

est to Americans that of this total amount, the United States paid one-quarter or \$89 million, about 40 cents for each American citizen. The United Nations spends about half of its annual budget in the United States, and as New Yorkers you will be interested in knowing, for example, that \$2 million is spent to rent commercial office space each year. In addition, members of the United Nations Secretariat and diplomatic corps spend an estimated \$200 million in the United States for official and personal expenses. As against these amounts, the United Nations costs New York City and the Federal Government about \$15 million in diplomatic tax exemptions and special police protection.

When higher costs are attributed to the United Nations they usually include the budgets of the 12 autonomous international organizations which make up the so-called United Nations system. These organizations deal with widely different matters. The oldest has been in existence for 100 years—70 years before the United Nations was established. To lump them all together into one organization with one budget, as it was recently done by a newspaper in New York to prove how expensive the United Nations is, is to give a totally distorted picture of the expense of international cooperation through the United Nations. But even when this is done the total cost of the United Nations system to Americans would be about \$2 per person per year—two round trips on the New York subway system. This is a small additional price, I think you will agree, for such services ensuring international safety standards for air carriers, the eradication of smallpox from the world, the World Weather Watch, or the vital

work carried on by the other agencies to improve food production, eradicate illiteracy, regulate and improve postal and telecommunications services throughout the world. To this sum must be added a global peacekeeping cost of \$90 million, to which each American contributes 11 cents a year. If full-scale war were to break out in Cyprus or the Middle East, the cost in terms of lives and money, not to mention economic dislocation, would obviously be incalculable. United Nations peacekeeping forces are buying time while intensive efforts are going on to work out just and lasting solutions.

Given these facts, I think you will agree that the sums involved are relatively small when weighed against the benefits achieved for the world community. I can assure you that these expenditures, as indeed all United Nations finances, are subject to the most stringent auditing by international experts who report to the General Assembly on all aspects of our financial administration. Furthermore, there is a major United Nations committee, of which the United States is a member, which keeps a close eye on all aspects of the United Nations' budget and administration.

If I have gone into such detail today, it is because, as I said at the outset, I feel it urgent to clarify misconceptions and distortions about the United Nations. I strongly believe in the public's right to know the true facts, for these are essential to the support this organization must have to carry its worldwide burdens.

For the first time in history there is the opportunity to bring about a better life in larger freedom for all the world's peoples. To this end the dedicated international civil

servants in the United Nations system are working in a vast range of activities in an experiment unique but essential in the story of mankind.

They come from all the member nations of the United Nations, and constitute a dramatic proof that peoples of different nations, different backgrounds, different ideologies can come together in support of the common cause of peace, justice and progress. In a world in which nations mistrust each other as they do, their creative and constructive cooperation is an inspiring example of men and women from all corners of the Earth working in harmony for great aims and great ideals. The largely overlooked story of the International Civil Service is an encouraging story of faith in an ideal and the determination to make that ideal work.

It confirms my conviction that the United Nations offers the world its best hope for accomplishing all that must be done in the closing years of this century. The United Nations, however, can only be as successful as its members wish it to be, and only as strong as the political will that governments provide for it. It is here that nongovernmental organizations such as Rotary have a key role to play. With your help the necessary popular support can be generated.

The world is not as bad as people sometimes think. In fact, never before has mankind been confronted with such great opportunities. Our weakness lies in our inability to understand each other and cooperate. This, in my view, is the great challenge of our time. Let us face it with determination so we can build a better world for ourselves and future generations.

HOUSE OF REPRESENTATIVES—Monday, July 18, 1977

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WRIGHT) laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,
July 18, 1977.

I hereby designate the Honorable JIM WRIGHT to act as Speaker pro tempore for today.

THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

PRAYER

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

Be of one mind, live in peace; and the God of love and peace shall be with you.—II Corinthians 13: 11.

Dear Lord and Father of us all, the Giver of life and the Author of liberty, above the multitude of many voices clamoring for our attention may we hear Thy voice summoning us to walk in Thy ways and to live in Thy love that we may worship Thee in spirit and in truth and work through this day with dedicated devotion and disciplined diligence.

Draw the people of our land together in a common loyalty to Thee, the highest and best we know, that strong in Thee we may lead our Nation in the paths of peace and along the roads of righteousness. Give to the Members of this House of Representatives a greatness of mind and a goodness of heart that they may be more than a match for the movements of

this generation. Lead us, O God, and may we follow Thee to the end of our life on Earth and then with Thee enter the life everlasting. 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. Chiridon, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4975) entitled "An act to amend the Public Health Service Act to authorize appropriations for fiscal year 1978 for biomedical research and related programs."

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 25. Concurrent resolution providing for the acceptance of a statue of

the late Senator Ernest Gruening presented by the State of Alaska for the National Statuary Hall collection, and for other purposes.

APPOINTMENT OF CONFEREES ON H.R. 7553, PUBLIC WORKS FOR WATER AND POWER DEVELOPMENT AND ENERGY RESEARCH APPROPRIATION ACT, 1978

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7553) making appropriations for public works for water and power development and energy research for the fiscal year ending September 30, 1978, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama? The Chair hears none, and appoints the following conferees: MESSRS. BEVILL, BOLAND, WHITTEN, and SLACK, Mrs. BOGGS, and Messrs. DICKS, SHIPLEY, CHAPPELL, MAHON, JOHN T. MYERS, and BURGNER, Mr. SMITH of Nebraska, and Mr. CEDERBERG.

JUSTICE FOR LOOTERS AND ARSONISTS

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

Mr. SIKES. Mr. Speaker, as anticipated, a few voices are calling for a strict justice, that is, law enforcement, for those arrested for looting and arson in

New York City during the blackout. But there are many more who are stressing the sad lot of the individuals who are accused. We are told of the plight of the hungry and unemployed. The do-gooders are complaining about poor prison facilities, inadequate food service, or anything else that will bring sympathy for the more than 3,700 locked up for breaking the law.

Unemployment is not an excuse; that the accused were hungry is doubtful. New York has the most generous welfare laws in the Nation.

Much the same attitude has been shown in assessing blame for the problems concerning the blackout. ConEd, the electric utility, is the goat. The blackout was unfortunate. It is impossible to state whether or how much blame can be attributed to failures of ConEd. There is a National Guard. It was not called out. Presumably New York has police and firemen reserves. I see nothing to indicate that they were fully utilized. The press has stated that the police stood by in many cases, watched the looting in progress and made no attempt to maintain law and order.

The New York City administration cannot be held blameless in this unfortunate situation.

Most of us would like to see concern expressed for those whose businesses were wrecked or burned and their livelihood ruined. The victims are the ones who are entitled to concern.

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

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

Mr. BRODHEAD. Mr. Speaker, when the Committee on Standards of Official Conduct began its investigation of the Korean matter, I had serious doubts that the investigation would be properly conducted. However, I decided to withhold judgment because I believe it is important that the House cleanse itself.

It is now obvious that the so-called Ethics Committee as presently constituted is totally incapable of performing the task. The House and the Nation wants the committee to move quickly to point out the relatively few wrongdoers and to remove the blot on the whole House. Instead, the sins of the few have been covered up and the reputations of the many have been damaged.

Many details about the matter—dates, places, names, and amounts—have been reported by the news media. Yet the committee, with its subpoena power, its staff of skilled investigators, its high-priced legal counsel, and its huge budget has so far reported nothing.

It is an outrage that the committee has moved so slowly. It is an outrage that members of the committee refuse to reveal whether or not they are involved in the matter under investigation. And it is an outrage that the committee cannot even meet on a regular basis.

The House is capable of resolving this matter with speed and justice. All that is lacking is the will to do so. I call for

the appointment of a new committee chairman as soon as possible. I also call for a review of the membership of the committee and the rules under which it operates. We must move on this matter with all possible speed. Until we do, the House is operating under a cloud of suspicion.

RESIGNATION OF PHILIP A. LACOVARA

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

Mr. KOSTMAYER. Mr. Speaker, the resignation this weekend of Philip A. Lacovara as special counsel to the House Ethics Committee indicates what many of us in the Congress have suspected for some months: when it comes to policing itself, the Congress moves too slowly.

Mr. Lacovara's departure raises new doubts about the committee's ability, let alone willingness, to pursue the investigation in a no-holds-barred-way.

The public perception of the House investigation grows more cynical each day. The Justice Department's investigation seems to inspire no more confidence.

The weekend's events raise some serious questions about whether or not the current leadership of the House ethics panel can meet the task before it.

While the House deals with the ethical questions, as it should, I urge the President once again to direct the Attorney General to appoint a special prosecutor to deal with any possible criminal violations.

Only such an approach, by the committee and the special prosecutor can get our House in order. To delay, does a great injustice to those who are only involved in a passing way or in no way at all.

We must not wait any longer to give the people who send us here the investigation they deserve and which will maintain confidence in the Congress.

PERMISSION FOR SUBCOMMITTEE ON INVESTIGATIONS AND REVIEW OF THE COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT DURING THE AFTERNOONS OF JULY 19 AND 20, 1977, WHILE THE HOUSE IS IN SESSION

Mr. GINN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Investigations and Review of the Committee on Public Works and Transportation may be permitted to conduct public hearings during the afternoons of July 19 and 20, 1977, while the House is in session.

I also ask unanimous consent that the full Committee on Public Works and Transportation may be allowed to sit on the afternoon of July 20, 1977, for the purpose of a markup session.

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, what is the committee request?

Mr. GINN. The first request is for the subcommittee to conduct public hearings on the entering of toxic substances into streams.

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, there will be no markup on that 1-day session?

Mr. GINN. Not on July 19 and 20 for the Subcommittee on Investigations and Review.

Mr. ROUSSELOT. No markup?

Mr. GINN. None.

Mr. Speaker, the second part of my request was for the full Committee on Public Works and Transportation to sit on the afternoon of July 20 for the purpose of a markup session and that will be, for the gentleman's information, involving lock and dam 26.

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, what is it that we have on the legislative calendar for that day? Why is it so important to have to sit and mark up?

Mr. GINN. Well, the committee is being urged to go forward promptly on the reporting of lock and dam No. 26 in order that the Ways and Means Committee be able to consider that legislation.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman be willing to separate his requests?

Mr. GINN. Yes; I would separate the requests.

Mr. ROUSSELOT. Would the gentleman be willing to ask unanimous consent on the first one, so we could check on the second one, in which event I will withdraw my reservation of objection?

Mr. GINN. Yes. My request, then, is that the Subcommittee on Investigations and Review be permitted to sit while the House is in session during the afternoons of July 19 and 20.

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

There was no objection.

Mr. ROUSSELOT. Mr. Speaker, would the gentleman withhold the second request?

Mr. GINN. I would, Mr. Speaker. I withhold the second request.

The SPEAKER pro tempore. The gentleman withholds the second request.

REINTRODUCTION OF SPECIAL PROSECUTOR RESOLUTION, WITH COSPONSORS

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

Mr. GOODLING. Mr. Speaker, I am gratified by the response I have been receiving to the introduction of House Resolution 684, submitted last Wednesday. This resolution expresses the sense of the House of Representatives that the Attorney General of the United States should appoint a special prosecutor to serve in the Department of Justice to investigate, and prepare prosecutions with respect to, acts by agents of foreign governments or by other individuals to obtain by means contrary to the laws of the United States influence from officials of the United States.

I am reintroducing the resolution to-

day, with cosponsors, and will list their names at the conclusion of my remarks so that their views will become part of the public record at once. I hope others will join us in this legislative call for action.

While much attention is being given to allegations about persons acting in behalf of one nation in particular, I want to call attention to the broader scope of my resolution. Through its adoption, we can put all nations on notice that the foreign policy of the United States will be conducted and influenced only by lawful means.

I wish to commend the following colleagues joining in sponsoring the resolution formally putting the House of Representatives on record about the need for a special prosecutor: Mr. WALKER, Mr. WINN, Mr. KINDNESS, Mr. CUNNINGHAM, Mr. PURSELL, Mr. BAFALIS, Mr. PATTERSON of California, Mr. KETCHUM, Mr. LUJAN, Mr. GRADISON, Mr. KEMP, Mr. COLLINS of Texas, Mr. RANDALL, Mr. RHODES, Mr. SIMON, Mr. EDWARDS of Oklahoma, Mr. KASTENMEIR, Mr. CORCORAN of Illinois, Mr. STOCKMAN, Mr. QUIE, Mr. KOSTMAYER, Mr. PRESSLER.

ADMINISTRATION FLUBBING

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

Mr. MICHEL. Mr. Speaker, on July 14, 1977, Mr. REUSS, the distinguished chairman of the House Banking and Currency Committee, stated in remarks made on the floor:

If there is one program the administration is flubbing in an almost ignominious manner it is the war on inflation.

Mr. Speaker, I would like the distinguished chairman and prominent Member of the President's own party to know that he took the words right out of my mouth. I would just like to say that if there is any other important Democrat who wishes to strongly criticize a Democrat President in an important area, he or she should feel free to do so. I am willing to yield on such a matter.

DISCHARGE AND REFERRAL OF H.R. 8215 AND H.R. 8259 TO COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations be discharged from further consideration of the bills H.R. 8215 and H.R. 8259, and that these bills be referred to the Committee on Public Works and Transportation.

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

There was no objection.

RESOLUTION OF DISAPPROVAL TO REORGANIZATION PLAN NO. 1 INTRODUCED

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

Mr. BROOKS. Mr. Speaker, on Friday, President Carter submitted his first reorganization plan to the Congress. Submission of this plan dealing with the Executive Office of the President is in keeping with his commitment to propose a reorganization of the executive branch of the Federal Government.

I am today introducing a resolution of disapproval to reorganization plan No. 1. In doing so, I am not taking any position on the plan itself. The legislation enacted earlier this year renewing the President's authority to submit reorganization plans, requires that a resolution of disapproval be introduced no later than the first session following the transmittal of a plan.

This is part of the new procedure we have adopted that is intended to insure that the House will have a chance to vote on all reorganization plans so they will not go into operation by default.

The resolution of disapproval will be referred to the Committee on Government Operations, and it is my intention, as chairman of the committee, to begin hearings on the plan as soon as possible. It makes extensive changes in the way the Executive Office of the President functions, and we will want to look at it very closely.

PROPOSALS TO MAKE LAWS GOVERNING LABOR-MANAGEMENT RELATIONS WORK MORE EFFICIENTLY, QUICKLY, AND EQUITABLY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 95-186)

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 on Education and Labor and ordered to be printed:

To the Congress of the United States:

I am transmitting to Congress proposals to make the laws which govern labor-management relations work more efficiently, quickly and equitably.

I have pledged to make Federal regulatory agencies more responsive to the people they serve. Government regulation only works well if it is fair, prompt and predictable. Too often this has not been the case with the regulatory process that governs collective bargaining and labor-management relations. Our labor laws guarantee employees the right to choose freely their representatives, and to bargain collectively with employers over wages, fringe benefits and working conditions. But legal rights have limited value if many years are required to enforce them.

The National Labor Relations Board (NLRB) administers our labor laws. In recent years there has been growing agreement that those laws should be amended to ensure that the Board can function more effectively to protect employees rights. While the great majority of employers and unions have abided by the labor laws, a few have unfairly abused the procedures and practices under which the Board must operate.

As a result, the American Bar Association, many Federal courts, and the NLRB's own Task Force each recently

suggested ways to improve the Board's procedures. The NLRB's internal report, which proposed a number of administrative changes, has already produced some beneficial changes. But it seems clear that legislation is actually needed to enable the Board to administer the labor laws properly.

Unnecessary delays are the most serious problem. In even the simpler cases, the NLRB typically takes almost two months to hold an election to determine whether workers want union representation. The enforcement of Board decisions is also subject to unnecessary delay: lengthy proceedings before the Board and extended litigation can sometimes delay final action for years.

The problem of delay has been compounded by the weakness of the Board's remedies. One of the reasons the regulatory process has worked so slowly is that a few employers have learned that, because of the problems the Board has in enforcing its decisions, delay can be less costly than initial compliance with the law. In one case, for instance, workers who were illegally fired for their union activities in 1962 are still awaiting payment for lost wages.

Because of these problems, workers are often denied a fair chance to decide, in an NLRB election, whether they want union representation. The same problems often deny employers the predictability they too need from the labor laws.

To help reduce the problems of delay, and to cure a number of related problems with our labor laws, I am today recommending to the Congress a set of reforms for the National Labor Relations Act. These reforms are designed to accomplish three important goals:

- To make the NLRB procedures fairer, prompt, and more predictable.
- To protect the rights of labor and management by strengthening NLRB sanctions against those who break the law.
- To preserve the integrity of the Federal contracting process by withholding federal contracts from firms that willfully violate orders from the NLRB and the courts.

I believe these goals can be met through the following changes in our labor laws:

- An election on union representation should be held within a fixed, brief period of time after a request for an election is filed with the Board. This period should be as short as is administratively feasible. The Board, however, should be allowed some additional time to deal with complex cases.
- The Board should be instructed to establish clear rules defining appropriate bargaining units. This change would not only help to streamline the time-consuming, case-by-case procedures now in effect, but would also allow labor and management to rely more fully on individual Board decisions.
- The Board should be expanded from five to seven members. This change would enable the NLRB to handle better its increasing caseload.

—The Board should establish procedures that would allow two members of the Board to affirm summarily the less complex decision of its administrative law judges. Similar procedures have already been adopted by the Federal courts of appeal.

—All appeals of Board decisions should be required to be filed within 30 days of the Board's decision. If no appeal is filed, the Board should refer its orders to the courts for enforcement without further delay. This procedure is similar to that used by such other Federal regulatory agencies as the Federal Trade Commission.

