in 10 instances.

Mr. MACDONALD of Massachusetts.

Mr. DOMINICK V. DANIELS.

Mr. AMBRO.

Mr. STOKES in three instances.

Mr. ZABLOCKI in three instances.

Mr. KOCH in two instances.

Mr. EVANS of Colorado.

Mr. RANGEL.

Mr. EILBERG.

Mr. FITHIAN.

Mr. SOLARZ.

Mr. DOWNEY of New York in two instances.

Mr. MURPHY of New York.

Mr. BINGHAM in five instances.

(The following Members (at the request of Mrs. BOGGS) and to include extraneous matter:)

Mr. TRAXLER.

Mr. THOMPSON.

Mr. MURPHY of New York.

Mr. ROE.

Mr. AMBRO.

Mr. ROSE in two instances.

Mrs. BOGGS.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 641. An act to regulate commerce and protect consumers from adulterated food by requiring the establishment of safety assurance procedures and safety assurance standards, to provide for the effective enforcement of the Food, Drug, and Cosmetic Act, to implement registration of food processing establishments, to provide for more informative labeling of food products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 2935. An act to authorize appropriations for the Federal Trade Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3161. An act to authorize the Secretary of the Interior, with the approval of the Architect of the Capitol, to locate flag poles on the United States Capitol Grounds in order to fly the flag of each of the States of the United States, and its territories and possessions; to the Committee on Public Works and Transportation.

S.J. Res. 183. Joint resolution authorizing and requesting the President to issue a proclamation designating March 29, 1976, as "National Knights of Columbus Day"; to the Committee on Post Office and Civil Service.

ENROLLED BILLS SIGNED

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3427. An act to provide for the striking of medals in commemoration of the two hundredth anniversary of the signing of the Declaration of Independence by Charles Carroll of Carrollton; and

H.R. 12122. An act to amend section 2 of the act of June 30, 1954, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee did on March 18, 1976 present to the President, for his approval, a bill of the House of the following title:

H.R. 9570. An act to authorize the sale and shipment incident to such sale of the chemical substance carbonyl chloride by the Department of Defense.

ADJOURNMENT

Mrs. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 23, 1976, 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:

2864. A letter from the President of the United States, transmitting an amendment to the request for appropriations for fiscal year 1977 for the Securities and Exchange Commission; to the Committee on Appropriations and ordered to be printed.

2865. A letter from the Chairman, National Commission on Supplies and Shortages, transmitting a report of a technical violation of the Anti-Deficiency Act, pursuant to section 3679(1)(2) of the Revised Statutes; to the Committee on Appropriations.

2866. A letter from the Secretary of the Army, transmitting notice of the proposed disposal of certain lethal chemical agents, pursuant to section 409(b) of Public Law 91-121, as amended; to the Committee on Armed Services.

2867. A letter from the Secretary of Transportation, transmitting a report on the Department's activities under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2868. A letter from the Director, Community Services Administration, transmitting a report on the activities of the agency under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2869. A letter from the Deputy Assistant Secretary of the Interior transmitting a copy of a proposed contract for Montana State University, Bozeman, Mont., for a research project entitled "Effect of Selective Replacement of Coal Surface Mine Overburden Strata on Soil and Hydrology Relationships," pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

2870. A letter from the Chairman, Indian Claims Commission, transmitting the final determinations of the Commission in docket No. 350-C, the Three Affiliated Tribes of the Fort Berthold Reservation, plaintiffs, v. the United States of America, defendant, and docket No. 350-D, the Three Affiliated Tribes of the Fort Berthold Reservation, plaintiffs, v. the United States of America, defendant, pursuant to section 21 of the Indian Claims Commission Act; to the Committee on Interior and Insular Affairs.

2871. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to increase the remuneration of nongovernment members of the Board of Foreign Scholarships and the U.S. Advisory Commission on International Education and Cultural Affairs; to the Committee on International Relations.

2872. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to section 112(b) of Public Law 92-403; to the Committee on International Relations.

2873. A letter from the Administrator, Federal Energy Administration, transmitting a report covering the period October-December 1975, on imports of crude oil, residual fuel oil, refined petroleum products, natural gas,

and coal; production of crude oil, natural gas, and coal; refinery activities; and inventories, pursuant to section 11(c)(2) of Public Law 93-319; to the Committee on Interstate and Foreign Commerce.

2874. A letter from the Commissioner, Federal Prison Industries, Incorporated, Department of Justice, transmitting the annual report of the Board of Directors of the Corporation for fiscal year 1974, pursuant to 18 U.S.C. 4127; to the Committee on the Judiciary.

2875. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend certain laws affecting personnel of the Coast Guard, and for other purposes; to the Committee on Marine and Fisheries.

2876. A letter from the Administrator of General Services, transmitting a prospectus proposing alterations at the Washington, D.C., central heating plant, pursuant to section 7(a) of the Public Buildings Act of 1959, as amended; to the Committee on Public Works and Transportation.

2877. A letter from the Chairman, National Commission on Water Quality, transmitting a report on the technological aspects of achieving, and the economic, social and environmental effects of achieving or not achieving the effluent limitations and goals established for 1983 in section 301(b)(2) of the Federal Water Pollution Control Act, as amended, pursuant to section 315(e) of the act (86 Stat. 876) (H. Doc. No. 94-418); to the Committee on Public Works and Transportation and ordered to be printed.

REPORTS FROM THE COMPTROLLER GENERAL

2878. A letter from the Comptroller General of the United States, transmitting a list of reports issued or released by the General Accounting Office during February 1976, pursuant to section 234 of the Legislative Reorganization Act of 1970; 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:

[Pursuant to the order of the House on Mar. 18, 1976, filed on Mar. 19, 1976]

Mr. PRICE: Joint Committee on Atomic Energy, H.R. 12388. A bill to amend Public Law 94-187 to increase the authorization for appropriations to the Energy Research and Development Administration in accordance with section 261 of the Atomic Energy Act of 1954, as amended, section 305 of the Energy Reorganization Act of 1974, and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974, and for other purposes (Rept. No. 94-931).

Referred to the Committee of the Whole House on the State of the Union.

[Submitted March 22, 1976]

Mr. EDWARDS of California: Committee of conference. Conference report in disagreement on H.R. 10624 (Rept. No. 94-938). Ordered to be printed.

Mr. HALEY: Committee on Interior and Insular Affairs, H.R. 3863. A bill to designate the Eagles Nest Wilderness, Arapaho and White River National Forests, in the State of Colorado; with amendment (Rept. No. 94-939). Referred to the Committee of the Whole House on the State of the Union.

Mr. ULLMAN: Committee on Ways and Means, H.R. 12490. A bill to provide tax treatment for exchanges under the final system plan for ConRail; with amendment (Rept. No. 94-940). Referred to the Committee of the Whole House on the State of the Union.

Mr. McFALL: Committee of conference. Conference report on House Joint Resolution

801. (Rept. No. 94-941). Ordered to be printed.

Mr. MOORHEAD of California: Committee on the Judiciary, H.R. 1560. A bill for the relief of Murray Swartz (Rept. No. 94-932). Referred to the Committee of the Whole House.

Mr. DANIELSON: Committee on the Judiciary, H.R. 2564. A bill for the relief of Franklin R. Helt (Rept. No. 94-933). Referred to the Committee of the Whole House.

Mr. FLOWERS: Committee on the Judiciary, H.R. 6507. A bill for the relief of Chester C. Clark, Mary L. Clark, and Dorothy J. Wilbur (Rept. No. 94-934). Referred to the Committee of the Whole House.

Mr. DANIELSON: Committee on the Judiciary, H.R. 9414. A bill for the relief of TV Facts, Rochester, N.Y. (Rept. No. 94-935). Referred to the Committee of the Whole House.

Mr. DANIELSON: Committee on the Judiciary, H.R. 9965. A bill for the relief of Boulder Daily Camera, Boulder, Colo., without amendment (Rept. No. 94-936). Referred to the Committee of the Whole House.

Mr. MOORHEAD of California: Committee on the Judiciary, S. 1494. An act for the relief of Paul W. Williams (Rept. No. 94-937). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:
H.R. 12680. A bill to authorize a Federal program of research, development, and demonstration designed to promote research and development in efficiency of energy use, and to demonstrate the practical feasibility of investment in energy-efficient equipment and processes in residential, commercial, industrial, agricultural, and governmental activities; to the Committee on Science and Technology.

By Mr. HANLEY:
H.R. 12681. A bill to amend the Internal Revenue Code of 1954 to increase from \$1 million to \$10 million the exemption from industrial development bond treatment for certain small issues; to the Committee on Ways and Means.

By Mr. HECHLER of West Virginia:
H.R. 12682. A bill to amend section 1114, title 18, United States Code, so that Federal mine safety inspectors will be protected by criminal statutes; to the Committee on the Judiciary.

By Mr. HIGHTOWER (for himself and Mr. MAHON):

H.R. 12683. A bill to amend the Farm Labor Contractor Registration Act of 1963 to exempt contractors of workers engaged in custom cutting or combine operations in connection with the harvesting of grains and contractors of workers engaged in the shearing of sheep; to the Committee on Education and Labor.

By Ms. HOLTZMAN (for herself, Mr. DAVIS, Mr. KREBS, Mr. FLORIO, Mr. HARRINGTON, Mr. DOWNEY of New York, Mr. WON PAT, Mr. NIX, Mr. STARK, Mr. ROYBAL, Mr. VANDER VEEN, Mr. HECHLER of West Virginia, Mr. CHISHOLM, Mr. MITCHELL of Maryland, Mr. PEYSER, Mr. ROSENTHAL, Mr. HARRIS, Mr. SCHUEFER, Mr. MILLER of California, Mr. PICKLE, Mrs. MINK, Mr. FITHIAN, Mrs. FENWICK, Ms. KEYS, and Mr. FRENZEL):

H.R. 12684. A bill to amend the Federal Rules of Evidence to permit fair and effective prosecution for rape by providing that evidence of an individual's prior sexual conduct is not admissible in any action or proceeding if an issue in such action or proceeding is whether such individual was raped or as-

saulted with intent to commit rape; to the Committee on the Judiciary.

By Ms. HOLTZMAN (for herself, Mr. RICHMOND, Mrs. SPELLMAN, Mr. MOFFETT, Mr. MOSS, Mr. UDALL, Mr. RANGEL, Mr. BADILLO, Mr. WIRTH, Ms. ABZUG, Mr. ROUSH, Mr. COUGHLIN, Mr. MAGUIRE, Mr. REES, Mr. D'AMOURS, Mr. OTTINGER, Mr. WEAVER, Mr. FLOOD, Mr. EDWARDS of California, Mr. KOCH, Mr. FRASER, and Mr. MEZVINSKY):

H.R. 12685. A bill to amend the Federal Rules of Evidence to permit fair and effective prosecution for rape by providing that evidence of an individual's prior sexual conduct is not admissible in any action or proceeding if an issue in such action or proceeding is whether such individual was raped or assaulted with intent to commit rape; to the Committee on the Judiciary.

By Mr. HOWARD:
H.R. 12686. A bill to limit U.S. contributions to the United Nations; to the Committee on International Relations.

By Mr. JONES of Oklahoma:
H.R. 12687. A bill to amend the Internal Revenue Code of 1954 to increase the exemption for purposes of the Federal estate tax, to increase the estate tax marital deduction, and to provide an alternate method of valuing certain real property for estate tax purposes; to the Committee on Ways and Means.

By Mr. LUJAN:
H.R. 12688. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes", and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances; to the Committee on the Judiciary.

By Mr. MOAKLEY:
H.R. 12689. A bill to establish energy conservation research, development, and demonstration institutes, to create a cooperative energy extension service, to promote a more adequate national program of research, development, and demonstration in technologies related to energy conservation, and for other purposes; to the Committee on Science and Technology.

By Mr. MOAKLEY (for himself, Mr. WON PAT, Mr. HELSTOSKI, Mr. MITCHELL of Maryland, Mr. BADILLO, Mr. EILBERG, Mr. HARRINGTON, Mrs. SPELLMAN, and Mr. BEDELL):

H.R. 12690. A bill to develop opportunities for programs that give students practical experience with organizations involved in international activities and to provide financial assistance for students participating in such programs; to the Committee on Education and Labor.

By Mr. MONTGOMERY:
H.R. 12691. A bill to amend chapter 49 of title 10, United States Code, to prohibit union organization in the armed forces, and for other purposes; to the Committee on Armed Services.

By Mr. MONTGOMERY (for himself and Mr. NICHOLS):
H.R. 12692. A bill to extend the Federal Tort Claims Act to members of the National Guard when engaged in training duty under Federal law, and for other purposes; to the Committee on the Judiciary.

By Mr. OBERSTAR:
H.R. 12693. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 (88 Stat. 476) and the act of June 4, 1897 (30 Stat. 35); to the Committee on Agriculture.

By Mr. PATTERSON of California:
H.R. 12694. A bill to provide a special program for financial assistance to Opportuni-

ties Industrialization Centers in order to provide 1 million new jobs and job training opportunities, and for other purposes; to the Committee on Education and Labor.