—When employers are found to have refused to bargain for a first contract, the Board should be able to order them to compensate workers for the wages that were lost during the period of unfair delay. This compensation should be based on a fixed standard, such as the Quarterly Report of Major Collective Bargaining Settlements published by the Bureau of Labor Statistics (BLS). Workers would be entitled to the difference between the wages actually received during the delay and those which would have been received had their wages increased at the average rate for settlements reported during that period, as recorded in the BLS index.

—The Board should be authorized to award double backpay without mitigation to workers who were illegally discharged before the initial contract. This flat-rate formula would simplify the present time-consuming back-pay process and would more fully compensate employees for the real cost of a lost job.

—The Board should be authorized to prohibit a firm from obtaining Federal contracts for a period of three years, if the firm is found to have willfully and repeatedly violated NLRB orders. Such a debarment should be limited to cases of serious violations and should not affect existing contracts. This restriction could be lifted under two conditions: if the Secretary of Labor determines that debarment is not in the national interest, or if the affected Federal agency determines that no other supplier is available.

—Under current law, the Board is only required to seek a preliminary injunction against a few types of serious union unfair labor practices, such as secondary boycotts or "hot cargo" agreements. The Board should also be required to seek preliminary injunctions against certain unfair labor practices which interfere seriously with employee rights, such as unlawful discharges.

There are related problems that should also be reviewed by the Congress in this effort to ensure that our labor laws fulfill the promise made to employees and employers when the Wagner Act was passed 42 years ago—that working men and women who wish to bargain collectively with their employers, in a way fair to both, shall have a reasonable and

prompt chance to do so. In that way, the collective bargaining system, which has served this country well, can be strengthened for the benefit both of American workers and employers.

I have asked the Secretary of Labor to work closely with the Congress in the months ahead to explore these and other possible ways of improving our labor laws.

I ask the Congress to move promptly to pass legislation implementing the reforms I have recommended.

JIMMY CARTER.

THE WHITE HOUSE, July 18, 1977.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 3(b) of rule 27, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule 15.

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

FEDERAL ELECTION COMMISSION

Mr. THOMPSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6936) to amend the Federal Election Campaign Act of 1971 to extend the authorization of appropriations contained in such act.

The Clerk read as follows:

H.R. 6936

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439c) is amended by striking out "and" after "1976", and by inserting after "1977" the following: ", and \$8,123,000 for the fiscal year ending September 30, 1978".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. THOMPSON) will be recognized for 20 minutes, and the gentleman from Minnesota (Mr. FRENZEL) will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. THOMPSON).

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

Mr. Speaker, this bill, H.R. 6936, would authorize the sum of \$8,123,000 for the operations of the Federal Election Commission for the fiscal year ending September 30, 1978.

This is the amount requested by the Federal Election Commission and represents an increase of \$2,123,000 of the

FEC's 1977 fiscal year budget of \$6 million.

Nearly one-third of the increase over fiscal year 1977, will go to the FEC's information office, which is gearing up for the 1978 elections. The primary function of this office is to provide information to candidates and the public—in the form of bookkeeping manuals, newsletters, information packets, clearinghouse contracts, and answers to individual inquiries.

Other major areas of increase are in the office of general counsel for additional compliance personnel, and data systems office, to further computerize FEC operations.

The proposed fiscal year 1978 budget contains an estimated increase in personnel of 58: from 197 in fiscal year 1977 to 255 for fiscal year 1978.

I should advise my colleagues that the Senate Rules Committee reported a fiscal year 1978 authorization of \$7,500,000.

Further, Mr. Speaker, the House and Senate Appropriations Committees have met in conference and agreed on a fiscal year 1978 appropriation of \$7,300,000.

H.R. 6936 represents a generally reasonable budget request given the serious responsibilities of the Federal Election Commission. And I intend, Mr. Speaker, to fine tune that request in conference.

H.R. 6936 was reported by the Committee on House Administration by unanimous voice vote on May 10, 1977. It has the support of both the majority and minority leadership as well as my Republican colleagues on the committee.

Mr. Speaker, I urge the adoption of H.R. 6936.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I want to underscore the remarks of the distinguished gentleman from New Jersey (Mr. THOMPSON), the chairman of the Committee on House Administration, that this bill was unanimously reported from the Committee on House Administration.

It does call for an authorization of \$8.1 million. The gentleman also has correctly stated that the conference report on the appropriations bill, which will soon be back before the House of Representatives, does call for a total appropriation of \$7.3 million, about \$800 million less than the authorization which we will pass today, I hope.

I urge a unanimous vote for this bill.

I have no requests for time, Mr. Speaker, and I, therefore, yield back the balance of my time.

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

Mr. Speaker, I will yield back the balance of my time, but before doing so, I would like to express my appreciation to the gentleman from Minnesota (Mr. FRENZEL), to the gentleman from Alabama (Mr. DICKINSON), the ranking minority member of the committee, and to the other members of the committee who, after a careful examination and after testimony by the FEC Commissioners, arrived at this figure. I am virtually certain that in the final analysis the conferees

will come close to complying with the appropriations bills.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. THOMPSON) that the House suspend the rules and pass the bill H.R. 6936.

The question was taken.

Mr. ASHBROOK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 3, rule XXVII, and the Chair's prior announcement, further proceedings on this motion will be postponed.

NATIONAL FAMILY WEEK

Mr. LEHMAN. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 372) to authorize the President to issue a proclamation designating the week in November which includes Thanksgiving Day in each year as National Family Week, as amended.

The Clerk read as follows:

H.J. Res. 372

Whereas the family is the basic strength of any free and orderly society; and

Whereas it is appropriate to honor the family as a unit essential to the continued well-being of the United States; and

Whereas it is fitting that official recognition be given to the importance of family loyalties and ties: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the week beginning on November 20, 1977 as National Family Week and inviting the Governors of the several States, the chief officials of local governments, and the people of the United States to observe such day with appropriate ceremonies and activities.

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

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida (Mr. LEHMAN) will be recognized for 20 minutes, and the gentleman from California (Mr. ROUSSELOT) will be recognized for 20 minutes.

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

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

Mr. Speaker, House Joint Resolution 372, as introduced by the Honorable DEL CLAWSON, provides for the observance of National Family Week during the week of November which includes Thanksgiving Day. Originally the resolution called for a recurring annual observance of this period. However, the policy adopted by the full committee earlier this session, does not permit commemorative legislation proposals to extend beyond a single year's observance.

Therefore, a committee amendment was adopted specifying National Family

Week as November 20 through 26, 1977 only.

House Joint Resolution 372 has obtained 233 Members' signatures—15 more than is required by the full committee policy.

Mr. Speaker, I urge adoption of this joint resolution, and I reserve the balance of my time.

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

Mr. Speaker, House Joint Resolution 372, which authorizes the proclamation by the President of the week of November 20, 1977, as National Family Week has my wholehearted support, and I hope, the support of my colleagues.

This legislation chooses the Thanksgiving week as a most appropriate time to reflect on the meaning and importance of family life in America.

As ranking minority member of the Subcommittee on Census and Population where this bill originated, I am pleased to speak out for its passage by this body, and feel that recognition of the week of November 20, 1977, by a Presidential proclamation will give added impetus to its observance by the people of this great country of ours.

And unlike so many pieces of legislation enacted by this body, here is one bill which carries no cost, which is a plus, and ties in nicely in its observance of Thanksgiving week as National Family Week.

Mr. Speaker, I urge prompt adoption of this legislation.

Mr. Speaker, I yield such time as he may consume to one of the prime authors and advocates of this bill, my distinguished colleague, the gentleman from California (Mr. DEL CLAWSON).

Mr. DEL CLAWSON. Mr. Speaker, the joint resolution before us today authorizes the President to proclaim the week including Thanksgiving as National Family Week. Although we were disappointed that the week will not be an annual observance as we had originally hoped, I urge its adoption.

The Thanksgiving season, traditionally a time of family gathering, is also appropriate because it brings to mind the Pilgrim families and the peace they made with the families who already had made this bountiful and beautiful continent their home—and later the families who made their determined way across the pioneer trails over mountains, prairies, desert, and wilderness. The family was their unit of survival. Techniques essential to self preservation were taught within the family circle along with traditional "book learning" when there were no schools. Family unity was reinforced more often than not with family prayer.

Today we are a people so mobile, so diverse, from urban sprawl to farmland, so far-flung in our interest and activities that, to take an example from the Clawson family, Jason, Courtney, and perhaps even young Brooke Clawson would understand the words if their grandfather tried to twist his tongue around a French quotation to make the point "Plus ça change, plus c'est le même chose" for they, Jim, Jeanette, and the youngest Clawson, Brent, are on assignment in Belgium, one of many American families

representing U.S. interests abroad in international organizations. It is a situation which could not have been envisioned in those times of simpler external stress on family security. But to translate the French, "the more it changes, the more it is the same." And a statement by a student of human behavior like famed anthropologist, Margaret Mead, "As the family goes, so goes the Nation" confirms what we already know in our bones. When the President stresses, as President Carter did, in his inaugural message, the importance of the family as "the basis of our society" there is an added glow of satisfaction.

Threats to our security—unemployment, inflation, divorce, the drug culture, crime, subtle and not-so-subtle attacks on moral and ethical standards—do exist and dramatize the essentiality of the family to our personal well-being. There is also the parental temptation to permit the educational system, the Government, or peer groups to exercise the strongest influence on young people, rather than within the family and home where the greatest influence should be paramount. The importance of this influence is underscored in an editorial column which I will include with these remarks and which describes a study of children who achieve markedly in spite of adversity and another study of those who turn to violence. The conclusion drawn—the family is the key. The achievers are found to have close family ties which support positive values and where love is in abundance. The other young people fend for themselves and prey on society in an atmosphere of materialism and permissiveness.

It follows then, that the laws we make here in the halls of Congress, no less than the entire structure of our law-abiding society, are founded on that unit of strength, the American family. The family remains our refuge, our security, the confirmation of who we are and what we stand for and what will be nourished in our children. As the young plant instinctively seeks light, not darkness, our young people, when the "twig is bent" will choose "the paths of righteousness." It is within the family that the toddler's feet are firmly planted on those paths. And they will choose love instead of hate. Because it is the family which teaches the most important of all lessons—how to love. Love between husband and wife, father, mother, children—extending through the generations, grandmother, grandfather, and widening to aunts, uncles, cousins and even wider, to include all mankind.

The resolution before us today offers an opportunity to place in sharp focus the positive forces in American life. I urge its adoption and would like to list the following names of colleagues who have lent their names in cosponsorship: Special mention should be made of the fact that one of our cosponsors, our colleague from Utah, DAN MARRIOTT, will not be present today because he is in Utah where he and his wife Marilyn are awaiting an addition to the Marriott family circle.

Mr. Speaker, the editorial and the list of cosponsors to which I referred are as follows:

[From the Los Angeles Times, July 13, 1977]
KIDS: WILL THEY BE ACHIEVERS OR KILLERS?
 (By William Raspberry)

Howard University's Dr. Samuel L. Woodward has been studying children who, in spite of almost overwhelming adversity, manage to achieve, academically and otherwise. Time magazine has been looking at children from the same sort of background who fall utterly—who become vicious criminals, and even killers.

Their common conclusion: The family is the key.

The Time report, in the July 11 issue, is the more traditional, in that it seeks to discover what goes wrong with the failures. But its conclusions represent a break with the usual explanations.

The subject is the shocking viciousness of much youthful crime: the brutish assaults on small children or lame, sick or blind old people; the needless, for-the-hell-of-it-murders; the butchering of many of the victims, and, perhaps most shocking of all, the near-total absence of remorse on the part of the young criminals.

Time devotes much of its concern to the system of juvenile justice, which turns many of these savage youngsters loose either immediately or after only the briefest of incarcerations, or after they reach their 18th birthdays. The fact that the youngsters know that they won't get much time—even if they are caught and "convicted"—may, Time suggests, be one reason for the casualness with which they wreak their havoc.

But it doesn't explain why they turn to lawlessness in the first place. What does explain it? Poverty and deprivation? Materialism? Permissiveness?

"How," Time demands, "can such sadistic acts—expressions of what moral philosophers would call sheer evil—be explained satisfactorily by poverty and deprivation? . . . The persistent offenders may come from a ghetto, but they often have more money than the people they rob."

"Some of the usual explanation seem pretty limp. Yes, America is a materialistic society where everyone is encouraged to accumulate as much as possible . . . Yes, television glorifies violence and, yes, America is 'permissive.'" But:

"Most important is the breakdown in the family."

Woodward takes the opposite route—looking at children who do not succumb to deprivation and poverty or broken homes—but he arrives at the same place: the family.

He spent a year studying 23 Washington, D.C., junior-high students who met his four criteria: at least one parent missing, income at poverty levels, housing below standard, solid academic achievement.

He is still writing his report, but his preliminary findings show that children who do well under adverse conditions tend to score well above the median in self-acceptance tests. They have a sense of their families as worthwhile and valuable, even in the face of deprivation.

Their families, though one parent is absent; operate as teams, being careful to give the children "positive stroking" for achievement. They tend to believe that they are in charge of their lives, that they are personally responsible for their choices and decisions.

The key, says Woodward, a transactional analyst, is the child's "script matrix." He defines that as "a mold out of which one's life plan evolves; it consists of the message you get as a child which either drives you or stops you."

Children who succeed against the odds, he says, are those whose families have made them understand from the beginning that poverty is a circumstance, like the weather, not a definition of who they are and what they may become.

They may be as much victimized by poverty and racism as their neighbors, he found, but they don't dwell on their victimization. They are required from their earliest years to meet high standards, and, as a result, come to set high standards for themselves. And they are loved.

Unfortunately, neither the magazine nor the professor is able to tell us how to go about producing the sort of families whose children turn out well, or to avoid producing those whose children turn out disastrously. They describe, but they cannot prescribe.

Even the descriptions are not immutable. Time quotes a Miami judge as noting that, while Cubans make up a third of the Dade County (Miami) population, they account for only 12% of its crime. The reason: "Like the Chinese, the Cubans have close-knit families with more supervision. There are more three-generation families, and, customarily, middle- and upper-middle-class women do not work."

But, Time adds, "The stress of exile, as well as modern influences, is beginning to weaken Cuban families; gangs are forming and committing crimes."

LIST OF COSPONSORS

Abdnor, James (S. Dak.)
 Addabbo, Joseph P. (N.Y.)
 Alexander, Bill (Ark.)
 Anderson, Glenn M. (Calif.)
 Anderson, John B. (Ill.)
 Andrews, Ike F. (N.C.)
 Andrews, Mark (N. Dak.)
 Annunzio, Frank (Ill.)
 Archer, Bill (Tex.)
 Armstrong, William L. (Colo.)
 Ashbrook, John M. (Ohio)
 Badillo, Herman (N.Y.)
 Baldus, Alvin (Wis.)
 Beard, Edward P. (R.I.)
 Beard, Robin L. (Tenn.)
 Bedell, Berkeley (Iowa)
 Benjamin, Adam, Jr. (Ind.)
 Bennett, Charles E. (Fla.)
 Bevill, Tom (Ala.)
 Blouin, Michael T. (Iowa)
 Boland, Edward P. (Mass.)
 Breaux, John B. (La.)
 Breckinridge, John B. (Ky.)
 Brinkley, Jack (Ga.)
 Brodhead, William M. (Mich.)
 Broomfield, Wm. S. (Mich.)
 Brown, Clarence J. (Ohio)
 Brown, Gary (Mich.)
 Brown, George E., Jr. (Calif.)
 Broyles, James T. (N.C.)
 Buchanan, John (Ala.)
 Burgener, Clair W. (Calif.)
 Burke, James A. (Mass.)
 Burke, Yvonne Brathwaite (Calif.)
 Burton, John L. (Calif.)
 Butler, M. Caldwell (Va.)
 Carr, Bob (Mich.)
 Carter, Tim Lee (Ky.)
 Cavanaugh, John J. (Nebr.)
 Cederberg, Elford A. (Mich.)
 Clausen, Don H. (Calif.)
 Clawson, Del (Calif.)
 Clay, William (Ill.)
 Cleveland, James C. (N.H.)
 Cochran, Thad (Miss.)
 Cohen, William S. (Maine)
 Collins, James M. (Tex.)
 Conable, Barber B., Jr. (N.Y.)
 Conte, Silvio O. (Mass.)
 Corcoran, Tom (Ill.)
 Corrada, Baltasar (P.R.)
 Coughlin, Lawrence (Pa.)
 Crane, Philip M. (Ill.)
 Daniel, Dan (Va.)
 Daniel, Robert W., Jr. (Va.)
 Davis, Mendel J. (S.C.)
 de la Garza, E. (Tex.)
 Dellums, Donald V. (Calif.)
 de Lugo, Ron (V.I.)
 Derwinski, Edward J. (Ill.)
 Devine, Samuel L. (Ohio)
 Dickinson, William L. (Ala.)
 Duncan, John J. (Tenn.)
 Duncan, Robert (Oreg.)
 Edwards, Don (Calif.)
 Ellberg, Joshua (Pa.)
 Emery, David F. (Maine)
 Erlenborn, John N. (Ill.)
 Evans, David W. (Ind.)
 Evans, Frank E. (Colo.)
 Fenwick, Millicent (N.J.)
 Findley, Paul (Ill.)
 Fish, Hamilton, Jr. (N.Y.)
 Fisher, Joseph L. (Va.)
 Fithian, Floyd J. (Ind.)
 Flood, Daniel J. (Pa.)
 Forsythe, Edwin B. (N.J.)
 Fountain, L. H. (N.C.)
 Frenzel, Bill (Minn.)
 Frey, Louis, Jr. (Fla.)
 Fuqua, Don (Fla.)
 Gephardt, Richard A. (Mo.)
 Gialmo, Robert N. (Conn.)
 Gilman, Benjamin A. (N.Y.)
 Ginn, Bo (Ga.)
 Goldwater, Barry M., Jr. (Calif.)
 Gradison, Willis D., Jr. (Ohio)
 Grassley, Charles E. (Iowa)
 Guyer, Tennyson (Ohio)
 Hagedorn, Tom (Minn.)
 Hall, Sam B., Jr. (Tex.)
 Hamilton, Lee H. (Ind.)
 Hanley, James M. (N.Y.)
 Hansen, George (Idaho)
 Harris, Herbert E., II (Va.)
 Hawkins, Augustus F. (Calif.)
 Heckler, Margaret M. (Mass.)
 Hefner, W. (Ill.) (N.C.)
 Hightower, Jack (Tex.)
 Hillis, Elwood (Ind.)
 Holt, Marjorie S. (Md.)
 Horton, Frank (N.Y.)
 Howard, James J. (N.J.)
 Hughes, William J. (N.J.)
 Hyde, Henry J. (Ill.)
 Ichord, Richard H. (Mo.)
 Jacobs, Andrew, Jr. (Ind.)
 Jeffords, James M. (Vt.)
 Johnson, Harold T. (Calif.)
 Johnson, James P. (Jim) (Colo.)
 Jones, Ed (Tenn.)
 Jones, Walter B. (N.C.)
 Jordan, Barbara (Tex.)
 Kazen, Abraham, Jr. (Tex.)
 Kemp, Jack F. (N.Y.)
 Ketchum, William M. (Calif.)
 Keys, Martha (Kans.)
 Kindness, Thomas N. (Ohio)
 Krebs, John (Calif.)
 LaFalce, John J. (N.Y.)
 Lagomarsino, Robert J. (Calif.)
 Latta, Delbert L. (Ohio)
 Leggett, Robert L. (Calif.)
 Lent, Norman F. (N.Y.)
 Lloyd, Marilyn (Tenn.)
 Long, Clarence D. (Md.)
 Long, Gillis W. (La.)
 Lott, Trent (Miss.)
 Lundine, Stanley N. (N.Y.)
 McClory, Robert (Ill.)
 McCloskey, Paul N., Jr. (Calif.)
 McDade, Joseph M. (Pa.)
 McDonald, Larry (Ga.)
 McEwen, Robert C. (N.Y.)
 McFall, John J. (Calif.)
 McKay, Gunn (Utah)
 Madigan, Edward R. (Ill.)
 Mahon, George H. (Tex.)
 Marriott, Dan G. (N.C.)
 Martin, James G. (N.C.)
 Mathis, Dawson (Ga.)
 Mazzoli, Romano L. (Ky.)
 Meeds, Lloyd (Wash.)
 Michel, Robert H. (Ill.)
 Mikulski, Barbara A. (Md.)
 Mikva, Abner J. (Ill.)
 Minish, Joseph G. (N.J.)
 Mitchell, Donald J. (N.Y.)
 Moakley, Joe (Mass.)
 Moorhead, Carlos J. (Calif.)
 Mottl, Ronald M. (Ohio)
 Murphy, Austin J. (Pa.)
 Murphy, Morgan F. (Ill.)