By Mr. PERKINS (for himself, Mr. BROWN of California, Mrs. BURKE of California, Mr. CARR, Mrs. CHISHOLM, Mr. COUGHLIN, Mr. DE LUCA, Mr. DRINAN, Mr. EDWARDS of California, Mr. FORD of Tennessee, Mr. GAYDOS, Mr. HAYES of Indiana, Mr. HECHLER of West Virginia, Mr. JACOBS, Mr. MAZZOLI, Mr. MOAKLEY, Mr. NIX, Mr. SPENCE, Mr. ST GERMAIN, Mr. THONE, Mr. VIGORITO, and Mr. YOUNG of Georgia):

H.R. 12695. A bill to provide a special program for financial assistance to Opportunities Industrialization Centers in order to provide 1 million new jobs and job training opportunities, and for other purposes; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 12696. A bill to amend section 1362 of title 18, United States Code, relating to the injury or destruction of communication lines, stations, or systems; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 12697. A bill to amend the Solid Waste Disposal Act to prohibit the promulgation of certain regulations respecting beverage containers sold, offered for sale, or distributed at Federal facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. STOKES (for himself, Mr. MAZZOLI, Ms. MINK, Mr. RANGEL, and Mr. BAUCUS):

H.R. 12698. A bill to amend the National Housing Act to authorize expenditures by the Secretary of Housing and Urban Development for repair of certain dwellings; to the Committee on Banking, Currency and Housing.

By Mr. STOKES (for himself, Mr. MITCHELL of Maryland, Mr. METCALFE, Mr. CONYERS, Mr. DELLUMS, Mr. HARRINGTON, Mr. ROYAL, Mr. PEPPER, Mr. FAUNTROY, Mr. BADILLO, Mr. NIX, Mr. ROBINO, Mr. BROWN of California, Mr. FRASER, Mr. HELSTOSKI, Mr. JAMES V. STANTON, Ms. CHISHOLM, Ms. BURKE of California, Mr. BEARD of Rhode Island, Mr. CARNEY, Mr. MOAKLEY, Mr. BRODHEAD, Mr. STARK, Mr. DRINAN, and Ms. JORDAN):

H.R. 12699. A bill to amend title 38, United States Code, to authorize expenditures by the Administrator of Veterans' Affairs for repair of certain dwellings; to the Committee on Veterans' Affairs.

By Mr. STOKES (for himself, Mr. CLAY, Mr. MAZZOLI, Ms. MINK, Mr. RANGEL, and Mr. BAUCUS):

H.R. 12700. A bill to amend title 38, United States Code, to authorize expenditures by the Administrator of Veterans' Affairs for repair of certain dwellings; to the Committee on Veterans' Affairs.

By Mr. TSONGAS (for himself, Mr. FISHER, and Mr. D'AMOURS):

H.R. 12701. A bill to amend title 39, United States Code, to provide that Members of the Congress may not make mass mailings as franked mail less than 28 days before a primary election or less than 120 days before a general election; to the Committee on Post Office and Civil Service.

By Mr. TRAXLER:

H.R. 12702. A bill to authorize the Secretary of Agriculture to make financial assistance available to agricultural producers who suffer losses as the result of having their agricultural commodities or livestock quarantined or condemned because such commodities or livestock have been found to contain toxic chemicals dangerous to the public health; to the Committee on Agriculture.

By Mr. WIRTH (for himself, Mr. KOCH, Mr. RICHMOND, and Mr. TRAXLER):

H.R. 12703. A bill to provide for limited public financing of congressional general election campaigns through the matching of private contributions, and for other purposes; to the Committee on House Administration.

By Mr. TEAGUE (for himself, Mr. MOSHER, Mr. HECHLER of West Virginia, Mr. JARMAN, Mr. FUQUA, Mr. WINN, Mr. SYMINGTON, Mr. FREY, Mr. FLOWERS, Mr. ESCH, Mr. ROE, Mr. MYERS of Pennsylvania, Mr. McCORMACK, Mr. EMERY, Mr. BROWN of California, Mr. THORNTON, Mr. SCHEUER, Mr. OTTINGER, Mr. HAYES of Indiana, Mr. LLOYD of California, Mr. AMBRO, Mr. BLOUIN, Mr. HALL, Mr. BLANCHARD, and Mr. WIRTH):

H.R. 12704. A bill to authorize appropriations for environmental research, development, and demonstration; to the Committee on Science and Technology.

By Mr. HOWARD:

H.J. Res. 879. Joint resolution authorizing and requesting the President to issue a proclamation designating the 7 calendar days commencing on April 30 of each year as National Beta Sigma Phi Week; to the Committee on Post Office and Civil Service.

By Mr. MONTGOMERY:

H.J. Res. 880. Joint resolution to provide for the designation of the second full calendar week in March 1976 as National Employ the Older Worker Week; to the Committee on Post Office and Civil Service.

By Mr. RAILSBACK (for himself, Mr. ABZUG, Mr. BADILLO, Mr. BEARD of Rhode Island, Mr. BURGNER, Mr. COCHRAN, Mr. DICKINSON, Mr. DU PONT, Mr. FITZHIAN, Mr. FOUNTAIN, Mr. GILMAN, Mr. GRASSLEY, Mr. JEFFORDS, Mr. JENNETTE, Mr. JONES of North Carolina, Mr. KINNESS, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. MAHON, Mr. MAZZOLI, Mr. McHUGH, Mr. MITCHELL of New York, Mr. MOORE, and Mr. PRESSLER):

H.J. Res. 881. Joint resolution to designate the fourth Monday in March of each year as National Agriculture Day; to the Committee on Post Office and Civil Service.

By Mr. RAILSBACK (for himself, Mr. ROE, Mrs. SMITH of Nebraska, Mr. STUCKEY, Mr. VANDER JAGT, Mr. WHITTEN, and Mr. WINN):

H.J. Res. 882. Joint resolution to designate the fourth Monday in March of each year as National Agriculture Day; to the Committee on Post Office and Civil Service.

By Mr. RAILSBACK (for himself, Mr. JACOBS, Mr. O'HARA, Mr. PERKINS, Mr. REGULA, Mr. RICHMOND, Mr. THONE, Mr. VIGORITO, Mr. WAGGONER, Mr. WALSH, and Mr. WHITEHURST):

H.J. Res. 883. Joint resolution designating the week beginning April 4, 1976, as National Drafting Week; to the Committee on Post Office and Civil Service.

By Mr. HANNAFORD (for himself, Mr. CRANE, Mr. DOWNEY of New York, Mr. EDGAR, Mr. HARRINGTON, Mr. HAYES of Indiana, Mr. MINETA, Mr. REES, Mr. ROYAL, and Mrs. SPELLMAN):

H. Res. 1099. Resolution to develop a multilateral code of conduct to eliminate bribery and other practices which burden multinational corporations; to the Committee on Banking, Currency and Housing.

By Mr. MILFORD:

H. Res. 1100. Resolution providing for the printing as a House document of a report of the Select Committee on Intelligence; to the Committee on House Administration.

By Mr. PATTISON of New York (for himself, Mr. BLOUIN, Mr. FISH, Mr. HELSTOSKI, Mr. HOWARD, Mr. MAZZOLI,

Mr. PATTERSON of California, Mr. REES, Mr. RIEGLE, Mr. VANDER VEEN, Mr. YOUNG of Georgia, and Mr. ZEPHERETTI):

H. Res. 1101. Resolution to create a Select Committee on the Fiscal Problems of Cities; to the Committee on Rules.

By Mr. WHALEN:

H. Res. 1102. Resolution to provide that any unexpended portion of the stationery allowance of a Member of the House of Representatives shall be returned to the contingent fund of the House at the close of each Congress, and for other purposes; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

323. By the SPEAKER: Memorial of the Legislature of the State of California, relative to water quality of international streams; to the Committee on International Relations.

324. Also, Memorial of the Sixth Congress of Micronesia, relative to the Micronesian Claims Act of 1971; to the Committee on International Relations.

325. Also, memorial of the Legislature of the State of South Carolina, relative to regulation of the insurance industry; to the Committee on Interstate and Foreign Commerce.

326. Also, memorial of the Senate of the State of Washington, relative to railway service and energy savings; to the Committee on Interstate and Foreign Commerce.

327. Also, memorial of the Legislature of the State of Maine, relative to issuing a special stamp commemorating Gen. Henry Knox; to the Committee on Post Office and Civil Service.

328. Also, memorial of the Legislature of the State of Oklahoma, relative to rural post offices; to the Committee on Post Office and Civil Service.

329. Also, memorial of the House of Representatives of the State of Georgia, relative to the Administrative Rulemaking Control Act; jointly, to the Committees on the Judiciary and Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLANCHARD:

H.R. 12705. A bill for the relief of Capt. Robert D. McAlpine, USAFR Retired; to the Committee on Armed Services.

By Mr. HARRINGTON:

H.R. 12706. A bill for the relief of Lauman Ming; to the Committee on the Judiciary.

By Mr. MAHON:

H.R. 12707. A bill for the relief of Barry Ray Leftwich Dibling; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 12708. A bill for the relief of David A. Savard; to the Committee on the Judiciary.

By Mr. TSONGAS:

H.R. 12709. A bill for the relief of Katsura Fukui; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

423. By the SPEAKER: Petition of the city council, Cleveland, Ohio, relative to food stamps; to the Committee on Agriculture.

424. Also, petition of the Kaula County Council, Kaula, Hawaii, relative to the legislative addendum of the Department of

Defense, to the fiscal year 1977 budget; jointly, to the Committees on Appropriations, and Armed Services.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 12406

By Mr. SOLARZ:

Page 57, immediately after line 19, insert the following new section:

CONGRESSIONAL ELECTION CAMPAIGN FUND

SEC. 308. (a) Subtitle H of the Internal Revenue Code of 1954, relating to financing of Presidential election campaigns, is amended by adding at the end thereof the following new chapter:

"CHAPTER 97—CONGRESSIONAL ELECTION CAMPAIGN FUND

"Sec. 9051. Short title.
 "Sec. 9052. Definitions.
 "Sec. 9053. Eligibility for payments.
 "Sec. 9054. Entitlement to payments.
 "Sec. 9055. General limitations.
 "Sec. 9056. Certification by Commission.
 "Sec. 9057. Payments to eligible candidates.
 "Sec. 9058. Examination and audits; repayments.
 "Sec. 9059. Reports to Congress; regulations.
 "Sec. 9060. Participation by Commission in judicial proceedings.
 "Sec. 9061. Judicial review.
 "Sec. 9062. Criminal penalties.

"Sec. 9051. SHORT TITLE.
 "This chapter may be cited as the 'Congressional Election Campaign Fund Act'.

"SEC. 9052. DEFINITIONS.

"For purposes of this chapter—
 "(1) The term 'authorized committee' means, with respect to a candidate for Federal office, any political committee which is authorized in writing by such candidate to incur expenses to further the nomination for election or election of such candidate. The authorization shall be addressed to the treasurer of such political committee, and a copy of the authorization shall be filed by such candidate with the Commission. Any withdrawal of any authorization shall also be in writing and shall be addressed and filed in the same manner as the authorization.
 "(2) The term 'candidate' means an individual who seeks nomination for election, or election, to Federal office. For purposes of this paragraph, an individual is considered to seek election if he (A) takes the action necessary under the law of a State to qualify for election; and (B) receives contributions or incurs qualified campaign expenses, or gives his consent for any other person to receive contributions or to incur qualified campaign expenses on his behalf.

"(3) The term 'Commission' means the Federal Election Commission established by section 309(a)(1) of the Federal Election Campaign Act of 1971.

"(4) The term 'contribution' means a gift of money made (A) by a written instrument which identifies the person making the contribution by full name; or (B) in cash up to \$100, except that the candidate and his authorized committees shall maintain and file reports in the form prescribed by the Commission, which show the date and amount of each such contribution and the full name and mailing address of the person making such contribution. Such term does not include a subscription, loan, advance, or deposit of money, or a contribution of products or services or anything else of value (other than money).

"(5) The term 'eligible candidate' means a candidate for election to Federal office who is eligible under section 9053 to receive payments under this chapter.

"(6) The term 'Federal office' means the office of Senator or Representative;

"(7) The term 'general election' means any regularly scheduled or special election held for the purpose of electing a candidate to Federal office.

"(8) The term 'primary election' includes any convention or caucus of a political party which has authority to nominate a candidate for election to Federal office.

"(9) The term 'major party' means, with respect to election for Federal office, a political party whose candidate for election in the preceding general election for that office received as the candidate of that party, 25 percent or more of the total number of votes cast in that election for all candidates for that office.

"(10) The term 'official political party committee' means a political committee organized by the House or Senate Members of any political party having more than 5 percent of the membership of either the House of Representatives or Senate of the United States and designated as an official political party committee by the appropriate House or Senate caucus of the political party.

"(11) The term 'qualified campaign expenses' means only those expenses incurred by a candidate, or by his authorized committee, in connection with his campaign for nomination for election, or for election, to Federal office which are for the use of—
 "(A) broadcasting stations to the extent that they represent direct charges for air time;

"(B) newspapers, magazines, and outdoor advertising facilities to the extent that they represent direct charges for advertising space;
 "(C) direct mailings;

"(D) telephones to the extent that they represent lease and use charges for equipment, and telegrams;

"(E) rental of campaign headquarters, except that such term does not include funds used to pay rent to the candidate, a member of the immediate family of the candidate, or a business entity 10 percent or more of the assets of which is owned or controlled by the candidate or members of the immediate family of the candidate; and
 "(F) brochures, buttons, signs, and other printed campaign materials;

except that such term shall not include any payment which constitutes a violation of any law of the United States. For purposes of this paragraph, an expense is incurred by a candidate or by an authorized committee if it is incurred by a person specifically authorized in writing by the candidate or committee, as the case may be, to incur such expense on behalf of the candidate or committee.

"(12) The term 'Representative' means a Member of the House of Representatives, the Delegates from the District of Columbia, Guam, and the Virgin Islands, and the Resident Commissioner from Puerto Rico.