Murtha, John P. (Pa.)
 Myers, John T. (Ind.)
 Natcher, William H. (Ky.)
 Neal, Stephen L. (N.C.)
 Nedzi, Lucien N. (Mich.)
 Nichols, Bill (Ala.)
 Nix, Robert N. C. (Pa.)
 Nolan, Richard (Minn.)
 Oakar, Mary Rose (Ohio)
 O'Brien, George M. (Ill.)
 Patten, Edward J. (N.J.)
 Pepper, Claude (Fla.)
 Perkins, Carl D. (Ky.)
 Pettis, Shirley N. (Calif.)
 Pickle, J. J. (Tex.)
 Poage, W. R. (Tex.)
 Pressler, Larry (S. Dak.)
 Preyer, Richardson (N.C.)
 Price, Melvin (Ill.)
 Quayle, Dan (Ind.)
 Quile, Albert H. (Minn.)
 Quillen, James H. (Jimmy) (Tenn.)
 Rallsback, Tom (Ill.)
 Rangel, Charles B. (N.Y.)
 Regula, Ralph S. (Ohio)
 Rinaldo, Matthew J. (N.J.)
 Risenhoover, Ted (Okla.)
 Robinson, J. Kenneth (Va.)
 Rodino, Peter W., Jr. (N.J.)
 Roe, Robert A. (N.J.)
 Rogers, Paul G. (Fla.)
 Roncalio, Teno (Wyo.)
 Rousselot, John H. (Calif.)
 Roybal, Edward R. (Calif.)
 Runnels, Harold (N. Mex.)
 Ruppe, Philip E. (Mich.)
 St Germain, Fernand J. (R.I.)
 Santini, Jim (Nev.)
 Sarasin, Ronald A. (Conn.)
 Satterfield, David E. III (Va.)
 Scheuer, James H. (N.Y.)
 Schulze, Richard T. (Pa.)
 Sebellius, Keith G. (Kans.)
 Sharp, Philip R. (Ind.)
 Shipley, George E. (Ill.)
 Shuster, Bud (Pa.)
 Sikes, Robert L. F. (Fla.)
 Skubitz, Joe (Kans.)
 Slack, John M. (W. Va.)
 Smith, Virginia (Nebr.)
 Solarz, Stephen J. (N.Y.)
 Spellman, Gladys Noon (Md.)
 Spence, Floyd (S.C.)
 Stanton, J. William (Ohio)
 Stark, Fortney H. (Pete) (Calif.)
 Steed, Tom (Okla.)
 Stelger, William A. (Wis.)
 Symms, Steven D. (Idaho)
 Taylor, Gene (Mo.)
 Teague, Olin E. (Tex.)
 Thone, Charles (Nebr.)
 Traxler, Bob (Mich.)
 Treen, David C. (La.)
 Vander Jagt, Guy (Mich.)
 Walsh, William F. (N.Y.)
 Whalen, Charles W., Jr. (Ohio)
 White, Richard C. (Tex.)
 Whitehurst, G. William (Va.)
 Whitten, Jamie L. (Miss.)
 Wiggins, Charles E. (Calif.)
 Winn, Larry, Jr. (Kans.)
 Wolff, Lester L. (N.Y.)
 Won Pat, Antonio Borja (Guam)
 Wright, Jim (Tex.)
 Wydler, John W. (N.Y.)
 Wylie, Chalmers P. (Ohio)
 Yates, Sidney R. (Ill.)
 Yatron, Gus (Pa.)
 Young, C. W. Bill (Fla.)
 Young, Don (Alaska)
 Zablocki, Clement J. (Wis.)

Mr. DERWINSKI. Mr. Speaker, I rise in support of House Joint Resolution 372, which authorizes the proclamation by the President of the week of November 20, 1977, as "National Family Week."

This legislation, which was favorably reported by the Committee on Post Office and Civil Service by unanimous consent

on June 22, 1977, with an amendment to the title which strikes out "In November which includes Thanksgiving Day in each year" and inserts in lieu thereof the following: "Beginning on November 20, 1977." This amendment changes the legislation from a continuing yearly event to the week of November 20, 1977 only.

The committee chose the Thanksgiving week as a most appropriate time to reflect on the meaning and importance of family life in America, and hopes that enactment of this legislation will encourage the further recognition of the fundamental role of the family in the development and continued vitality of our Nation.

There will be no cost incurred by the enactment of this legislation and therefore there will be no inflationary impact on prices and costs in the operation of the national economy.

Mr. CONTE. Mr. Speaker, I rise in support of this joint resolution (H.J. Res. 372) which would authorize and request the President to issue annually a proclamation designating the week including Thanksgiving as National Family Week.

The importance of the family to our society cannot be understated. It has been the backbone of this Nation since its inception. In troubled times, it is the family which gives us sustenance and a hope for a better tomorrow.

It is the family, not the local school or church, which truly educates our youth. It instills in them the values and attitudes that we cherish in a democratic society.

When a country becomes dominated by a totalitarian regime, the last bastion of resistance is the family. Where rights and freedoms are nonexistent, it is the family that keeps alive the spirit of liberalism.

Through its expressions of love, loyalty, and self-sacrifice, the family gives strength and fortitude to its members, who, in turn, bring these values into the mainstream.

The family is thus a microcosm of the Nation. If it flourishes, so will America. As a cosponsor of this resolution, I urge its adoption today. Thank you.

Mr. JOHN T. MYERS. Mr. Speaker, I rise in support of House Joint Resolution 372, which authorizes the President to issue a proclamation designating the week beginning November 20, 1977 as National Family Week.

It has been nearly 7 years since I first proposed this resolution which pays homage to the one institution which has given so much meaning to human life and provided a stable structure to our society.

One measure of the support for National Family Week is the number of cosponsors of the resolution. Well over one half of our colleagues in the House have cosponsored this proposal.

Another measure of its support is the number of national organizations which have formed the National Committee for National Family Week. More than three dozen civic and Government organizations have pledged their support in the effort to promote National Family Week throughout this country.

In addition, the Governors of 41 States

and territories have individually proclaimed a Family Week observance in their States.

I urge approval of House Joint Resolution 372 as a significant step in the organization and promotion of National Family Week and I ask each of my colleagues to help us spread the word to those in your district. With the cooperation of our colleagues and that of the many interested individuals and organizations we will be able to remind America of the significant role the family has played in the development of this Nation.

Mr. LEHMAN. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. LEHMAN) that the House suspend the rules and pass the joint resolution (H.J. Res. 372) as amended.

Mr. ROUSSELOT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 3 of rule XXVII, and the Chair's prior announcement, further proceedings on this motion will be postponed.

AGRICULTURAL CENSUS AMENDMENTS ACT OF 1977

Mr. LEHMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7012) to provide for a 40-percent reduction of the burden on respondents in the censuses of agriculture, drainage, and irrigation taken in 1979 and thereafter, and for other purposes, as amended.

The Clerk read as follows:

H.R. 7012

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Agricultural Census Amendments Act of 1977".

STATEMENT OF FINDINGS

SEC. 2. The Congress hereby finds—

(1) that the census of agriculture, drainage, and irrigation has increased in complexity and detail to the extent that the reporting burden now imposed on farmers is unreasonable and possibly counterproductive;

(2) that the respondent burden of such census can be substantially reduced by the increased use of sampling and survey techniques without any loss of necessary data;

(3) that in order to develop a comprehensive policy for the rural areas of the United States, and to recognize the continued existence of small farming enterprises and their contributions to our Nation, it is necessary to continue to collect and publish information on such farming enterprises; and

(4) that significant changes in the ownership structure of farms in the United States have developed in recent years which need to be better understood and documented.

REDUCTION OF RESPONDENTS' BURDEN BY 1978 AGRICULTURAL CENSUS; REPORTS

SEC. 3. (a) The Secretary of Commerce shall—

(1) determine the overall burden on re-

spondents in the 1974 census taken under section 142 of title 13, United States Code,

(2) take steps which he considers to be consistent with the purposes of such section (including the use of sampling to the maximum extent feasible) and which will assure that the overall burden on respondents in the census taken in 1979 under such section will be equal to or less than 60 per centum of the overall burden determined by him under paragraph (1), and

(3) not later than the ninetieth day after the date of the enactment of this Act, prepare and transmit to the Congress a report which—

(A) sets forth his determination under paragraph (1) of the overall respondent burden in the 1974 census, and

(B) states what steps have been or will be taken under paragraph (2) to reduce the overall respondent burden in the census taken in 1979 and his evaluation of such steps.

(b) Section 142 of title 13, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) With respect to each census taken after 1979 under this section, the Secretary shall submit to the committees of Congress having legislative jurisdiction over the census—

"(1) not later than three years before the beginning of the year in which such census is taken, a report containing the Secretary's determination of the subjects proposed to be included, and the types of information to be compiled, in such census;

"(2) not later than two years before the beginning of the year in which such census is taken, a report containing the Secretary's determination of the questions proposed to be included in such census; and

"(3) after submission of a report under paragraph (1) or (2) of this subsection and before the beginning of the year in which such census is taken, if the Secretary finds new circumstances exist which necessitate that the subjects, types of information, or questions contained in reports so submitted be modified, a report containing the Secretary's determination of the subjects, types of information, or questions as proposed to be modified.

In any case in which the implementation of any determination of the Secretary contained in any report required by this subsection will result in a respondent burden in the census involved which is greater than the respondent burden in the most recent census taken under this section, the Secretary shall include in such report an explanation of the circumstances which necessitate an increase in such burden."

DEFINITION OF FARMS TO BE USED IN FUTURE AGRICULTURAL CENSUSES

Sec. 4. Section 142 of title 13, United States Code, as amended by this Act, is amended by adding at the end thereof the following new subsection:

"(e) The statistical definition of farms effective with respect to censuses taken in 1979 and thereafter under this section shall be prescribed in such a manner as not to exclude any establishment which, for the calendar year to which the data collected relates, has sold or would normally sell more than a minimum value of agricultural products. For purposes of the preceding sentence, the term 'minimum value' means—

"(1) with respect to the census taken in 1979, \$600; and

"(2) with respect to any census taken after 1979, \$600 adjusted by a percentage equal to the percentage change in the index of prices received by farmers (maintained by the Department of Agriculture) from January 1, 1979, through January 1 of the year to which the data collected in such census relate."

OWNERSHIP STRUCTURE OF UNITED STATES FARMS

SEC. 5. The Department of Commerce, in cooperation with the Department of Agriculture, shall develop methods of improving the collection, analysis, and publication of data relating to the ownership structure of farms within the United States, and the Department of Commerce shall collect, analyze, and publish such data in accordance with such improved methods.

PUBLICATION OF INFORMATION OBTAINED IN AGRICULTURAL CENSUS

SEC. 6. Subsection (c) of section 142 of title 13, United States Code, is amended by adding at the end thereof the following new sentence: "Information obtained in each such census shall be initially published as soon as is practicable, but in no event later than March 1 of the year following the year in which such census is taken."

The SPEAKER pro tempore. Is a second demanded?

Mr. SMITH of Iowa. Mr. Speaker, I demand a second.

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

There was no objection.

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

Mr. Speaker, the measure we take up this afternoon is an act to accomplish several objectives. It will require a reduction in the respondent burden connected with the agricultural census by 40 percent, it will expand the participation in such censuses by redefining a "farm," it will provide for the development and implementation of new methods for collecting data on farm ownership, and it will establish a date for the publication of agricultural census data.

Mr. Speaker, this bill was unanimously approved by the full committee.

No authorization of funds is required for the enactment of this legislation.

In summary, this bill provides an opportunity to reduce the Federal paperwork burden on one sector of our society and insures that the small rural farmer of America is receiving the recognition and assistance they deserve from the Federal Government.

Mr. Speaker, I urge the adoption of H.R. 7012 and reserve the balance of my time.

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

Mr. LEHMAN. I yield such time as he may consume to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, one of the most common complaints against our Federal Government is the unnecessary amount of paperwork required of our citizens to comply with Federal laws and regulations.

H.R. 7012 attempts to ease this situation at least for the farmers by mandating the reduction by 40 percent of the number of questions to be asked on the agricultural census form.

The most recent census of agriculture required American farmers to fill out long, complex and sometimes irrelevant questionnaires, on which the number of questions had grown from 480 in 1964 to 911 in 1974. While we realize that it

is important that reliable agricultural information be collected and published regularly, it is neither necessary nor desirable for farmers to be forced to fill out incredibly detailed forms. It is estimated that at least 1.4 million hours of time required to fill out the agricultural census forms would be saved if this bill becomes a law. In order to reduce the paperwork so dramatically the Bureau of Census would be required to cut the size of its questionnaires and to make greater use of sampling techniques.

H.R. 7012 would also require the Bureau to collect certain limited information on very small farms—not as detailed as collected on larger units—but some information on small farming enterprises is necessary to develop a comprehensive rural policy for this Nation.

The bill redefines a farm, for census purposes, as having a minimum sales of \$600 a year, subject to changes equal to changes in the Consumer Price Index.

It is felt that if the Bureau of Census stops counting very small establishments such as farms, the executive branch may decide that small farms are no longer viable in America.

Proof of this is shown in the most recent Bureau of Census statistics showing a precipitous decline in the number of farms in the United States which was caused, in effect, by redefining a farm as having a minimum of sales of \$1,000 annually.

Mr. Speaker, this is a good bill, and worthy of the support of my colleagues, and I urge its passage.

Mr. SMITH of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very, very disappointed in this bill. This bill should not be under suspension. It needs some major amendments. It will probably pass because Members will flock in here at the last minute and will not know what they are voting on, and most of them will not care, but I want the RECORD to show I oppose this bill and that I will vote "no."

As the gentleman from California said, the farm census has been unbelievably bungled. If Members do not believe it, I would encourage them to get a copy of the Appropriations Committee hearings this year when we conducted the Appropriations Committee hearings into the amount of money needed for the farm census. In 1969, they missed 8.5 million cattle in one census. They gave the farmers a false signal. They told the farmers to produce more at a time when they needed to produce less. Not only that, but it also hurt the agribusiness sector, too, because they were given a false signal.

We do not know within 1 million how many horses there are in the United States today, because the lists they used are not those lists that coincide with the owners of horses. They have a list from the Department of Agriculture of who raises grain and who raises certain price-supported crops, and, intend to use tax return information, which will not provide the information needed. In 1974, they sent 13.5 million pieces of mail to try to reach less than 4 million farmers. On one of the mailings they missed several hundred thousand, and they do not know yet who the people were they missed.