"(13) The term 'State' means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

"(14) The term 'voting age population' means the voting age population certified under section 320(e) of the Federal Election Campaign Act of 1971.

"(15) The term 'Secretary' means the Secretary of the Treasury.

"(16) The term 'Account' means the Congressional Election Payment Account.

"SEC. 9053. ELIGIBILITY FOR PAYMENTS.

"(a) (1) PRIMARY ELECTIONS.—Any candidate in a major party primary election for Federal office shall be eligible for payments under section 9057 upon certifying to the Commission that—
 "(A) such candidate has received contributions in an amount equal to 12 percent of the applicable expenditure limitation for the primary election involved under section

320(b) of the Federal Election Campaign Act of 1971; and

"(B) the aggregate of contributions certified to any person under paragraph (1) does not exceed \$100.

"(a) (2) To be eligible to receive any payments under section 9057 for use in connection with his/her general election campaign, a candidate shall certify to the Commission—
 "(A) that the candidate is the nominee of a political party for election to Federal office of Representative or is otherwise qualified on the ballot as a candidate in the general election for such office and the candidate and his/her authorized committees have received contributions in connection with that campaign which, in the aggregate, exceed \$5,000; or

"(B) that the candidate is the nominee of a political party for election to the Federal office of Senator or is otherwise qualified on the ballot as a candidate in the general election for such office and the candidate and his/her authorized committees have received contributions in connection with that campaign which, in the aggregate, exceed 10 percent of the amount he/she may spend in the general election under section 608(c) of title 18 of the United States Code; and
 "(C) that the candidate and his/her authorized committees will not incur qualified campaign expenses in excess of the limitation on such expenses under section 9054; and

"(D) that the candidate is seeking election to a specific Federal office.
 "(a) (3) To be eligible to receive any payments under section 9057 an official political party committee shall certify to the Commission its status as an official political party committee within the meaning of section 9052.
 "(b) In determining the amount of contributions received for purposes of subsection (a) and of section 9054—
 "(A) no contribution from any person to a candidate or his/her authorized committees shall be taken into account to the extent that it exceeds \$100 when added to the amount of all other contributions made by that person to or for the benefit of that candidate in connection with his/her general election campaign;

"(B) no contribution from any person to an official political party committee shall be taken into account to the extent that it exceeds \$100 when added to the amount of all other contributions made by that person to all official political party committees of the same political party during the same calendar year;

"(C) no contribution from any person to a candidate or his/her authorized committees shall be taken into account unless it is dated and received during the matching payment period;

"(D) no contribution from any official political party committee to a candidate or his/her authorized committees shall be taken into account.
 "(c) SEPARATE CONTRIBUTION ACCOUNTS.—For purposes of determining the amount of contributions received by a candidate and his authorized committees under subsection (a) and section 9054(a), each candidate shall establish a separate account for all such contributions to be used in connection with a primary election and a separate account for all such contributions to be used in connection with a general election. Contributions deposited in any such separate account shall not be contributions for purposes of subsection (a) and section 9054(a) if such contributions are used for any purpose other than as expenditures in connection with the campaign for nomination for election, or for election, of the candidate.

"SEC. 9054. ENTITLEMENT TO PAYMENTS.
 "(a) IN GENERAL.—Every candidate who is eligible to receive payments under section

9053 in connection with his campaign for nomination for election, or for election, to Federal office, is entitled to payments under section 9057 in an amount equal to the aggregate contributions received by such candidate in connection with any such campaign, except that the total amounts of payments to which a candidate is entitled under this subsection may not exceed 50 per centum of the sum of the expenditure limitation applicable to such candidate for the specific campaign under section 320(b) of the Federal Election Campaign Act of 1971.

"(b) LIMITATION.—A candidate may receive payments under subsection (a) in connection with a contribution to such candidate from any person only to the extent that the aggregate contributions from such person during the matching payment period do not exceed \$100.

"SEC. 9055. GENERAL LIMITATIONS.

"(a) QUALIFIED CAMPAIGN EXPENSES.—Funds received by a candidate or his authorized committees under this chapter shall be used only for qualified campaign expenses incurred during the matching payment period.

"(b) PAYMENTS IN PRIMARY ELECTION OR GENERAL ELECTION.—No candidate or his authorized committees shall be entitled to receive any funds under section 9054 in connection with a primary election or general election until the candidate and at least one opponent are participating in the primary election involved or have qualified for the ballot under State law as candidates for the general election involved.

"(c) DEPOSIT OF PAYMENTS.—All payments received under this chapter shall be deposited at a national or State bank in a separate checking account which contains only those funds received under this chapter. No expenditures of any payments received under this chapter shall be made except by checks drawn on such separate checking account at a national or State bank. The Commission may require such reports on the expenditures of such funds as it deems appropriate.

"(d) DISTRIBUTIONS.—The Secretary or his delegate shall make distribution of the funds provided under section 9054(a) in the same sequence in which the initial and subsequent certifications are received pursuant to section 9056.

"(e) EXPENDITURES FROM PERSONAL FUNDS.—In order to be eligible to receive any payment under section 9057, a candidate shall certify to the Commission, under penalty of perjury, that such candidate shall not knowingly make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election to Federal office, or in connection with his campaign for election to Federal office, in excess of, in the aggregate (1) \$35,000, in the case of a candidate for the office of Senator or for the office of Representative from a State which is entitled to only one Representative; or (2) \$25,000, in the case of a candidate for the office of Representative, or Delegate or Resident Commissioner, in any other State.

"(f) DEFINITION OF IMMEDIATE FAMILY.—For purposes of subsection (e), the term 'immediate family' means a candidate's spouse, and any child, parent, grandparent, brother, or sister of the candidate, and the spouses of such persons.

"SEC. 9056. CERTIFICATION BY COMMISSION.

"(a) INITIAL CERTIFICATION.—Not later than 10 days after a candidate establishes his eligibility under section 9053 to receive payments under section 9057, the Commission

shall certify to the Secretary for payment to such candidate under section 9057 payment in full of amounts to which such candidate is entitled under section 9054. The Commission shall make such additional certifications as may be necessary to permit candidates to receive payments for contributions under section 9057.

"(b) FINALITY OF DETERMINATIONS.—Initial certifications by the Commission under subsection (a), and all determinations made by it under this chapter, are final and conclusive, except to the extent they are subject to examination and audit by the Commission under section 9058 and judicial review under section 9060.

"(c) LIMITATION.—The Commission shall, not later than February 1 of each election year, determine whether the amount of moneys in the Account will be sufficient to make all payments to which candidates will be entitled under this chapter during such election year. If the Commission determines the amount of moneys in the Account will not be sufficient, the Commission shall ratably reduce the maximum amounts to which candidates are entitled under this chapter by a fraction, the numerator of which shall be the sum of moneys then on deposit in the Account and moneys estimated to be deposited in the Account before the first primary election with respect to which a candidate will be eligible for payments under section 9057, and the denominator of which shall be the sum of the estimated amounts to which all candidates would be entitled under this chapter if the moneys in the Account were sufficient. If the Commission subsequently determines that additional moneys are available for payments under this chapter during such election year, such payments as may have been reduced in accordance with the preceding sentence shall be increased on the same basis as they were reduced.

"SEC. 9057. PAYMENTS TO ELIGIBLE CANDIDATES.

"(a) ESTABLISHMENT OF ACCOUNT.—The Secretary shall maintain in the Presidential Election Campaign Fund established under section 9006(a), in addition to any account which he maintains under such section and section 9037, a separate account to be known as the Congressional Election Payment Account. The Secretary shall deposit into the Account, for use by candidates who are eligible to receive payments under section 9053, the amount available after the Secretary determines that adequate amounts are available for payments under sections 9006(c), 9008(b)(3), and 9037(b).

"(d) DEPOSITS.—Notwithstanding subsection (a), the Secretary shall deposit into the Account that portion of the annual amounts designated by taxpayers under section 6096 which is equal to the excess over 30 percent of the total amount made available in the last election for the office of President in allocating funds under section 9006. The money in the Account shall remain available without fiscal year limitation.

"(c) PAYMENTS FROM THE ACCOUNT.—Upon receipt of a certification from the Commission under section 9056, the Secretary or his delegate shall, within 10 days after receiving such certification, transfer the amount certified by the Commission from the Account to the candidate. The Secretary shall make distribution of the funds available under subsection (a) in the same sequence in which the initial and subsequent certifications are received under section 9056.

"SEC. 9058. EXAMINATION AND AUDITS; REPAYMENTS.

"(a) EXAMINATION AND AUDITS.—After each general election, the Commission is authorized to conduct an examination and audit of the campaign contributions raised

for purposes of obtaining matching funds with respect to primary elections and with respect to general elections and the qualified campaign expenditures made by all candidates for Federal office and official political party committees who received payments under this chapter.

"(b) REPAYMENTS.—

"(1) If the Commission determines that any portion of the payments made to an eligible candidate with respect to a primary election or with respect to a general election or to an official party committee with respect to a general election under section 9057 was in excess of the aggregate amount of the payments to which the candidate was entitled, it shall so notify the recipient, and the recipient shall pay to the Secretary an amount equal to the excess amount.

"(2) If the Commission determines that any portion of the payments made to a candidate under section 9057 for use in a primary election campaign or a general election campaign was used for any purpose other than for qualified campaign expenses in connection with any such campaign, the Commission shall so notify the candidate and the candidate shall pay an amount equal to 300 percent of that amount to the Secretary.

"(3) If the Commission determines that any portion of the payments made to an official political party committee under section 9057 was used for any purpose other than to make campaign contributions to congressional candidates for use in the general election, the Commission shall so notify the official political party committee and the official political party committee shall pay an amount equal to three times that amount to the Secretary.

"(4) Amounts received by a candidate under this chapter may be retained for 60 days after the primary election or the general election involved for the purpose of liquidating all obligations to pay qualified campaign expenses which were incurred during the matching payment period. After the 60-day period following the election, all remaining Federal funds not yet expended on qualified campaign expenses shall be promptly repaid by the candidate to the Account.

"(4) If any candidate who has received funds under this chapter is convicted of violating any provision of this chapter, the candidate shall pay to the Secretary the full amount received under this chapter.

"(c) PERIOD OF NOTIFICATION.—No notification shall be made by the Commission under subsection (b) with respect to a campaign more than 2 years after the day of the election to which the campaign related.

"(d) DEPOSIT OF PAYMENTS.—All payments received by the Secretary under subsection (b) shall be deposited by him in the Account.

"SEC. 9059. REPORTS TO CONGRESS; REGULATIONS.

"(a) REPORT.—The Commission shall, as soon as practicable after the close of each calendar year, submit a full report to the Senate and House of Representatives setting forth—

"(1) the qualified campaign expenses (shown in the detail the Commission deems necessary) incurred by a candidate who received payments under section 9057, and by his authorized committees;

"(2) the amounts certified by it under section 9056 for payment to each candidate and his authorized committees; and

"(3) the amount of payments, if any required from such candidate or official party committee under section 9058, and the reasons for each payment required.

Each report submitted pursuant to this section shall be printed as a House or Senate

document and made available in sufficient numbers for the general public.

"(b) REGULATIONS.—"

"(1) The Commission may prescribe regulations to carry out the provisions of this chapter. The Commission, before prescribing any such regulation, shall transmit a statement with respect to such regulation to the Senate and to the House of Representatives in accordance with the provisions of this subsection. Such statement shall set forth the proposed regulation and shall contain an explanation and justification of such regulation.

"(2) If either such House does not, through appropriate action, disapprove the proposed regulation set forth in such statement no later than 30 legislative days after the receipt of such statement, then the Commission may prescribe such regulation. The Commission may not prescribe any such regulation which is disapproved by either such House under this paragraph.

"(3) For purposes of this subsection, the term 'legislative days' does not include any calendar day on which both Houses of the Congress are not in session.

"SEC. 9060. PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS."

"(a) **APPEARANCE BY COUNSEL.**—The Commission may appear in and defend against any action instituted under this section, either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 of subchapter III of chapter 53 of such title.

"(b) **RECOVERY OF CERTAIN PAYMENTS.**—The Commission may, through attorneys and counsel described in subsection (a), institute actions in the district courts of the United States to seek recovery of any amounts determined to be payable to the Secretary or his delegate as a result of an examination and audit made under section 9058.

"(c) **INJUNCTIVE RELIEF.**—The Commission may through attorneys and counsel described in subsection (a), petition the courts of the United States for such injunctive relief as is appropriate to implement any provision of this chapter.

"(d) **APPEAL.**—The Commission may on behalf of the United States appeal from, and petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which it appears pursuant to the authority provided in this section.

"SEC. 9061. JUDICIAL REVIEW."

"(a) **REVIEW OF AGENCY ACTION BY THE COMMISSION.**—Any agency action by the Commission made under the provisions of this chapter shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court within 30 days after the agency action by the Commission for which review is sought.

"(b) **REVIEW PROCEDURES.**—The provisions of chapter 7 of title 5, United States Code, apply to judicial review of any agency action, as defined in section 551(13) of title 5, United States Code, by the Commission.

"SEC. 9062. UNLAWFUL USE OF PAYMENTS."

"(a) **UNLAWFUL USE OF PAYMENTS.**—It shall be unlawful for any person who receives payment under this chapter or to whom any portion of such payment is transferred, knowingly and willfully to use, or authorize the use of, such payment or such portion for any purpose other than for the specific purposes authorized by this chapter.

"SEC. 9063. FALSE STATEMENTS."