They do not know who did not respond and so what they did was to assume that the cross-section of those that responded represented a cross-section of those that did not, and that is not valid, because the people that went out of business in that 10-year period, or 5-year period, are not representative of the ones that stayed in business.

So the statistics we will secure are not valid. Not only that, but they are at least 2½ years late.

When they could not get the answers to some of these mailings that they made, they called up farmers on the country line, threatened them with jail and with penalties of law, as they put it, if they did not respond. Some of these people had not been farming for 2 years. Some were elderly people. It was the worst kind of case of harassment and handling in a bad way that you can imagine.

Now, this bill does not address that problem. That is the problem with the bill. It merely says, "reduce your paperwork by 40 percent." They say themselves they will not be able to comply with the requirements of the bill. The bill says they can publish results by March of the following year in which they take the census for the year before. That census is going to be so late that it will not be of any value, anyway. This one will probably cost \$80 million, because postage is twice or more as high and they are sending out 12 to 14 million pieces of mail to try to accomplish something that cannot be accomplished by the mail.

The Department of Agriculture takes a scientific sampling of a limited number of farmers on a county basis. They have found it to be accurate. They did not go down to every township, but they can. They have done so in Texas where they have been requested to do so. They can take a scientific sample by interview. It can be more accurate. It can be more timely. It would cost a lot less money. That is the way we ought to do it, instead of letting the incompetents over at the Census Bureau continue with the procedure they used twice which proved to be both invalid and untimely. It could be done much more accurately and timely and with less threats, and without using tax returns and I think that is important, too. Passing this will make some people think temporarily we are doing something when the bill, in fact, just endorses sending out 12 million pieces of mail and using tax returns and threats again, also it will again come in so late that it is not going to be of any value.

A "yes" vote on this bill will just endorse the same kind of bungling we had before.

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

Mr. SMITH of Iowa. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, I appreciate my colleague yielding.

Is it not true that many of the individuals from the farm community that testified before our committee stated that one of the reasons that many farmers did not respond to the questionnaires, is because the large number of questions discourages many farmers from answering; is that not true?

Mr. SMITH of Iowa. That was one of the reasons; but also—

Mr. ROUSSELOT. Mr. Speaker, if the gentleman will yield further, therefore, is not this bill a step in the right direction? The Census Bureau assured us that they would abide by this law, when passed, that is to reduce the burden of questioning from 911 questions by 40 percent, many of the farmers have stated they would be much more inclined to answer the questions. So that is a step in the right direction; is it not?

Mr. SMITH of Iowa. It is a meager step that encourages people to think we did what needs to be done, instead of going ahead and doing what needs to be done.

I will explain this to the gentleman. Up in the Appropriations Committee, I asked what list they are using. They are already use an obsolete list.

Mr. ROUSSELOT. Is the gentleman sure of that?

Mr. SMITH of Iowa. We spent \$1.5 million in the Agriculture Department to develop their list; but instead of that, they are getting an old raw list from the Agriculture Department. They are unable to tell the origin of the names on that list.

Mr. ROUSSELOT. Does the gentleman mean that the Agriculture Department could not explain the list they themselves had developed?

Mr. SMITH of Iowa. No; the Census Bureau, the Census Bureau did not know that farmers appeared on that list in as many different counties as they farm in and that many are not on the list.

Mr. ROUSSELOT. These lists are obtained from the local communities; if they are getting it from the Agriculture Department, that is a good list.

Mr. SMITH of Iowa. They are getting a raw list.

Mr. ROUSSELOT. Mr. Speaker, if the gentleman will yield further, would it not be better to get the Agriculture Department to get a correct listing?

Mr. SMITH of Iowa. The Agriculture Department does not have a refined list that is for mailing but they have one for interviewing because it cannot be done adequately by mail.

Mr. ROUSSELOT. How can the Agriculture Department do it anymore scientifically than the Census Bureau?

Mr. SMITH of Iowa. Because they know how to use a scientific sampling. The Census Bureau says they will not use a full scientific sampling procedure.

Mr. ROUSSELOT. If the gentleman does not want the Census Bureau to use these Agriculture prepared lists, what does the gentleman want them to use?

Mr. SMITH of Iowa. I want them to use scientific sampling.

Mr. ROUSSELOT. I never heard the Census Bureau make that statement; as a matter of fact the very opposite is true. We have them up here all the time. I never heard them say they did not want to use scientific sampling techniques.

Mr. SMITH of Iowa. They not only said it before the Appropriations Committee, I have it in writing that they do not want to.

Mr. ROUSSELOT. Mr. Speaker, if the gentleman will yield further, I just think my colleague is misguided. I really be-

lieve the Census Bureau will make every real attempt not only to make the listings more accurate and scientific, but also to reduce the burden of questions.

I am glad the gentleman from Iowa also agrees that we should reduce the burden of questioning.

Mr. SMITH of Iowa. The fact is that they do not want to use scientific sampling. They do not intend to use scientific sampling. They are going to start out on a very extensive and costly procedure of trying to refine and work from a raw list that should not be used anyway. They are again going to end up mailing 12 or 13 million pieces of mail. What they ought to be doing is doing scientific sampling, as the Department of Agriculture does. The Census Department could do the demographic sampling of people and business with the regular census, but let Agriculture count animals and compile farm statistics.

Mr. ROUSSELOT. They can do that for agriculture?

Mr. SMITH of Iowa. For all people in the United States.

Mr. ROUSSELOT. Then the Census Bureau does have a basis for scientific sampling.

Mr. SMITH of Iowa. They are going to do a demographic census anyway in the 10-year house to house census. They can do that there, and we can get that kind of information there. But, when it comes to counting horses, sheep, cattle, acres of corn, they had better let the Agriculture Department do it on a scientific sampling basis.

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

Mr. SMITH of Iowa. I yield to the gentleman from Florida.

Mr. LEHMAN. I respect the remarks of the gentleman from Iowa, but the main thrust of this bill is not, I think, to deal with the problem of which agency is supposed to be best to collect this data. It just happened that the Bureau of the Census is authorized to collect this data. The thrust of this bill is to remove the effort by the respondents in the amount of time it has taken them to respond to this data. That is the number one basis of the whole bill. The second basis is to redesign the form.

Mr. SMITH of Iowa. I am not quarreling with that part of the bill.

Mr. LEHMAN. The other feature of the bill itself is only, I think, basically to make it easier under the circumstances with which we are dealing—to make it easier and more efficient for the farmer to respond in a manner that will give us reliable data without undue effort on his part to perform his duty. I do not know whether the gentleman from Iowa was referring to the last farm census, but in 1974 the census cost \$20 million instead of \$40 million. The estimated cost of the 1979 census happens to be \$40 million.

As the gentleman from California said, both the bill itself and the Bureau of the Census is encouraging additional and more scientific sampling. For the first time, the 1979 census is doing sampling. We have two different forms. We have the 20-percent form for the full sampling, and the rest of it is 80 percent, which is just a short form.

So, we are getting into more sampling techniques. As far as the actual data itself, the information from the farmers is going to be before March of the following year. It just mandates that the data in the report be published by the Bureau March 1, of the following year.

Mr. SMITH of Iowa. The preliminary report, I remind the gentleman. That is not the final report. That means that it is going to come in a year and a half or 2 years late, and it is of no value except for historical interest when it is that late.

Mr. LEHMAN. Under present circumstances, it is nearly 4 years after the 1974 census, and we have not got that data completed. What we are trying to do is shorten the form so that they can combine and publish the data a lot easier.

Mr. SMITH of Iowa. I agree completely with the need for more speed, but the point is that using a mail approach assures untimely results while with scientific sampling it could be 3 months rather than 2 years or more.

Mr. LEHMAN. I can assure the gentleman from Iowa that this committee will continue to do its oversight duty in order to see that the Bureau does the kind of sampling that will make this operation much more efficient.

Mr. SMITH of Iowa. Mr. Speaker, I just want to say again that I am terribly disappointed in the inadequate response of the committee to this problem. It is a serious problem. All this bill means is that it will be another 10 years and there will be some more history behind us before we get an adequate farm census in this country. I urge a "no" vote on this bill.

Mr. LEHMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. CORCORAN).

Mr. CORCORAN of Illinois. Mr. Speaker, I rise in support of H.R. 7012, the Agricultural Census Amendments Act of 1977.

Mr. Speaker, I agree with the members of the Census and Population Subcommittee and with the gentleman from Iowa (Mr. SMITH), who have already addressed themselves to this bill. There is an urgent need for action in this Congress to deal with the census which is currently in preparation for 1979. I think the testimony before the committee and the observations of the gentleman from Iowa demonstrate that we have a serious problem on our hands and that we should be doing something now in order to deal with that problem. I think the legislation before us does two things. First of all, it indicates that this Congress is prepared to take action which would bring about a reduction in the paperwork, which was one of the difficulties that affected the farmers in their compliance with the last agricultural census. Second, it demonstrates that this subcommittee, as well as the Congress as a whole, is determined to provide some long overdue legislative oversight concerning the agricultural census and to make sure that the requirements of this legislation are indeed followed.

Mr. Speaker, although I am not a member of the Census and Population Subcommittee, I am a member of the full Post Office and Civil Service Com-

mittee, and I have a strong interest in the passage of this bill. On April 1, my colleague from Iowa (Mr. LEACH) and I attended a field hearing in DeKalb, Ill., which is part of my district. Eighteen leaders of the north central Illinois farming community testified at that hearing. I feel this bill addresses several of the grievances those witnesses brought before the subcommittee that day, and I support it for several reasons.

This bill will relieve some of the burden the agriculture census places on our farmers. Can the results of each of 911 questions be all that vital when the information from the 1974 census has yet to be released? I am sure that any information that is needed could be obtained in a much shorter and simpler form through the use of sampling techniques. The information obtained could also be made public much faster. This bill would accomplish that.

In 1964, 480 questions were asked; in 1969, 754 were asked; in 1974, 911 questions were asked and the census was 20 pages long. Considering these facts, you must agree the time has come to enact legislation to control this explosion before the 1979 census is issued.

The greatest and most common complaint made at the DeKalb hearings concerned the length of the census, and the amount of time required for its completion. Many farmers felt obliged to consult accountants for help with some of the more detailed portions of the forms. Many farmers failed to return their census forms, because the forms were too long and because the farmers feared their replies would not remain confidential.

The 40-percent reduction in length mandated by H.R. 7012 is necessary to insure that the 1979 census will be answered by as many people as possible. In addition to reducing the size of its questionnaires, the Bureau of the Census will be required to make greater use of sampling techniques. I do not believe American agriculture, or agriculture-related businesses will be damaged by this reduction in paperwork.

Another complaint made at the hearings concerned the length of time which elapsed before the collected information was made public. I feel that a publishing deadline of March 1 in the year following the issuance of the census would give the Bureau of the Census sufficient time to publish the results, while satisfying those who are waiting for the information.

Finally, this bill will not increase the cost of the census. For these reasons, I urge my colleagues to join me in support of H.R. 7012.

Mr. LEHMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. LEACH).

Mr. LEACH. Mr. Speaker, I rise in support of H.R. 7012, the Agricultural Census Amendments Act of 1977. Along with the gentleman from Illinois (Mr. CORCORAN), who participated in field hearings in the State of Iowa and the State of Illinois, I am convinced this is proper and appropriate legislation.

Mr. Speaker, this timely legislation mandates several significant changes in the conduct of the agricultural census

before the 1979 Census of Agriculture is initiated.

Earlier this spring, a field hearing was held in my congressional district in Maquokette, Iowa. The concerns expressed by farmers at that time centered on a number of issues—the length and complexity of the census forms, the tardy release of the 1974 census data, the confidentiality of the census returns, and the penalties for failure to comply with the census requirements. H.R. 7012 addresses several of these problems.

First, the bill requires the reduction of paperwork by 40 percent. I examined the forms used in the latest 1974 census, and it was not difficult to understand the concerns of our farmers, faced with the burden of completing a lengthy, complicated form. There is no question that the census of agriculture is, and can continue to be, an important tool for monitoring and planning in the agricultural sector. However, the extensive paperwork involved hampers our legitimate efforts at collecting accurate and timely data. Cases have been cited where farmers provided sketchy estimates in response to certain questions or else failed to complete and return the form altogether. Reducing the paperwork involved in the census will not only relieve the farmers' burden but will encourage and facilitate the collection of more accurate and complete data.

H.R. 7012 also includes a new provision requiring the timely release of data collected by the census. To date, the final publication of the 1974 census data has not yet been accomplished. This undue delay severely limits the usefulness of the data for those who should benefit most from it—including farmers and related agricultural industries. This legislation seeks to resolve that problem by directing the Census Bureau to publish the data collected no later than March 1, of the year following the year in which the census was taken. This will assure farmers the receipt of timely and valuable information in planning their agricultural activities.

I feel this bill, H.R. 7012, is a step in the right direction for rural America. Yet I am troubled over the lack of information and census data on certain trends which seem to be developing within the agricultural sector and which are of momentous interest and concern to the average American farmer. There is very definite change evolving in the ownership of U.S. farmland and I feel that it is in the best interests of this Nation to monitor those changes so that if policy decisions have to be made, the data is at hand on which to base a sound and reasonable judgment. H.R. 7012 contains a provision directing the Departments of Commerce and Agriculture to work together in improving the data collection of farm ownership information.

I trust this directive will be carried out, as soon as the legislation has been enacted, and that the Census Bureau will work with the Congress in establishing the scope and nature of ownership data which is needed. I trust, too, that this effort will be complemented by other undertakings apart from the agricultural census itself.

Mr. Speaker, this legislation is important to our Nation's farmers. I urge my colleagues to support the passage of H.R. 7012.

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

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

Mr. ROUSSELOT. Mr. Speaker, I know that the gentleman from Iowa (Mr. LEACH) comes from a farm State, and that one of the reasons he is supporting this bill is that he became convinced in committee that it was important to take this step toward a reduction of the burden placed on farmers.

Is it the gentleman's judgment that more farmers are more likely to answer the questionnaires if in fact we reduce the burden of the questions by 40 percent?

Mr. LEACH. Mr. Speaker, I think without question one of the difficult problems farmers have had is the fact that in the last census the questionnaire was very lengthy and very complicated. Therefore, I feel that a short and simplified census would be met with far more appeal, and I am sure it would be far more readily filled out.

Mr. ROUSSELOT. Mr. Speaker, I appreciate the comment of my colleague, the gentleman from Iowa (Mr. LEACH), and I thank him for yielding.

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

Mr. LEACH. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, with this 40-percent reduction, where does that leave the farmer in 1979 and after 1979? How many pages? Would it just mean 500 pages instead of 900 pages?

Mr. LEACH. It would be substantially less.

Mr. ROUSSELOT. Mr. Speaker, if the gentleman will yield, the reduction is 40 percent.

Mr. VOLKMER. Mr. Speaker, a 40-percent reduction is not an overwhelming one actually. Maybe we need a 75-percent reduction.

Mr. LEACH. Some of us were in favor of a 50-percent reduction, and a compromise was reached at 40 percent.

Mr. VOLKMER. I might point out that it is not only the number of questions and the number of pages, but it is also the type of questions that are asked.

Mr. LEACH. Mr. Speaker, the gentleman is correct, but I believe this is a step in the right direction.

Mr. VOLKMER. Yes, but the tendency would be to think this is going to be the sole answer. Everybody is going to say that now we have the problem solved and everything is taken care of, that we do not have anything to worry about, and that we can go home and tell our farmers, "You don't have to worry about it anymore. This bill takes care of it." This would not be a true statement.

Mr. Speaker, I am not going to do that, because I know this bill does not do that.

Mr. LEACH. Mr. Speaker, I think it would be improper to think that any legislation in this Congress is the right answer for all time and for all purposes, but I believe this is a good approach for the next census. It is something that is

reasonable and proper, and I believe it is something that can be lived with.

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

Mr. LEHMAN. Mr. Speaker, I yield 2 minutes to be gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, I thank my colleague for yielding this time to me.

I would like to address a couple of questions to my colleague, the gentleman from Iowa (Mr. GRASSLEY), who I know has been an active farmer and has on several occasions answered these types of questionnaires.

Is it the gentleman's opinion that this legislation which requires the Census Bureau to reduce the burden of questionnaires by some 40 percent is a step in the right direction?

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

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

Mr. GRASSLEY. I thank the gentleman for yielding. The answer is yes, but I would have to qualify that it is just a small step in the right direction. Admittedly any improvement over this document that is here at the table and serves as a reminder of what we farmers had to fill out in December of 1974 and early in 1975 is a real improvement. That was a very frustrating document, and any improvement on that is certainly a step in the right direction.

Mr. ROUSSELOT. Mr. Speaker, I say to my colleague, the gentleman from Iowa (Mr. GRASSLEY), as the other gentleman from Iowa (Mr. LEACH) already stated—and I will say this for the benefit of my colleague, the gentleman from Missouri (Mr. VOLKMER)—that we favored the concept of a 50-percent reduction.

The problem was that we had to get an agreement with the Census Bureau that would stick, and I say to my colleague that the Census Bureau did agree that a 40-percent reduction was one that they could accomplish before the 1979 Agricultural Census. We felt that anything in that direction would be productive and would encourage more of the farmers to answer the questions.

Now I say to my colleague, the gentleman from Iowa (Mr. GRASSLEY), because I know he will be very interested in this, that we would like the input from Members from farm States. We would like to have them look at this questionnaire to make sure that these are meaningful questions contained in that questionnaire.

I know that my colleague, the gentleman from Florida (Mr. LEHMAN), who is the chairman of the subcommittee, is absolutely sincere and committed to making sure that we make this a meaningful questionnaire.

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

Mr. Speaker, to sum up, I think we must keep in mind the main thrust of this bill is an effort by this committee to reduce the amount of paperwork burden on a segment of the citizens of this country.

I hope that this legislation will set an example for shortening and simplifying

the decennial census that will soon be upon us.

Mr. Speaker, I think this can, in a sense, mark the beginning of a concern by this Congress that this body is desirous of doing something about the heavy Federal paperwork that is now such a burden on a varying and wide-scale section of our society.

This is a beginning, I hope, of a new wave of taking into consideration what is happening at the other end of the pipeline of information, not of what is happening at the administrative end or at the bureaucratic end, but the kind of heavy burden that this places on the businesses and the private citizens of our country.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Iowa. Mr. Speaker, I just want to very briefly state again that this bill misses the point. Even if it reduced the paperwork by 80 percent, it still misses the point.

The point is that in two censuses we have found out that the farm census cannot adequately be taken by mail. Some people do not answer. They will not answer. They do not know who it is who does not answer; and they end up with invalid statistics about a year or two late; or, as in the case of the last time, four years late.

The point is that we should not take farm statistics by mail as the Census Bureau wants to take them.

This bill endorses a new questionnaire 60 percent as long as the last one. If we do not want to endorse a new questionnaire, then I say we should vote "no" on this bill.

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

Mr. SMITH of Iowa. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, if we vote "no" on this bill, we will be endorsing 100 percent of the type paperwork we had last time; is that not correct?

Mr. SMITH of Iowa. No, we are not. We are endorsing coming back to the bill I had before your committee. It should have passed and it would have set a proper procedure.

Mr. ROUSSELOT. If the gentleman will yield further, the law will remain the same, and the farmers will have 100 percent of the paper burden, exactly what they had last time; is that not correct?

Mr. SMITH of Iowa. The gentleman is assuming that his committee will not act.

Mr. ROUSSELOT. I did not say that. The committee has acted and reduced the paperwork and questions by 40 percent.

Mr. SMITH of Iowa. I assume that somebody someday will be willing to take the census in the right way.

Mr. ROUSSELOT. We have acted and have reduced the paper burden just as the gentleman wants. The gentleman from Florida has promised along with the entire committee that there will be positive oversight of the manner in which the census is conducted.

Mr. HORTON. Mr. Speaker, I rise in support of H.R. 7012, the Agricultural

Census Amendments Act of 1977. This is a bill that provides for a 40-percent reduction of the burden on respondents in the censuses of agriculture, drainage, and irrigation taken in 1979 and thereafter.

The Commission on Federal Paperwork, of which I am privileged to be chairman, at its meeting in June 1976, outlined the problems associated with the past agricultural censuses and recommended to the Bureau of the Census that they adopt procedures very similar to those ordered by H.R. 7012. Those procedures will reduce the amount of detailed information requested and require greater use of modern sampling techniques in the 1979 census.

It is my understanding that plans to implement our recommendation are well underway by the Bureau of Census.

Accurate and timely information regarding agricultural statistics is vital to the well-being of America. This information is possible by the adoption of this legislation. The Commission on Federal Paperwork is happy to have been in the forefront with this effort.

I strongly urge my colleagues to support this bill.

Mr. ALEXANDER. Mr. Speaker, as a sponsor of legislation similar to H.R. 7012, I rise in support of this bill to reform the method used for collecting agricultural census data and to block any future efforts of the Bureau of the Census and the Department of Agriculture to redefine "farm."

The need for this reform was made clear by the agricultural community's reaction to the unnecessarily complex and detailed census questionnaire used by the Bureau of the Census in collecting information for the 1974 census. The need to prevent the Bureau and USDA from summarily wiping out thousands of small farms through word manipulation exercised in redefining "farm" was also made clear by the results of the 1974 census.

Such a surge of farmer resistance resulted from the time-consuming complexity of the agricultural census form—between 1964 and 1974, the number of questions on the census grew from 480 to 911—and from the coercive methods used by the Bureau of the Census data-gatherers resulting in serious distortions in the data. Further distortion came out of the redefinition of the term "farm." Hundreds of thousands of small farms and millions of cattle were not counted in the census.

Good-faith use of the inaccurate data has been blamed in part for spurring unwise production decisions in the cattle industry which helped to set off a long-running, over-supply-induced price depression in the cattle market.

I mention this because it is just one example of the kind of problems inaccurate agricultural census information can help to generate.

It is pointless for us to spend the dollars of American taxpayers to collect data if that information cannot be relied on as accurate and cannot be put to practical use for our people.

It is estimated that this legislation will eliminate at least 1.4 million hours or 40 percent of the time required for the

filling out of forms associated with the 1974 agricultural census. In order to reduce this paperwork burden, the Bureau of the Census will necessarily have to cut down the size of its questionnaires and use time-tested sampling techniques—something the Bureau should have been doing all along.

This bill will effectively allow us to strike a blow for reduction in Federal paperwork in general without adversely impacting informational needs. I urge its adoption.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. LEHMAN) that the House suspend the rules and pass the bill H.R. 7012, as amended.

The question was taken.

Mr. VOLKMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 3 of rule XXVII, and the Chair's prior announcement, further proceedings on this motion will be postponed.

SALARY ADJUSTMENTS FOR OMB DIRECTOR AND DEPUTY

Mrs. SCHROEDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2387) to amend chapter 53 of title 5, United States Code, to increase the salaries of the Chairman and members of the Federal Reserve Board and of the Director and Deputy Director of the Office of Management and Budget, as amended.

The Clerk read as follows:

H.R. 2387

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5312 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(14) Director of the Office of Management and Budget."

(b) Paragraph (11) of section 5313 of such title is amended to read as follows:

"(11) Deputy Director of the Office of Management and Budget."

(c) Paragraph (34) of section 5314 of such title is repealed.

SEC. 2. The amendments made by this Act shall take effect on October 1, 1977, or on the date of the enactment of this Act, whichever is later.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Colorado (Mrs. SCHROEDER) and the gentleman from Illinois (Mr. DERWINSKI) are recognized for 20 minutes each.

The Chair recognizes the gentlewoman from Colorado (Mrs. SCHROEDER).

Mrs. SCHROEDER. Mr. Speaker, H.R. 2387 as reported by the Committee on Post Office and Civil Service, amends title 5, United States Code, to increase the salaries of the Director and Deputy Director of the Office of Management and Budget.

The Director would be moved up from

executive level II (\$57,500 per year) to executive level I (\$66,000 per year)—the level of pay of Cabinet secretaries.

The Deputy Director would be moved up from executive level III (\$52,500 per year) to executive level II—the level of pay of a deputy secretary of a department.

Mr. Speaker, these increases are made primarily in recognition that the positions the Director and Deputy Director of OMB involve duties and responsibilities which are equivalent to those of Cabinet heads and their deputies; and Congress has already recognized the status and importance of these jobs by requiring Senate confirmation of nominees to them.

The bill is a result of a request from former President Ford which has been ratified by President Carter.

The cost of the legislation will be about \$14,500 per year, assuming the jobs are continuously occupied.

By an amendment added at the request of the Committee on the Budget, the effective date of the bill will be October 1, 1977, or fiscal year 1978.

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

Mr. BROOKS. Mr. Speaker, I thank the gentlewoman from Colorado (Mrs. SCHROEDER) for yielding.

Mr. Speaker, in supporting this legislation I want to make it clear that we are not just granting a pay raise to the individuals involved. Although it will raise their salaries, its main purpose is to establish a proper relationship between officials at the top level of government.

We, in effect, raised the Director of OMB to Cabinet level in 1974 when Congress passed my bill requiring Senate confirmation of the OMB Director. This legislation is consistent with that action.

There is no question but that the Director of OMB should be regarded as of equal rank with a Cabinet officer. He is the chief representative of the President in dealing with Cabinet officers on critical budget matters, and his status should be commensurate with theirs.

It then follows that the Deputy Director should be upgraded from level 3 to level 2, which is the grade of deputies to level 1 Cabinet officials.

It should also be pointed out that this legislation is nonpartisan. It was recommended by President Ford, as one of his last official acts.

It is an essential rule of good management that people performing comparable duties and carrying similar loads of responsibility should be at the same level and receive the same pay. I urge support for this bill.

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

Mr. Speaker, in some quarters it may be fashionable to view this bill as a subtle attempt to keep Bert Lance solvent. I want to quickly divorce myself from that point of view. The estimable Georgia gentleman who heads the Office of Management and Budget is perfectly capable of putting his own financial house in order.

Long before his personal financial dilemma made headlines, it was apparent to me Mr. Lance was a victim of circum-

stances. He was first among equals in terms of influence in the administration, but he has second-class status when it comes to pay. Based on recent events in this Chamber, second-class status in the Federal sector, whether real or imagined, is cause for genuine concern requiring drastic legislative response.

Fortunately, in Mr. Lance's case, it is not necessary to rely on tortured arguments or pressure tactics to influence votes. The facts speak for themselves. The office of Director of OMB meets every practical test of a cabinet level position and should be paid accordingly. That is why, as a longtime advocate of equal pay for equal work, I am happy to support H.R. 2387.

In mid-1975, I introduced legislation to promote the Director of OMB to cabinet level status, but between introduction and enactment something funny happened. Somehow, personalities and partisan politics became overriding issues, and my objective legislation was killed.

Since I was unwilling to believe either the Post Office and Civil Service Committee or the House would play "politics" with worthy legislation, I introduced the same bill early this session. My faith in the committee already has been vindicated by its action on May 11 when it voted to send this bill to the Floor.

The OMB director's political affiliation has no bearing on the heavy responsibilities and frequently unpopular decisions associated with that office. While Mr. Lance's predecessor, James Lynn, also was underpaid, it did not lessen his effectiveness. I am sure the same can be said of Mr. Lance.

Since its creation in 1964, the duties, functions and complexities of the office of Director of OMB have increased significantly. It clearly is a cabinet level job, and the officer who holds it deserves a salary commensurate with the duties of the office.

At the same time, fair play dictates that the salary of the Deputy Director of OMB also be increased.

An overwhelming vote of approval for this bill will effectively repair an error in judgment made in 1975.

I would like to point out the obvious and that is that the Director of OMB has responsibilities which I believe are second only to those of the President in terms of the expense of his office. I believe this step we are taking is long overdue. I commend the members of the subcommittee and the full committee for taking this objective and practical move, and, in the spirit of bipartisanship I am pleased to support this measure which will increase the salary of the Director of OMB.

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

Mr. DERWINSKI. I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentlewoman from Colorado (Mrs. SCHROEDER) that the House suspend the rules and pass the bill H.R. 2387, as amended.

The question was taken.

Mr. MOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant

to clause 3 of rule XXVII. and the Chair's prior announcement, further proceedings on this motion will be postponed.

INCREASE IN SUPERGRADES FOR FEDERAL COURT ADMINISTRATION

Mrs. SCHROEDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6974) to amend title 5, United States Code, to provide for an increase in the number of positions which may be placed in grades 16, 17, and 18 of the General Schedule by the Director of the Administrative Office of the United States Courts, as amended.

The Clerk read as follows:

H.R. 6974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5108(c)(3) of title 5, United States Code, is amended to read as follows:

"(3) the Director of the Administrative Office of the United States Courts, subject to the standards and procedures prescribed by this chapter, may place a total of 15 positions in GS-16, 17, and 18;"

Sec. 2. The amendment made by this Act shall take effect on October 1, 1977, or on the date of the enactment of this Act, whichever is later.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Colorado (Mrs. SCHROEDER) and the gentleman from New York (Mr. GILMAN) will be recognized for 20 minutes each.

The Chair recognizes the gentlewoman from Colorado (Mrs. SCHROEDER).

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

Mr. Speaker, H.R. 6974 as reported by the Committee on Post Office and Civil Service, amends title 5 of the United States Code, to provide for a total of 15 supergrade positions at the Administrative Office of U.S. Courts. Being an agency in the judicial branch, the Administrative Office proposed this increase without clearance by the administration, however, the administration has through testimony of the Civil Service Commission expressed its view that the legislation will be beneficial.

Right now, section 5108(c)(3) of title 5 authorized the Administrative Office to have four positions at grade GS-17. This authorization was enacted in 1958 by Public Law 85-462.

Since 1958, the duties of the Administrative Office have greatly increased, primarily because of congressional enactments such as the Speedy Trial Act of 1974, as amended, the Federal Magistrates Act of 1968 and the 1975 Judiciary Appropriations Act which transferred the functions of examining court officer from the Department of Justice to the Administrative Office. These congressional enactments which have specifically impacted the Administrative Office, have been supplemented in effect by the increased use of the Federal courts created

by nearly every other law Congress has passed. The increased use of the Federal courts has meant requirements for more courtrooms, and staffs, and greatly increased management responsibilities for the Administrative Office. It has caused the divisions of the office to grow from the four present in 1958 to 12, and the supply for supergrade managers to lag behind the demand.

The Administrative Office has attempted to obtain more supergrade managers by requesting them from the Civil Service Commission pool. It was successful in obtaining two GS-17's in 1959, and one GS-18 in 1963, which was later traded for a GS-16. However, the Civil Service Commission, facing its own supergrade shortages in the executive branch, has since 1970 told the Administrative Office that it cannot allocate more supergrades to a judicial branch agency.

The committee stresses that in most instances it would be strongly opposed to establishing a separate supergrade pool for an individual agency. The committee is very concerned with the special supergrade authorities—that is, statutory authority to appoint supergrades outside of those authorized by the Government-wide pool—which Congress has provided to various executive branch agencies in recent years. Such a piecemeal approach to executive manpower needs has created a hodge-podge system and has effectively precluded any meaningful coordination or control of the Government-wide executive manpower program. In the case of the Administrative Office, however, where an agency in the judicial branch is forced to compete with agencies of the executive branch for a limited number of supergrade positions which are controlled and allocated by an executive branch agency, the Civil Service Commission, the committee believes that a separate pool is justified.

The committee points out that if this bill is enacted, the Administrative Office will be required to return to the Government-wide pool those three positions which it is presently allocated. This, together with the fact that the authorization for 15 positions supersedes the Administrative Office's existing statutory authority for four GS-17 positions, means that enactment of this legislation will result in a net gain of only eight supergrade positions for the Administrative Office.

The committee also points out that while it believes the Administrative Office's unique situation justifies the establishment of a separate supergrade pool, the bill does not give the Administrative Office unfettered control with respect to those positions. The bill retains in the Civil Service Commission the responsibility and authority to insure that supergrade positions established by the Administrative Office are properly classified with respect to the level of duties and responsibilities of such positions, and to insure that individuals appointed to such positions are properly qualified. The committee believes that sound personnel management practices dictate retaining in one central body the final responsibility for insuring proper classi-

fication and qualifications with respect to supergrade positions.

The cost of this legislation will be \$34,000 in fiscal year 1978, and \$36,000 in fiscal year 1979, \$38,000 in fiscal year 1980, and \$40,000 in fiscal year 1981.

By an amendment added at the request of the Committee on the Budget, the effective date of the bill will be October 1, 1977, or fiscal year 1978.

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

Mr. Speaker, H.R. 6974, which authorizes the Director of the Administrative Office of the U.S. Courts to place a total of 15 positions in grades GS-16, -17, and -18 of the General Schedule, is a reasonable and responsible approach to the current executive manpower dilemma at the Administrative Office of the U.S. Courts.

Since 1958, when supergrade positions were first authorized for the Administrative Office, the complement of judges and supporting personnel in the Federal judiciary has grown threefold. Concurrently, in the 19 succeeding years since Public Law 85-462, major new legislation—the Criminal Justice Act of 1964, the Federal Magistrates Act of 1968, the 1975 Appropriations Act, by virtue of which the function of examining court offices was transferred from the Department of Justice to the Administrative Office, and the Speedy Trial Act of 1974—has imposed significant additional duties on the Director of the Administrative Office. The result is today that from the original four divisions of the Administrative Office has grown an Office with 3 assistant directors and 12 separate divisions operating along functional lines.

At the present time, Mr. Speaker, the Administrative Office of the U.S. Courts has four statutory positions at grade GS-17 and one GS-18 and two GS-16 positions allocated by the Civil Service Commission, for a total of seven supergrade positions. The 15 positions provided for by H.R. 6974 would supersede this authority—so, the net increase to the Administrative Office is just 8 positions.

Accordingly, Mr. Speaker, both because of the reluctance of the Civil Service Commission to allot additional supergrade positions to the Administrative Office from the Government-wide pool—as previously discussed by Congresswoman Schroeder—and, because with the exception of one GS-16 position allocated to the Administrative Office by the Commission several months ago, it has been nearly 19 years since any additional supergrade positions have been authorized for the Administrative Office of the U.S. Courts, I urge my colleagues to vote to provide the personnel requested by suspending the rules and passing H.R. 6974.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. SCHROEDER) that the House suspend the rules and pass the bill H.R. 6974, as amended.

Mr. MOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 3(b) of rule

XXVIII, and the prior announcement of the Chair, further proceedings on this motion will be postponed.

INCREASE IN NUMBER OF HEARING EXAMINERS

Mrs. SCHROEDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6975) to amend title 5, United States Code, to increase the number of hearing examiner positions which the Civil Service Commission may establish and place at GS-16 of the General Schedule, as amended.

The Clerk read as follows:

H.R. 6975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5108(a) of title 5, United States Code, is amended by striking out "240 hearing examiner positions" and inserting in lieu thereof "340 administrative law judge positions".