It shall be unlawful for any person knowingly and willfully with intent to deceive to (1) furnish any false, fictitious or fraudulent evidence, books, or sworn material testimony to the Commission under this chapter; or (2) include in any evidence, books, or information so furnished by misrepresentation of a material fact, or to falsify or conceal any evidence, books, or information relevant to a certification by the Commission or an examination and audit by the Commission under section 9058.

"SEC. 9064. KICKBACKS AND ILLEGAL PAYMENTS."

It shall be unlawful for any person knowingly and willfully to give or accept any kickback or make any illegal payment in connection with any payments received under this chapter or in connection with any expenditures of payments received under this chapter.

"SEC. 9065. PENALTY FOR VIOLATIONS."

Any knowing and willful violation of any provision of this chapter is punishable by a fine of not more than \$25,000, or imprisonment for not more than one year, or both.

(1) The analysis of subtitles at the beginning of the Internal Revenue Code of 1954 is amended by striking out the item relating to subtitle II and inserting in lieu thereof the following new item:

"Subtitle H. Financing of Federal election campaigns."

(2) The heading for subtitle II of the Internal Revenue Code of 1954 is amended to read as follows:

"SUBTITLE H—FINANCING OF FEDERAL ELECTION CAMPAIGNS."

(3) The analysis of chapters at the beginning of subtitle H of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Chapter 97. Congressional election campaign fund."

(c) (1) The amendments made by the foregoing provisions of this section shall apply to any election for Federal office held after the close of December 31, 1976.

(2) For purposes of this subsection, the terms "election" and "Federal office" have the meanings given them by section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).

And redesignate the following section accordingly.

FACTUAL DESCRIPTIONS OF BILLS AND RESOLUTIONS INTRODUCED

Prepared by the Congressional Research Service pursuant to clause 5(d) of House Rule X. Previous listing appeared in the CONGRESSIONAL RECORD of March 18, 1976, page 7097:

HOUSE BILLS

H.R. 12036. February 23, 1976. Agriculture. Amends the United States Grain Standards Act to require the inspection and supervision of weighing of grain for export by Federal officials or properly licensed individuals. Prohibits the export of any grain not inspected. Sets forth criminal penalties for violations of the provisions of this Act.

H.R. 12037. February 23, 1976. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to identify tertiary eye care centers that need upgrading and to make grants to accomplish such purpose. Directs the Secretary to create a commission to assess the present state of eye care facilities in the United States, to develop plans for improving and expanding such facilities, and to make grants to public

and nonprofit private tertiary eye care centers to implement such upgrading.

H.R. 12038. February 23, 1976. Veterans' Affairs. Removes certain time limitations relating to veterans' education assistance programs administered by the Administrator of Veterans' Affairs.

H.R. 12039. February 24, 1976. Government Operations. Amends the Privacy Act of 1974 with respect to records maintained on individuals to require Federal agencies to correct, expunge, update, or supplement portions of records on any individual upon request by such individual. Requires such agency to inform each person (1) whose correspondence has been intercepted or examined, (2) who is the subject of a file of CHAOS, COINTELPO, or "The Special Service Staff" of the Internal Revenue Service, or (3) who is named in an index of such organizations, that such records exist, to inform each person of such person's rights under the Privacy Act of 1974, and to permit such person to require destruction of such file or index.

H.R. 12040. February 24, 1976. Ways and Means. Amends the Internal Revenue Code to increase the estate tax exemption and the gift tax exemption, to increase the deduction for bequests to a surviving spouse, and to increase the number of installment payments allowed for payment of the estate tax by an executor where a certain portion of the value of gross estate consists of an interest in a closely held business.

H.R. 12041. February 24, 1976. Government Operations. Prohibits instrumentalities of the Federal Government from requiring non-essential declarations of marital status or the nonessential use of prefixes indicating such status, in connection with (1) carrying on of correspondence, (2) keeping of records, (3) filing of any written instrument as an application for employment, or (4) issuance of any certificate, document, or other written instrument.

H.R. 12042. February 24, 1976. House Administration. Directs the Secretary of the Interior to select an appropriate site in the District of Columbia for the erection of a statue of Bernardo de Galvez.

H.R. 12043. February 24, 1976. Armed Services; Interstate and Foreign Commerce. Requires each Armed Forces medical facility and public and private medical facilities receiving Federal financial assistance to establish policies to permit women undergoing childbirth at such facilities to be accompanied by the person of their choice.

Permits the Secretary of Defense and the Secretary of Health, Education, and Welfare, with respect to Armed Forces medical facilities and private and public medical facilities receiving Federal financial assistance, respectively, to authorize the imposition of restrictions on such attendance which are required for the protection of health.

H.R. 12044. February 24, 1976. Ways and Means. Amends the Internal Revenue Code to create an allowance for basic living expenses.

Amends the Social Security Act with respect to the supplemental security income program and to require supplemental payments by States for certain families with dependent children.

Repeals the Food Stamp Act of 1964.

H.R. 12045. February 24, 1976. Judiciary. Authorizes the establishment of United States magistrate positions in the district court of the Virgin Islands.

H.R. 12046. February 24, 1976. International Relations. Authorizes the President to make available assistance for relief and rehabilitation of the victims of the recent earthquakes in the Republic of Guatemala. Authorizes appropriations to carry out the purposes of this Act, under the general

policies for furnishing international disaster assistance of the Foreign Assistance Act of 1961.

H.R. 12047. February 24, 1976. Interstate and Foreign Commerce. Requires the Secretary of Health, Education, and Welfare to appoint a Committee on Uniform Adoption Regulations to review current conditions, practices, and laws relating to adoption and to propose uniform adoption regulations. Directs the Secretary to make grants to States for allocation to State agencies and to public and private nonprofit adoption agencies to assist such agencies in meeting the cost involved in the adoptive placement of children.

H.R. 12048. February 24, 1976. Judiciary; Rules. Requires that the public be given an opportunity to participate in the rulemaking proceedings of a Federal agency.

Requires that proposed rules be submitted to Congress for disapproval before they become effective.

H.R. 12049. February 24, 1976. Ways and Means. Imposes a tax, under the Internal Revenue Code, as an alternative to the income tax, minimum tax, and the capital gains tax, equal to 14 percent of the amount by which the taxpayer's economic income for the taxable year exceeds \$40,000, but only if such alternative tax is greater than the tax liability under the income tax, minimum tax, and capital gains tax.

H.R. 12050. February 24, 1976. Post Office and Civil Service. Requires the Secretary of Commerce, in making agricultural censuses, to use the statistical method known as sampling.

H.R. 12051. February 24, 1976. Ways and Means. Amends the Internal Revenue Code to increase the estate tax exemption and to repeal the estate tax marital deduction limitation.

Permits the executor of an estate to elect an alternate valuation of certain lands used for farming, woodland, or scenic open space.