Sec. 2. (a) The provisions described in paragraphs (1) through (12) of this subsection are each amended by striking out "hearing examiner" or "hearing examiners", as appropriate, each place it appears, and inserting in lieu thereof "administrative law judge" or "administrative law judges", as appropriate—

(1) sections 554(a)(2), 556(b)(3), 559, 1305, 3105, 3344, 4301, 5335, 5362, and 7521, of title 5, United States Code;

(2) section 6(c)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136d(c)(2));

(3) section 11(k) of the Federal Reserve Act (12 U.S.C. 248(k));

(4) subsections (b) and (c) of the first section of the Act entitled "An Act to authorize the Securities and Exchange Commission to delegate certain functions", approved August 20, 1962 (15 U.S.C. 78d-1(b) and (c));

(5) section 1416(a) of the Interstate Land Sales Full Disclosure Act (15 U.S.C. 1715(a));

(6) section 509(i) of title 28, United States Code;

(7) sections 12(e), 12(j), and 12(k) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 661(d), 661(i), 661(j));

(8) section 502(e) of the Rehabilitation Act of 1973 (29 U.S.C. 792(e));

(9) sections 5(e) and 428(b) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 804(e), 938(b));

(10) sections 19(d) and 21(b) of the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 919(d), 921(b));

(11) section 705(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-4(a)); and

(12) sections 6(h) and 9(a) of the Department of Transportation Act (49 U.S.C. 1655(h), 1657(a)).

(b)(1) Sections 1305 and 5362 of title 5, United States Code, are each amended in the catchline, by striking out "Hearing Examiners" and inserting "Administrative law judges" in lieu thereof.

(2) Sections 3105 and 3344 of title 5, United States Code, are each amended in the catchline by striking out "hearing examiners" and inserting "administrative law judges" in lieu thereof.

(c)(1) The table of sections for chapter 13 of title 5, United States Code, is amended so that the item relating to section 1305 reads as follows:

"1305. Administrative law judges."

(2) The table of sections for chapter 31 of title 5, United States Code, is amended so that the item relating to section 3105 reads as follows:

"3105. Appointment of administrative law judges."

(3) The table of sections for chapter 33 of title 5, United States Code, is amended so that the item relating to section 3344 reads as follows:

"3344. Details; administrative law judges."

(4) The table of sections for chapter 53 of title 5, United States Code, is amended so that the item relating to section 5362 reads as follows:

"5362. Administrative law judges."

(d)(1) The second sentence of section 3105 of title 5, United States Code, is amended by striking out "Hearing examiners" and inserting "Administrative law judges" in lieu thereof.

(2) Section 1416(a) of the Interstate Land Sales Full Disclosure Act (15 U.S.C. 1715(a)) is amended in the catchline by striking out "hearing officers" and inserting "administrative law judges" in lieu thereof.

Sec. 3. Any reference in any law, regulation, or order to a hearing examiner appointed under section 3105 of title 5, United States Code, shall be deemed to be a reference to an administrative law judge.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Colorado (Mrs. SCHROEDER) and the gentleman from New York (Mr. GILMAN) will be recognized for 20 minutes each.

The Chair recognizes the gentlewoman from Colorado (Mrs. SCHROEDER).

Mrs. SCHROEDER. Mr. Speaker, H.R. 6975, as reported by the Committee on Post Office and Civil Service, amends title 5 of the United States Code to increase the number of hearing examiner positions which the Civil Service Commission may establish and place at GS-16 of the General Schedule. Numerous technical amendments contained in an amendment added to the bill change the designation "hearing examiner" in the United States Code to that of "Administrative Law Judge" the name by which these Federal employees are most known.

The Civil Service Commission, under authority of 5 United States Code 5108 (A), now maintains a pool of 240 GS-16 hearing examiners and nine GS-17 hearing examiners. H.R. 6975 would increase by 100 to 340 the maximum civil service pool of GS-16 examiners.

The need for the greater flexibility which the increased number of slots for hearing examiners will permit the Civil Service Commission is evidenced by the increase in the number of agencies which are requested to hold the hearings under the Administrative Procedures Act—APA—which has occurred since the 240 slots were authorized in 1964. Under the APA, only hearing examiners, or an agency or commission itself, may preside over APA hearings. The creation of numerous new agencies utilizing the APA—from the Postal Rate Commission to the International Trade Commission to the Consumer Product Safety Commission to the Environmental Protection Agency—a net increase of 9 agencies over the 14 in existence in 1964—plus new program responsibilities given old departments and agencies, plus increasing caseloads within existing responsibili-

ties, have placed great strains on the Civil Service Commission's ability to manage its pool. Moreover, because of the demand for APA hearing officers, the Civil Service Commission has had to borrow 40 supergrade positions from its Government-wide "supergrade pool" of management positions to the detriment of the general bureaucracy's efficiency.

Mr. Speaker, the committee's intentions for this bill are that the tight fistness of the Civil Service Commission with regard to review and placement positions continue. We do not intend this bill as a *carte blanche* for the Commission to immediately create 100 new GS-16 hearing examiners, nor give grade increases to 100 hearing examiners, or anything of the kind. Rather, we believe these positions will give the Civil Service Commission the flexibility to manage its pool better, and, as from time to time new agencies or agencies suffering from severe case backlogs or new responsibilities, can have the people to eliminate the problems at hand. We expect that all the proper criteria—from the number and complexity of cases assigned hearing examiners are handling, to the use of nonquota GS-15 hearing examiners, to the sharing of hearing examiners by agencies, to the elimination of nonproductive members of the hearing examiners corps, be examined before any of these positions are allocated. In this relation, I assure my colleagues my subcommittee will hold oversight hearings on the implementation of H.R. 6975 soon after it becomes law.

The cost of the legislation, as estimated by the Congressional Budget Office is \$4.1 million in fiscal year 1978 with small incremental increases in succeeding years.

Mr. Speaker, at this point I yield such time as he may consume to the gentleman from Texas (Mr. Brooks).

Mr. BROOKS. Mr. Speaker, I rise in support of this legislation. This is an issue we are currently dealing with in the conference between the House and Senate on the bill creating a Department of Energy.

As the bill passed the House, it provided that hearing examiners for the new department would be drawn from the Civil Service Commission pool. The Senate bill provided that the department could hire its own examiners without regard to the Government-wide pool.

We have prevailed upon the Senate to accept the House position, and one of the reasons they were willing to make that concession is the prospect of the passage of this bill. There is a definite need for more hearing examiners than the 240 now in the Civil Service Commission pool.

I hope we will suspend the rules and pass H.R. 6975.

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

Mr. Speaker, I rise in support of H.R. 6975, which would increase the statutory limit on GS-16 hearing examiner positions from 240 to 340 slots.

The original 240 hearing examiner positions (now, pursuant to Civil Service Commission regulation, designated as Administrative Law Judges) were dis-

tributed back in 1963 to meet the needs of the 14 agencies and departments that had such positions allocable, classifiable, at that GS-16 level. During the succeeding 14 years, there has been no additional supergrade slots authorized for Administrative Law Judges in spite of the fact that the number of agencies conducting formal hearings has expanded by 64 percent and the number of Administrative Law Judge positions has also increased. To meet this requirement, the Commission has had to resort to borrowing supergrade slots which had been earmarked for other classes of employees from the Government-wide supergrade pool. The net result of this activity has been that the Commission has had to borrow to date 40 positions from the overall Government-wide pool to meet the absolute minimum needs for Administrative Law Judges at GS-16.

The Executive Director of the Civil Service Commission has testified before the Subcommittee on Employee Ethics and Utilization that the Commission has about reached their limit in being able to borrow slots from the Government-wide pool; but the agencies' needs are continuing to increase as a result of new laws requiring the application of the Administrative Procedure Act that further require administrative law judges to serve as presiding officers. It has also been brought to the attention of our subcommittee that a number of agencies have informed the Commission that their present contingent of administrative law judges are insufficient to meet the expanding work, and are desperately in need of additional administrative law judges to keep their caseload within manageable proportions.

I would also point out to my colleagues that, while H.R. 6975 authorizes 100 additional positions, the actual net increase in GS-16 administrative law judge positions will be only 60, since the Commission has already borrowed 40 GS-16 positions from the Government-wide pool, and these 40 slots will now be returned by the Commission to the supergrade pool.

Accordingly, in order to meet the personnel needs arising from expanded workloads, I urge my colleagues to suspend the rules and to pass H.R. 6975.

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

Mr. GILMAN. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, with these additional GS-16 administrative hearing examiners, will this mean that in the future we can go ahead then and pass more programs that will demand more of their services so that in a few years we can come back and add more hearing examiners, so that we can pass more programs? Is that what we are doing, or hoping to do?

Mr. GILMAN. In response to the gentleman's inquiry, we are providing in this measure for the additional needs we have at this time. Perhaps, in the future, there may be some further needs as we expand governmental services requiring hearing procedures.

Mr. VOLKMER. Perhaps some day we can stop and cut down on some of the

governmental services that some of us feel are perhaps not necessary; and perhaps we will not need the hearing examiners. Does the gentleman think we can ever cut back on the number?

Mr. GILMAN. I think the gentleman's point is well taken, and I hope he is not overly optimistic about the need to reduce unnecessary governmental services.

Mr. VOLKMER. From what I am seeing here today, I am not optimistic at all.

Mr. GILMAN. I thank the gentleman for expressing his concern and for his remarks.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Ms. SCHROEDER) that the House suspend the rules and pass the bill H.R. 6975, as amended.

The question was taken.

Mr. ASHBROOK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 3, rule XXVII, and the Chair's prior announcement, further proceedings on this vote will be postponed.

GENERAL LEAVE

Ms. SCHROEDER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on the bills H.R. 2387, H.R. 6974, and H.R. 6975.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

RETENTION OF LIFE AND HEALTH INSURANCE BENEFITS DURING RETIREMENT AFTER 5 YEARS OF SERVICE

Mrs. SPELLMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4319) to amend subchapter III of chapter 83 of title 5, United States Code, to provide that employees who retire after 5 years of service, in certain instances, may be eligible to retain their life and health insurance benefits, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4319

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8335(b) of title 5, United States Code, is amended by striking out "until 60 days after he is so notified" and inserting in lieu thereof "until the last day of the month in which the 60-day notice expires".

Sec. 2. Section 8706(b) of title 5, United States Code, is amended—

(1) by deleting the word "or" after paragraph (1);

(2) by inserting the word "or" after paragraph (2); and

(3) by inserting the following new paragraph after paragraph (2):

"(3) after December 31, 1982, he has completed 5 years of creditable civilian service as determined by the Commission;"

Sec. 3. Section 8901(3) (A) of title 5, United States Code, is amended by striking out "Government, after 12 or more years of service or

for disability," and inserting in lieu thereof the following: "Government—

- "(i) after 12 years of creditable service;
- "(ii) for disability; or
- "(iii) after December 31, 1982, after 5 years of creditable service;"

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Maryland (Mrs. SPELLMAN) will be recognized for 20 minutes, and the gentleman from Iowa (Mr. LEACH) will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from Maryland (Mrs. SPELLMAN).

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

Mr. Speaker, this bill, H.R. 4319, with accompanying amendment, provides that employees who retire after 5 years of service, may be eligible to retain their life and health insurance benefits.

The accompanying amendment, to strike section 1 of the bill, is offered because requiring retirement at age 70 is no longer the committee's position.

Since the full committee acted on this bill, my subcommittee has moved to repeal the mandatory retirement provision. Chairman Alan K. Campbell, new Chairman of the Civil Service Commission, dramatically reversed previous Commission policy and testified that "the Commission fully supports repeal of this provision."

Just last Thursday, the House Education and Labor Committee agreed to a bill which would not only eliminate immediately mandatory retirement at age 70 for Federal workers, but would also extend to 70 the age at which all workers are covered by the Age Discrimination Act. The present law protects workers to 65.

Our position is shared by the Select Committee on Aging and many Members of the House and the administration.

We are saying, Mr. Speaker, that it would be inconsistent to reaffirm the present mandatory retirement law, as section 1 does, when in fact we are moving in precisely the opposite direction. Therefore we ask for the amendment.

Skill, intelligence, energy, will—these are the determining factors in the job market, not the hands of the clock or an arbitrary date on the calendar. Very simply the bill provides that Federal employees who retire after 5 years of service may be eligible to retain their life and health insurance benefits.

The committee finds that it is the general policy of business within the private sector to grant an employee the retention of his benefits, particularly life and health insurance, once he has vested in the company retirement system. This is not the case for the Federal employee.

Presently, the Federal Employees' Group Life Insurance Law—section 8706 (b) of title 5, United States Code—and the Federal Employees' Health Benefits Law—section 8901(2)(A) of title 5, United States Code—provide for the retention of life and health insurance cov-

erage after an employee's retirement on an immediate annuity, only either on disability or after having completed at least 12 years of creditable service. The committee believes that, in light of the fact that an employee has vested rights under the civil service retirement system after 5 years of creditable civilian service, that the 12-year service requirement for retention of health and life insurance benefits during retirement no longer can be justified and that it unduly discriminates against many employees.

Mr. Speaker, the committee urges passage of this most important legislation which it believes eliminates discrimination and furthers the policy of the 1970 Comparability Act.

I strongly urge the passage of H.R. 4319 as amended.

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

Mr. Speaker, I rise in support of H.R. 4319 with an amendment.

This legislation reduces from 12 to 5 years the length of service required by a retiring employee to retain his group life and health benefits coverage during retirement.

The amendment offered by Mrs. SPELLMAN, who chairs our Subcommittee on Retirement and Employee Benefits, to strike the mandatory retirement language from the bill is a good one.

It removes the one objectionable feature of the bill which many Members expressed concern over.

As previously explained this bill merely brings the service requirements for retention of health and life insurance coverage into retirement in conformity with the 5-year service requirement for vesting under the civil service retirement system.

Mr. Speaker, the Congressional Budget Office estimates enactment will result in minor increases in Federal employees' health and life insurance premiums. However, the bill does not become effective until after December 31, 1982.

I urge adoption of this legislation.

Mr. DERWINSKI. Mr. Speaker, I wholeheartedly support the amendment offered by the chairwoman from Maryland (Mrs. SPELLMAN) to strike the mandatory retirement provision from H.R. 4319.

As presently drafted, the bill deserves the approval of my colleagues.

The remaining provisions of H.R. 4319 have already been fully explained, therefore, I will limit my brief remarks to the subject of mandatory retirement.

I have long had philosophic reservations about compulsory retirement. As a result, I have consistently supported and sponsored legislation to ban the mandatory retirement of elderly workers.

Chronological age is not and never has been a reliable index of job performance. I think that a mandatory retirement system based on age tends to diminish the effectiveness of a true civil service merit system.

Compulsory retirement flies in the face of justice and commonsense. I strongly believe persons willing and able to keep working should have that right.

Mr. Speaker, I applaud the action of the chairwoman from Maryland to strike all references to mandatory retirement

from this otherwise general housekeeping bill. It is a small but important step in the right direction.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. SPELLMAN) that the House suspend the rules and pass the bill H.R. 4319, as amended.

The question was taken.

Mr. ASHBROOK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 3, rule XXVII, and the Chair's prior announcement, further proceedings on this motion will be postponed.

RESTORATION OF CERTAIN ANNUITIES

Mrs. SPELLMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3755) to provide for the reinstatement of civil service retirement survivor annuities for certain widows and widowers whose remarriages occurred before July 18, 1966, and for other purposes.

The Clerk read as follows:

H.R. 3755

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) upon application to the Civil Service Commission, the annuity of—

(1) a surviving spouse of an employee which was terminated under the provisions of section 8341(b) or (d) of title 5, United States Code, or of any prior applicable law, because of the remarriage of such spouse before July 18, 1966, and

(2) a surviving spouse of a Member who died before January 8, 1971, which was terminated under any such provision, because of the remarriage of such spouse, shall be restored in accordance with the provisions of subsection (b) of this section.

(b) (1) In the case of a remarriage occurring after the surviving spouse became sixty years of age, the annuity shall be restored to such spouse under subsection (a) of this section only if any lump sum paid on termination of the annuity is returned to the Civil Service Retirement and Disability Fund. If such amount is paid, the annuity shall be so restored commencing on the effective date of this section at the rate which would have been in effect if the annuity had not been terminated.

(2) In the case of a remarriage occurring before the surviving spouse became sixty years of age, the annuity shall be restored to such spouse under subsection (a) of this section only if—

(A) such spouse elects to receive this annuity instead of a survivor benefit to which the spouse may be entitled under subchapter III of chapter 83 of such title 5 or under another retirement system for Government employees by reason of the marriage; and

(B) any lump sum paid on termination of the annuity is returned to such fund. If the requirements of the preceding sentence are satisfied, such annuity shall be so restored commencing on the effective date of this section or on the first day of the month following the date the remarriage is dissolved by death, annulment, or divorce, whichever date is later, at the rate which was in effect when the annuity was terminated.

SEC. 2. Section 8341(g) of title 5, United States Code, is amended by striking out "after July 18, 1966."

SEC. 3. The foregoing provisions of this Act shall take effect on—

(1) the first day of the month following the date of the enactment of this Act, or
(2) October 1, 1977,
whichever date is later.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Maryland (Mrs. SPELLMAN) will be recognized for 20 minutes, and the gentleman from Iowa (Mr. LEACH) will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from Maryland (Mrs. SPELLMAN).

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

Mr. Speaker, H.R. 3755 is a simple bill, one which will correct an inequity in existing law. It provides for the reinstatement of civil service retirement survivor annuities for certain widows and widowers whose remarriages occurred before July 18, 1966. All others have already been taken care of in legislation already passed by this Congress. Let me briefly outline the history.

Public Law 89-504 allowed widows or widowers aged 60 or over to remarry without losing title to their survivor annuities. It also allowed widows or widowers, who lost benefits because they remarried before age 60, to have their annuities restored if the remarriage was terminated.