H.R. 12052. February 24, 1976. Ways and Means. Defines the term "acquisition indebtedness", under the Internal Revenue Code, to exclude any indebtedness to the extent that it arises out of a tax or special assessment imposed by a State or any political subdivision thereof, for purposes of the tax on unrelated business income.

H.R. 12053. February 24, 1976. Interstate and Foreign Commerce. Requires franchisors to give franchisees 90 days notice, with limited exceptions, of intent to cancel, or failure to renew, a franchise agreement. Allows such cancellation or failure to renew only for certain specified reasons. Requires a franchisor to compensate a franchisee for the value of the franchisee's business when the franchisor, for a legitimate business reason, fails to renew the franchise. Sets forth the judicial remedies available to a franchisee for a violation of this Act by a franchisor.

H.R. 12054. February 25, 1975. Judiciary. Imposes penalties for willful or malicious injury, destruction, or interference with communication lines, stations, or systems licensed by the United States.

H.R. 12055. February 24, 1976. Rules. Requires review of Federal programs to determine if they warrant continuation. Requires the President to conduct such review of the programs covered by the annual budget. Requires Congress to make such review every 4 years.

H.R. 12056. February 24, 1976. Interstate and Foreign Commerce. Requires, under the Federal Alcohol Administration Act, that any label on or advertisement for a beverage having more than 14 percent of alcohol by volume contain a specified health warning.

H.R. 12057. February 24, 1976. Merchant Marine and Fisheries. Amends the Endanger-

ed Species Act of 1973 to require Federal reimbursement of owners of animals for injuries caused such animals by an endangered or threatened species inhabiting an endangered species conservation area.

H.R. 12058. February 24, 1976. Government Operations. Authorizes the Administrator of General Services to assign surplus Federal real property to the Secretary of Commerce for disposal of such property to States and local areas threatened by unemployment as a result of the closing of Federal facilities. Requires that such property be used by the transferees for economic development purposes.

H.R. 12059. February 24, 1976. Government Operations. Authorizes the Administrator of General Services to assign surplus Federal real property to the Secretary of Commerce for disposal of such property to States and local areas threatened by unemployment as a result of the closing of Federal facilities. Requires that such property be used by the transferees for economic development purposes.

H.R. 12060. February 24, 1976. Education and Labor. Authorizes the creation of a special Opportunities Industrialization Centers job training and job creation program in order to provide jobs to unemployed Americans.

Directs the Secretary of Labor to enter into contracts with Opportunities Industrialization Centers to provide comprehensive employment services for unemployed persons in depressed urban and rural areas.

Sets forth conditions governing the provision of Federal financial assistance and authorizes appropriations to fund the program for the next four fiscal years.

H.R. 12061. February 24, 1976. Interior and Insular Affairs. Designates specified lands in Joshua Tree National Monument, California, as the Joshua Tree Wilderness.

H.R. 12062. February 24, 1976. Judiciary. Amends the Gun Control Act of 1968 to require certain minimum prison sentences for any individual who uses or carries a firearm during the commission of any felony for which such individual may be prosecuted in a Federal court.

H.R. 12063. February 24, 1976. Education and Labor. Directs the Chairman of the National Endowment for the Arts to establish and administer a program to promote the development of American handicraft artists and their products.

Instructs the Chairman, in cooperation with the Interagency Crafts Committee, (1) to formulate a plan for more effective coordination of federally assisted handicrafts programs, and (2) to establish and maintain in the District of Columbia a National Center for American Handicrafts.

H.R. 12064. February 24, 1976. Agriculture. Prohibits new rules and regulations from becoming effective under the Food Stamp Act of 1964 until after the enactment of legislation with respect to the eligibility and purchase requirements of persons receiving benefits under the Food Stamp Act of 1964.

H.R. 12065. February 24, 1976. Judiciary. Redefines the crime of deprivation of employment or other benefit because of political activity and increases penalties for such offense. Makes it a Federal crime to deprive or threaten to deprive an individual of any employment or other benefit, provided in whole or in part by any Act of Congress appropriating funds for relief purposes, on account of race, color, sex, religion, or national origin.

H.R. 12066. February 24, 1976. Banking, Currency and Housing. Amends the Housing Act of 1949 to revise the definition of "rural" and "rural areas" to include places not part of or associated with an urban area which have a population of between 10,000 and 20,-

000 people and which have a serious lack of mortgage credit for lower- and moderate-income families.

H.R. 12067. February 24, 1976. Interstate and Foreign Commerce. Amends the Federal Power Act to prohibit specified individuals from serving as officers or directors of public utilities. Authorizes the Federal Power Commission to permit exceptions to such conflicts-of-interest requirements in cases where public or private interests are not adversely affected.

H.R. 12068. February 24, 1976. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 12069. February 24, 1976. Judiciary. Declares a certain individual to be deemed to have had a specified period of disability for purposes of determining entitlement to certain disability benefits under the Social Security Act.

H.R. 12070. February 24, 1976. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 12071. February 25, 1976. Veterans' Affairs. Increases the period of entitlement for educational assistance for eligible veterans.

Eliminates the ten-year time limitation within which such assistance must be used.

Restores educational assistance benefits to certain veterans previously eligible but who failed to completely use such assistance.

H.R. 12072. February 25, 1976. Education and Labor. Amends the Educational Amendments of 1972 to exempt Boy's State, Boy's Nation, Girl's State and Girl's Nation conferences from the sex discrimination provision of such Act.

H.R. 12073. February 25, 1976. Post Office and Civil Service. Directs the United States Postal Service to transmit a statement to each House of Congress explaining the reasons for any proposed closing of a post office which services a rural area or small community. Requires approval by either House of Congress before any such closing may become effective.

H.R. 12074. February 25, 1976. Post Office and Civil Service. Amends the Legislative Reorganization Act of 1946 to stipulate that pay adjustments for Members of Congress may take effect no earlier than the beginning of the Congress next following the Congress in which they are approved.

H.R. 12075. February 25, 1976. Interior and Insular Affairs. Revises the boundaries of Olympic National Park in the State of Washington.

H.R. 12076. February 25, 1976. Public Works and Transportation. Directs the Secretary of the Army, acting through the Chief of Engineers, to study the development and conservation of water and related land resources in American Samoa.

H.R. 12077. February 25, 1976. Interior and Insular Affairs. Revises the boundaries of Appomattox Court House National Historical Park, Virginia. Authorizes future revision of such boundaries by the Secretary of the Interior.

H.R. 12078. February 25, 1976. International Relations. Amends the Foreign Assistance Act of 1961 to authorize the appropriation of such sums as may be necessary for relief and reconstruction in Lebanon. Limits expenditures under this Act to the amount of expenditures by the OPEC countries for such relief.

H.R. 12079. February 25, 1976. Veterans' Affairs. Requires the Secretary of the Army to permit the burial in Arlington National Cemetery of all veterans and their eligible survivors.