These provisions were not retroactive, however, and applied only to widows and widowers of employees of the Federal Government who had retired or died on or after July 18, 1966, the enactment date of the law.

In 1969, Congress expanded the provisions to apply to widows and widowers of Federal employees regardless of when the employees retired or died, but the expansion applied only to those whose remarriage took place on or after July 19, 1966.

H.R. 3755 would extend restoration rights to widows and widowers who were remarried before that date. Our best estimate is that we are talking about 3,200 people. They are quite old now and rapidly diminishing in number.

The committee urges passage of H.R. 3755 to close a loophole in the law and to assure that these people are provided with the same treatment as all other survivors in their position—just a simple matter of equity.

I urge the passage of the bill.

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

Mr. Speaker, I rise in support of H.R. 3755, which reinstates civil service retirement annuities for certain widows and widowers who remarried prior to July 18, 1966.

I am fully aware of the general policy of the committee to refrain from approving liberalizations in retirement benefits, but I believe, as does the committee by its unanimous vote, that an exception to the rule is merited in this case.

This bill merely extends the same provisions of law to survivor annuitants who remarried prior to July 18, 1966, as to annuitants who remarried after this date. That is, annuities continue to be paid to survivor annuitants who remarried after age 60, and annuities are restored for survivor annuitants who remarried before age 60 and their marriage was later dissolved.

This legislation addresses a serious economic problem shared by slightly over 3,000 elderly widows and widowers. The average annuity is no more than \$123 per month. Also, to be borne in mind in considering this issue is that because of the advancing age of these people, fewer and fewer will continue receiving annuities in the future.

Mr. Speaker, it is only fair to conclude that the same considerations the Congress felt justified enactment of Public Law 89-504 for survivor annuitants who remarried after July 16, 1966, should apply equally to those who remarried before this date.

This is a long overdue correction of an inequity in the civil service retirement law.

I strongly support enactment of H.R. 3755.

Mr. LEHMAN. Mr. Speaker, 3 years ago a woman came into my office seeking my help in getting this bill passed. She explained, rather simply but eloquently, the consequences this cutoff date had imposed on her and several thousand others. Her cause, she felt, was hopeless because no one seemed to care about a group of elderly people especially since the size of the group was decreasing rapidly. The costs she explained, were minimal then, as they are now, to effectuate equal treatment for survivor annuitants.

Mr. Speaker, as the principal sponsor of this legislation I am grateful to say that at last this legislation is belatedly receiving the consideration it deserves. My only regret is that that woman, Mrs. Alice Miles, who visited me that day and convinced me of the merits of this bill died recently and thus will not benefit from the passage of this legislation.

Mr. GIAIMO. Mr. Speaker, I rise in support of H.R. 3755, a bill which would restore annuities for surviving spouses of civil service annuitants when the remarriage of the surviving spouse took place prior to July 18, 1966.

This bill is consistent with the estimates in the first budget resolution for fiscal year 1978. It would cost \$3 million in budget authority and \$5 million in outlays. The first budget resolution assumed enactment of benefit liberalizations with a total fiscal year 1978 cost of \$10 million in budget authority and \$7 million in outlays.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. SPELLMAN) that the House suspend the rules and pass the bill H.R. 3755.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. SPELLMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on H.R. 4319, as amended, and H.R. 3755.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

REDUCE TARIFFS ON SPARK PLUG INSULATORS

Mr. VANIK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1550) to reduce the rate of duty on ceramic insulators used in spark plugs, as amended.

The Clerk read as follows:

H.R. 1550

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 909.01 the following new item:

'909.10 Ceramic insulators having an alumina oxide content of not less than 96%, if used in spark plugs (provided for in item 535.14, part 2D, schedule 5).....	4% ad val. No change.	On or before 6/30/80."
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SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. VANIK) and the gentleman from Wisconsin (Mr. STEIGER) are recognized for 20 minutes each.

The Chair recognizes the gentleman from Ohio (Mr. VANIK).

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

Mr. Speaker, the purpose of H.R. 1550 is to temporarily reduce the duty on imports of certain ceramic insulators used in the production of highly specialized spark plugs to June 30, 1980. These spark plugs are used in stationary gas, natural gas, propane, or LPG engines.

H.R. 1550 was introduced by our colleague, Mr. CHARLES WILSON of Texas.

When compared with total U.S. spark plug production, production of these specialized spark plugs is very limited, apparently less than 0.1 percent of total U.S. spark plug consumption. Domestic production is apparently limited to two firms, one large firm which produces its own ceramic insulators only for internal

use, and which also produces auto and aircraft spark plugs, and a small firm which allegedly cannot economically produce its own ceramic insulators. That small firm presently imports ceramic insulators which bear a 15 percent duty and assembles the completed spark plug which then competes against imports of completed spark plugs which presently are dutiable at a rate of 4 percent ad valorem. The firm seeks to eliminate this advantage of foreign producers by reducing the duty on certain specialized ceramic insulators to 4 percent, the same duty paid by spark plug imports.

Reports in opposition to this bill as introduced were received from the Departments of Commerce, the Treasury, State, Labor, and the Office of the Special Representative for Trade Negotiations. They opposed the permanent unilateral reduction of this duty on the grounds that any such reduction should be negotiated in the context of the multilateral trade negotiations so that the United States would receive some benefit from its trading partners in return and that domestic industry sources have advised that there is no shortage of domestic production. The agencies were unable to independently determine domestic production or imports of ceramic insulators.

After consideration of these objections, the bill was amended to make the duty reduction temporary to June 30, 1980, rather than a permanent unilateral reduction, thus preserving whatever negotiating value exists for multilateral trade negotiations. Since reduced duty rate of 4 percent ad valorem for ceramic insulators is the same rate of duty presently assessed on imported completed spark plugs, it is not believed that the bill will have a significant effect on the domestic ceramic insulator industry. The bill was also amended to restrict the ceramic insulators covered by the new TSUS item to insulators having an alumina oxide content of not less than 96 percent and for use in spark plugs. While spark plugs for stationary engines used in gas fields do require high alumina content ceramic insulators, spark plugs for auto and airplane engines, the overwhelming domestic production and market, do not demand ceramic insulators with such high alumina content.

The committee was unanimous in reporting H.R. 1550 as amended, and I urge its passage.

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

Mr. Speaker, the gentleman from Ohio (Mr. VANIK) has done an excellent job in describing the bill. I urge its adoption.

Mr. Speaker, I support H.R. 1550, a bill to reduce until June 30, 1980, the rate of duty on certain ceramic insulators used in spark plugs.

The ceramic insulators effected are ones of high alumina content, not less than 96 percent, and are currently listed under item 535.14 of the Tariff Schedules of the United States. The duty in this instance would be reduced from 15 percent ad valorem to 4 percent ad valorem. The reduction applies only to the column 1 rate, with the 60 percent ad

valorem column 2 rate remaining unchanged.

High alumina ceramic insulators are a component of specialized spark plugs used in natural gas, gas, propane or LPG engines that are stationary. These unique spark plugs represent less than 0.1 percent of the total domestic consumption of all types of spark plugs. At the present time, two U.S. firms manufacture the ceramic insulator component described above, but one is a major spark plug manufacturer that uses most of its insulators for production of its own spark plugs and sells the remainder at a much higher price than the imported product.

The duty reduction is sought by a small independent firm located in Texas that produces spark plugs for the special stationary engines operating in gas fields. The 4-percent duty on insulators called for under this bill would be equal to the duty on imported complete spark plugs. Such a reduction will assist the Texas firm, and others like it, in competing both with major domestic manufacturers of insulators and spark plugs and with imported spark plugs that have been completely assembled abroad.

Since there is little demand for high alumina ceramic insulators, the effect of the duty reduction on the domestic spark plug industry as a whole will be negligible, as will be the loss in customs revenue each year. The temporary nature of the reduction will allow a periodic review by Congress of its effect on domestic industry; also, the temporary aspect will preserve a future permanent reduction as a negotiating item in the multilateral trade negotiations—MTN.

Mr. Speaker, the committee has resolved all prior objections to H.R. 1550 raised during public hearings and reported the bill unanimously. I recommend passage by the House at this time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. VANIK) that the House suspend the rules and pass the bill H.R. 1550, as amended.

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

The title was amended so as to read: "A bill to reduce temporarily the rate of duty on certain ceramic insulators used in spark plugs."

A motion to reconsider was laid on the table.

SUSPEND TARIFFS ON RUBBER MATTRESS BLANKS

Mr. VANIK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2849) to suspend for a 3-year period the rate of duty on mattress blanks of rubber latex, as amended.

The Clerk read as follows:

H.R. 2849

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting im-

mediately after item 912.07 the following new item:

'912.08... Mattress blanks of rubber latex (provided for in item 727.86, part 4A, schedule 7)..... Free... No change. On or before 6/30/78".

Sec. 2. (a) The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

(b) Upon request therefor filed with the customs officer concerned on or before the ninetieth day after the date of the enactment of this Act, the entry or withdrawal of any article—

(1) which was made after May 9, 1977, and before the date of the enactment of this Act, and

(2) with respect to which there would have been no duty if the amendment made by the first section of this Act applied to such entry or withdrawal,

shall notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. VANIK) and the gentleman from Wisconsin (Mr. STEIGER) are recognized for 20 minutes each.

The Chair recognizes the gentleman from Ohio (Mr. VANIK).

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

Mr. Speaker, the purpose of H.R. 2849 is to suspend until July 1, 1978, the rate of duty on rubber latex mattress blanks.

H.R. 2849 was introduced by our colleague, Mr. OTTINGER of New York.

Rubber latex mattress blanks are used to produce latex foam mattresses. It was alleged that the sole domestic plant producing natural latex foam rubber was destroyed and that domestic mattress producers must now pay a duty designed to protect a product no longer domestically produced.

Reports with no objections were received from the Departments of Commerce, State, the Treasury, Agriculture, Labor, and the Office of the Special Representative for Trade Negotiations.

Objection to a 3-year duty suspension was received from a domestic firm which recently started latex foam production after a fire had destroyed its predecessor's plant. The firm, which intends to produce latex mattress blanks but not within a 1-year period, indicated no objection to a 1-year suspension. Objections were also received from a domestic polyurethane producer who alleged polyurethane foam domestically produced competes with latex foam. It does appear from exports received by the subcommittee that latex foam mattresses are a higher priced premium product

and do not compete directly with polyurethane foam mattresses.

The bill was amended to provide a 1-year duty suspension rather than a 3-year suspension in order to encourage the resumption of domestic latex mattress blank production. The bill was also amended to remove the retroactivity feature since domestic firms importing latex mattress blanks have passed on to consumers a substantial portion of the duty and any refund of the entire duty would be a windfall to such firms since it would be impossible for them to pass on to the ultimate consumer that portion of the duty originally borne by such consumer.

The committee was unanimous in reporting H.R. 2849 as amended, and I urge its passage.

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

Mr. Speaker, the gentleman from Ohio (Mr. VANIK) has more than adequately explained the bill. It is a good one, and I urge its adoption.

Mr. Speaker, I support H.R. 2849 suspending for 1 year, until June 30, 1978, the rate of duty on mattress blanks of rubber latex.

Prior to March 1975, only one plant produced the article involved. This plant, located in Shelton, Conn., was completely destroyed by fire in that year. The current temporary suspension was designed to help preserve the domestic market for mattress blanks of rubber latex, as well as the competitive position of manufacturers of foam rubber mattresses and box spring sets, until the plant could be rebuilt and return to full production.

The former employees of the destroyed plant formed a new company, Latex Foam, and have resumed production on a limited scale. Although the company does not now produce mattress blanks, they plan to begin such production within 6 to 12 months. Therefore, this company has advocated removing the duty suspension after a relatively short period of time so that they again will have tariff protection for their latex products.

The column 1 rate of duty on mattress blanks of rubber latex is 15 percent ad valorem and column 2 rate is 40 percent ad valorem. Although some domestically produced polyurethane mattresses have characteristics similar to the latex ones, it appears that consumers are willing to pay a slightly higher price to assure themselves the quality of latex. A 1-year suspension of duty on this article and the subsequent reapplication of the duty should not adversely affect any domestic industry associated with mattress production.

Mr. Speaker, a similar bill to H.R. 2849 was passed by the House in the 94th Congress. The 1-year loss in customs revenues, should H.R. 2849 be enacted, is estimated to be \$7,500.

The committee reported the bill without objection, and I recommend passage by the House at this time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. VANIK) that the House suspend the rules and pass the bill H.R. 2849, as amended.

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

The title was amended so as to read: "A bill to suspend until July 1, 1978, the rate of duty on mattress blanks of rubber latex."

A motion to reconsider was laid on the table.

SUSPEND TARIFFS ON LATEX SHEETS

Mr. VANIK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2850) to suspend for a 3-year period the rate of duty on certain latex sheets, as amended.

The Clerk read as follows:

H.R. 2850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 912.10 the following new item:

'912.12... Sheets, over 0.90 inch but not over 1.50 inches in thickness, of molded pin core latex foam rubber (provided for in item 770.70, part 12A, schedule 7). Free... No change. On or before 6/30/78."

Sec. 2. (a) The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

(b) Upon request therefor filed with the customs officer concerned on or before the ninetieth day after the date of the enactment of this Act, the entry or withdrawal of any article—

(1) which was made after May 9, 1977, and before the date of the enactment of this Act, and

(2) with respect to which there would have been no duty if the amendment made by the first section of this Act applied to such entry or withdrawal,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. VANIK) and the gentleman from Wisconsin (Mr. STEIGER) are recognized for 20 minutes each.

The Chair recognizes the gentleman from Ohio (Mr. VANIK).

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

Mr. Speaker, the purpose of H.R. 2850 is to suspend until July 1, 1978, the rate of duty on certain latex sheets.

H.R. 2850 was introduced by our colleague, Mr. OTTINGER of New York.

Latex sheets are used with a polyurethane mattress blank core to produce a latex-polyurethane mattress. Latex sheets are not now produced in the United States. The only domestic plant that produced latex foam was destroyed by fire and while a new firm has domestically resumed limited latex foam production, it does not now produce latex foam sheets. The domestic mattress industry seeks this duty suspension.

A favorable report was received from the Department of the Treasury. Reports with no objections were received from the Departments of State, Commerce, and Labor.

The bill was amended to provide a 1-year duty suspension rather than a 3-year suspension in order to encourage latex sheet production by a domestic firm which recently started latex foam, but not latex foam sheet, production after a fire had destroyed its predecessor's plant. The bill was also amended to remove the retroactivity feature since domestic firms importing latex sheets have passed on to consumers a substantial portion of the duty and any refund of the entire duty would be a windfall to such firms since it would be impossible for them to pass on to the ultimate consumers that portion of the duty originally borne by such consumer.

The committee was unanimous in reporting H.R. 2850 as amended, and I urge its passage.

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

Mr. Speaker, I support H.R. 2850 suspending for 1 year, until June 30, 1978, the rate of duty on latex sheets.

Molded latex foam rubber sheets are used in the manufacture of combination latex-polyurethane foam mattresses. Such mattresses make up only a very small part of total mattress sales. Currently, such sheets are dutiable at a column 1 rate of 6 percent ad valorem and at a column 2 rate of 25 percent ad valorem. Suspending the duty would result in a loss of customs revenue amounting to no more than about \$3,000 annually.

Only one domestic firm, located in Shelton, Conn., manufactures latex foam rubber. Although they are expanding their production, there are no plans to begin making latex sheets covered by this bill. Removing the duty in this instance would improve the competitive position of combination polyurethane-latex mattresses in relation to other types of foam mattresses manufactured and sold in this country. The temporary nature of the bill, however, may encourage the Shelton plant to begin manufacturing these latex sheets along with their other latex products.

Mr. Speaker, the committee received no unfavorable comment on a suspension of duty in this case, and reported the bill unanimously. I recommend passage by the House at this time.

Mr. OTTINGER. Mr. Speaker, today, we are considering two bills—H.R. 2849 and H.R. 2850—that I introduced earlier this year. These bills suspend the tariff on mattress blanks of foam rubber latex and on latex sheets. I urge their passage and thank the committee, and particu-

larly the gentleman from Illinois (Mr. VANIK), the able chairman of the Subcommittee on Trades.

Unfortunately, the Ways and Means Committee amended H.R. 2849 and eliminated the provision which would have returned the duties that had been unjustly collected over the past 2 years. While I am pleased that the House is considering these bills today, I am hopeful that the Senate will reverse this decision to eliminate all retroactive relief.

The need for this legislation results from a nationally publicized case of arson that occurred in 1975. At that time, fire destroyed a rubber plant in Shelton, Conn., which served as the only domestic supplier of natural foam rubber latex. That ended the rationale for a tariff since there was no longer any domestic industry to protect—but the tariff remained.

Today, although the United States still lacks a domestic producer of these goods, duties on foam rubber latex still remain in effect. This situation has imposed a severe hardship on the manufacturers of foam rubber mattresses, since they have no alternative now but to import all of their raw foam rubber blanks at artificially high prices.

This unfortunate situation was first brought to my attention by Mr. Jack Freilicher of Yonkers, N.Y., president of the Rite Foam Sleep Products Corp., a mattress manufacturer severely affected and a constituent. I first introduced H.R. 2849 in the 94th Congress. It was unopposed in hearings in both the House and Senate and received favorable consideration in all departmental reports. While the House ultimately passed the bill, the Senate failed to act on it in the hectic days preceding the adjournment of Congress at the beginning of last October. Since Congress took no final action, Mr. Freilicher was forced to alter his production techniques and began to import latex sheets—in addition to the mattress blanks—since the duty on these materials is substantially lower. As a result, he asked that I also introduce a bill suspending the duty on latex sheets, H.R. 2850. Had the bill passed last year there would be no need now for retroactive provisions.

The function of my original legislation was to suspend the tariff, since the purpose of imposing a duty on imported merchandise is to protect a domestic industry and there was none. My bill this year also called for the return of duties that have been collected over the past 2 years. This was rejected by the committee.

Some of the members of the subcommittee were opposed to retroactivity because they assumed all of the costs of import were passed on to consumers and, therefore, that to return these duties would be a windfall to Mr. Freilicher and the Rite Foam Corp.

During the hearings, Rite Foam Corp. submitted substantial material documenting the fact that the corporation did not pass on the full 15-percent tariff to consumers.

However, this is not the case. Because of the tariff, the proportion of Rite

Foam's selling price consumed by the cost of the mattress blank rose from a range of 27 percent to 34 percent in February 1975, before the fire, to a range of 33 percent to 42 percent in June, 1975, when blanks were imported. In other words, the firm demonstrated that it absorbed a loss ranging from 3 percent to 10 percent as a result of the increased cost of the mattress blanks.

In sum, the firm passed on only a portion of the 15-percent tariff to consumers—a small portion. However, the rise in prices caused by the tariff forced sales down. The firm thus lost revenue from both reduced profit per unit and reduced volume. The firm chose to absorb these losses, rather than lose further market position, while it waited for Congress to act and remove the tariff. In the absence of congressional relief, however, Rite Foam could no longer continue to accept such losses. In March 1977, the firm sold out to a larger corporation, G.M.C. Sleeper Products.

I feel very badly about this course of events. I believe that the consumer loses when the demise of another small business increases the concentration in a given market. On a personal level, I empathize with my constituent who suffered huge losses and was forced to sell out and become an employee in a large company. This has not been an easy adjustment for him, and I am very sorry to say that if Congress had acted last year this unhappy outcome might have been avoided.

I would like to point out that Mr. Freilicher and his former partner are still responsible for the debts of the Rite Foam Corp. The retroactive payments are absolutely necessary to compensate Rite Foam for the losses caused by the Federal Government's tariff and to thus protect the firm's creditors.

Economic conditions as they are today make it extremely difficult for many small businesses to operate successfully. It seems inexcusable to me that the Government would allow an obsolete duty to remain in effect and eventually force a small business like Rite Foam out of business. At this point, I only hope the Senate will give more sympathetic consideration to reinstating the retroactive provision of H.R. 2849.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Ohio (Mr. VANIK), that the House suspend the rules and pass the bill H.R. 2850, as amended.

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

The title was amended so as to read: "A bill to suspend until after the close of June 30, 1978, the duty on certain latex sheets."

A motion to reconsider was laid on the table.

CONTINUE TARIFF SUSPENSION ON SYNTHETIC RUTILE

Mr. VANIK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3387) to continue until the close of June

30, 1980, the existing suspension of duties on synthetic rutile, as amended.

The Clerk read as follows:

H.R. 3387

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 911.25 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "6/30/77" and inserting in lieu thereof "6/30/79".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1977.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. VANIK) and the gentleman from Wisconsin (Mr. STEIGER) will be recognized for 20 minutes each.

The Chair recognizes the gentleman from Ohio (Mr. VANIK).

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

Mr. Speaker, the purpose of H.R. 3387 is to suspend until June 30, 1979 the duty on synthetic rutile.

H.R. 3387 was introduced by our colleague, Mr. WAGGONER of Louisiana.

Synthetic rutile is derived from ilmenite through a process of chemical upgrading. Since natural rutile is much more costly than ilmenite, increasing quantities of synthetic rutile are being produced. Titanium dioxide pigments comprise by far the largest single use of natural and synthetic rutile. At the present time, there is one domestic producer of synthetic rutile but all its present production is consumed internally.

A favorable report was received from the Department of Interior. Reports with no objections were received from the Departments of State, the Treasury, Commerce, and Labor and from the Office of the Special Representatives for Trade Negotiations.

Objection to the continuation of this duty suspension was received from one domestic firm which in January 1977 started domestic production of synthetic rutile. While theoretically that plant has the capacity of increasing production to supply third parties, the plant today only supplies the internal needs of this firm for synthetic rutile. Furthermore, this firm is studying the possibility of constructing another plant which would consume all of the theoretical surplus synthetic rutile production of this plant, thereby rendering all domestic synthetic rutile production captive.

The bill was amended to provide for a termination date of June 30, 1979 rather than June 30, 1980 in order that the domestic synthetic rutile supply available to independent firms can be reviewed at that time to see if the duty suspension is still warranted.

The committee was unanimous in reporting H.R. 3387 as amended, and I urge its passage.

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

Mr. Speaker, I support H.R. 3387 continuing the temporary suspension of the column 1 duty on synthetic rutile until June 30, 1979.

The manufacture of synthetic rutile involves a complicated chemical process that, while costly, produces a quality substitute that is considerably less expensive than natural rutile. Synthetic rutile currently is used solely in the manufacture of titanium dioxide pigments. However, its use probably will be expanded in the near future to the production of titanium metal, welding rod coatings and other articles where natural rutile is now used.

Imports of synthetic rutile have increased steadily since 1973; and, for the past several years, the column 1 duty has been suspended. Under the Tariff Schedules of the United States, synthetic rutile is subject to a column 1 duty of 7.5 percent ad valorem and a column 2 rate of 30 percent ad valorem. The suspension has served to make domestic importers more competitive in obtaining the scarce resources of both natural and synthetic rutile.

Early this year, a single U.S. company began production of synthetic rutile and expects to make available 110,000 short tons annually. The temporary nature of the suspension will permit a review by Congress in 2 years so that its effect on this company can be evaluated. Continuation of the suspension at this time will result in no additional loss in customs revenues.

Mr. Speaker, the committee heard no objection to enactment of H.R. 3387 from any source and reported the bill unanimously. I urge the House to pass this needed legislation at this time.

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

Mr. STEIGER. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Speaker, I thank the gentleman from Wisconsin for yielding to me. I would like to ask a question. I have been watching these bills from the Committee on Ways and Means whisk through, and then I hear that we are also going to get some unanimous-consent requests later. These matters always appear to be brought up under a closed rule and I am somewhat constrained to object to unanimous-consent requests, myself, emanating from the Committee on Ways and Means.

Let me ask, is there really an earth-shaking need for these, or is this merely a ritual that we are required to engage in from time to time?

Mr. STEIGER. Mr. Speaker, if I may respond to my colleague, the gentleman from Ohio (Mr. ASHBROOK), let me say that the answer to the gentleman's question is yes, I believe they are needed. I might add that I am going to talk a little bit on the next bill which is on bicycle parts because it made its way to the front page of the Washington Post this morning. But, let me further add that this is not a ritual. All we are dealing with here are a series of admittedly small, modest problems that arise in the Tariff Code where there are matters that in-

volve say a manufacturing process, or where a waiver is requested because it was in the code in 1962. And as I am sure the gentleman from Ohio knows, that does not get changed very often because we really do not go back and try to redo it. Further, we have not had an adverse statement on this.

Mr. ASHBROOK. I am guessing that that is probably why.

Mr. STEIGER. We did have the Smoot-Hawley Tariff Act the House worked on for a long period in 1934, I believe that took some 4 weeks, or whatever time it was for the Committee on Ways and Means and the House to enact the bill.

What we have here is a suspension. These are not closed rules. If more than one-third are against it, they can force us to go to the Rules Committee and then come back.

We have changed our procedure, this is not the old way it was done. We have hearings on all of them and we have markup sessions on all of them. These meetings are open to the public. Anyone can come in and say a bill may be a good or a bad idea. So this is handled in a very different fashion admittedly than it used to be handled.

Mr. ASHBROOK. Mr. Speaker, if the gentleman will yield further, I thank my friend. This goes a far way in settling the trepidation I have. I see these things go through here and then they go to the Senate and then they come back with nongermane amendments. I am concerned with the process and I am inclined sometimes to object.

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

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

Mr. CONABLE. Mr. Speaker, I share with the gentleman from Ohio concern about the overuse of the suspension procedure which does result, in effect, in a closed rule. However, if ever we should have a suspension procedure it is on some of these bills. We have sometimes a need to reduce the tariff but not to eliminate it completely because to continue to charge the full tariff or prevent the reduction of a tariff would be simply to add to the price the American people are going to have to pay for a finished product involving this substance. If there is no production of this substance in this country that does not make much sense. However if we were to eliminate the tariff completely in some cases—we will find a factory has been burned and is being rebuilt or something of that sort—we would have to go through a very elaborate procedure to reinstate the tariff. That makes for a great deal of difficulty later on. Also these tariffs become part of a bargaining procedure in the international arena and if we eliminate the tariff completely, those bargaining advantages are lost for that purpose.

The bills that have come up this far are bills that involve suspension on the part of the Ways and Means Committee after hearings. It would be silly to waste a great deal of time on them and to raise the potential for a great deal of amendment.

As to the Senate using these vehicles, that is another matter. There is no way

we can control that, and if the other body wishes to they will use these vehicles or they will use something else. That is one of the problems we have and I share the gentleman's concern on this aspect.

It seems to me this procedure is well designed to provide adequate safeguard against abuse. With the types of bills we have today I want to reassure the gentleman there is not any real reason for concern.

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

Mr. STEIGER. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I thank the gentleman from Wisconsin.

I think once in a while it is appropriate for a non-Ways and Means Committee member to ask questions on these bills. I do not ask those questions because of any lack of credibility or any lack of confidence in the committee members. I come from a committee in which the House has virtually no confidence. The House rewrites virtually everything we do. I realize that my mentality may have developed along that line. However, with Ways and Means it seems we underwrite everything that is done and maybe there is a good reason.

However, I think the gentlemen have given me the answer.

Mr. VANIK. Mr. Speaker, we have worked hard in the Trade Subcommittee and in the Ways and Means Committee to weed out of these small bills anything that is not in the national interest. While these bills affect only one small segment of this or that particular industry, they have a cumulative positive impact on the whole economy.

In general, the various bills will benefit the consumer and will also enable American companies to make products here in the United States or compete with foreign products or in some other way maintain employment or provide a service.

We have spent some 5 days in public hearings and markup on these bills. We considered 43 bills but only ordered reported 22 bills, and 19 of those were amended. We have tried to be very selective and careful in handling our work.

Mr. STEIGER. Mr. Speaker, I thank both my colleagues from Ohio and my colleague from New York.

The question asked by the gentleman from Ohio (Mr. ASHBROOK) is a good one and it is worth considering and noting before we complete these bills.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. VANIK) that the House suspend the rules and pass the bill (H.R. 3387), as amended.

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

The title was amended so as to read: "A bill to continue until the close of June 30, 1979, the existing suspension of duty on synthetic rutile."

A motion to reconsider was laid on the table.

SUSPEND TARIFFS ON CERTAIN BICYCLE PARTS

Mr. VANIK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5263) to suspend until the close of June 30, 1979, the duty on certain bicycle parts, as amended.

The clerk read as follows:

H.R. 5263

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 912.05 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended—

(1) by inserting “, and parts thereof” immediately after “Generator lighting sets for bicycles”; and

(2) by striking out “12/31/76” and inserting in lieu thereof “6/30/80”.

(b) Item 912.10 of the Appendix to such Schedules is amended to read as follows:

“912.10... Caliper brakes, drum brakes, coaster brakes, three-speed hubs incorporating coaster brakes, three-speed hubs not incorporating coaster brakes, click twist grips, click stick levers, multiple free wheel sprockets, cotterless type crank sets, rims, parts of all the foregoing, and parts of bicycles consisting of sets of steel tubing cut to exact length and each set having the number of tubes needed for the assembly (with other parts) into the frame and fork of one bicycle (provided for in item 732.36, part 5C, schedule 7).... Free. No change. On or before 6/30/80”.

Sec. 2. (a) The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

(b) Upon request therefor filed with the customs officer concerned on or before the 90th day after the date of the enactment of this Act, the entry or withdrawal of any article (other than any derailleurs) to which item 912.05 or 912.10 of the Tariff Schedules of the United States (as in effect on December 31, 1976) applied and—

(1) which was made after December 31, 1976, and before the date of the enactment of this Act, and

(2) with respect to which there would have been no duty if any of the amendments made by the first section of this Act applied to such entry or withdrawal,

shall notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. VANIK) and

the gentleman from Wisconsin (Mr. STEIGER) will be recognized for 20 minutes each.

The Chair recognizes the gentleman from Ohio (Mr. VANIK).

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

Mr. Speaker, the purpose of H.R. 5263 is to continue from December 31, 1976, to June 30, 1980, the duty suspension on certain bicycle parts.

H.R. 5263 was introduced by our colleague, Mr. ROSTENKOWSKI, of Illinois.

The basic purpose of the duty suspension is to improve the ability of domestic producers to compete with foreign bicycle manufacturers by reducing the landed cost of certain imported bicycle parts and accessories which are not available from domestic sources. The great bulk of imported bicycles are subject to rates of duty substantially lower than the parts covered by the duty suspension.

Favorable reports were received from the Departments of Commerce, Labor, and the Treasury. A report with no objection was received from the Department of State.

Technical amendments were made to make the bill effective from the date of enactment with a provision for liquidation or reliquidation of entries prior to enactment but after December 31, 1976, the date the prior suspension expired. The duty suspension termination date was amended to June 30, 1980, from June 30, 1979, in order to provide a common expiration date for most of the duty suspension bills acted upon by the committee.

The committee was unanimous in reporting H.R. 5263 as amended, and I urge its passage.

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

Mr. Speaker, in this morning's Washington Post there is a George Lardner story on what the Post headline writer has called “The Summertime Santas.” They are these trade bills that the House is now dealing with. Thus, I would like to take a couple minutes just to talk a little about this problem, because I think the Post story, frankly, is very wrong and mischievous in terms of what has happened in the House and, I think, also in the Senate in how we handle these bills.

The bill now before us, H.R. 5263, extends the suspension of the column 1 duties on certain bicycle parts and accessories from December 31, 1976, until June 30, 1980.

Although a temporary suspension on bicycle parts has been passed over the last couple years, it was allowed to expire in December 1976. H.R. 5263 reinstates the suspension and makes certain additions to the definition of bicycle parts to which the suspension applied. Further, it removes the suspension on derailleurs. Column 2 duties, as in the past, would remain unchanged.

The suspension previously covered derailleurs, caliper brakes, drum brakes, certain hubs, grips, click stick levers, and multiple freewheel sprockets. News items to be included under the suspension would be generator lighting sets for bi-

cycles, coaster brakes, alloy-butted frame tubing, frame logs, alloyed cotterless wrench sets and alloyed rims. None of these items currently are produced in the United States.

I might inject at this point, I will take time to read the speech, because I do not want our Post friends to say we did not adequately discuss this bill.

The whole point is that we changed the procedures in the Committee on Ways and Means as a result of some pressure from our colleagues; if I remember correctly, the gentleman from Texas (Mr. PATMAN) and the gentleman from Wisconsin (Mr. ASPIN) who objected to the way we used to do business.

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

Mr. STEIGER. Of course.

Mr. VANIK. I just note that there is not a newsman in the gallery.

Mr. STEIGER. Well, I cannot refer to other sections of the House Chamber, so I will not, but perhaps George Lardner will run down at some point and read the Record.

But, as a result of the pressures of Ralph Nader and Members of the House, we changed our procedures. We now set the bills for hearings. We have a public hearing and we allow anybody who wants to do so to come in and testify. We come in and mark the bill up in public and report it out. In this case, it was a unanimous vote in spite of the fact that there is opposition to the bill from, for example, the imported bicycle people. They would like to continue to have an advantage over domestic bicycle manufacturers. That is the whole issue that is involved in this bill.

Current tariff schedules reflect a duty of between 5.5 and 11 percent ad valorem on finished bicycles and a 15 to 19 percent ad valorem duty on bicycle parts. As a consequence, imported bicycles have increased their share of the market in this country by between 18 and 28 percent. Until this discrepancy in duty rates can be rectified, the suspension is necessary to secure the competitive position of domestic bicycle manufacturers who must import certain parts and accessories.

Therefore, Mr. Speaker, I think the bill is a good bill, and corrects what would otherwise be a disadvantageous position for the domestic bicycle industry. I urge its adoption.

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

Mr. STEIGER. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I thank my colleague for yielding to me. The gentleman makes a very excellent case for the bill.

He said something about Ralph Nader. I only want the record to show that the concerns I have expressed on these bills, the Ways and Means Committee and on procedure, are in no way reflected by any degree of appreciation support, concern or feelings I might have toward Ralph Nader or any response to any thought he might have. They are entirely my own.

Mr. STEIGER. I recognize the gentleman's feelings. I just thought it would be interesting if we had the Ashbrook-

Nader coalition. I did not know whether that did a disservice to both or either of them.

Mr. CONTE. Mr. Speaker, I rise in support of H.R. 5263, which would suspend until June 30, 1979, the duty on certain bicycle parts.

As you know, this is the centennial year of the American bicycle industry. However, the celebration has not been a very joyous one. From 1965 to 1974 imports of foreign-manufactured bicycles have increased their share of the domestic market from 18 percent to 28 percent. The American manufacturers are finding it increasingly hard to compete with lower priced imports.

The purpose of this duty suspension is to improve the ability of domestic producers to compete with foreign bicycle manufacturers by reducing the cost of certain imported bicycle parts and accessories which are not available from American suppliers.

Columbia Manufacturing Co., which is in my district, is one of the oldest bicycle manufacturers in the country. It has been severely hurt by the high import duties on bicycle parts. What is happening at Columbia is simply representative of what is happening in the bicycle manufacturing industry in general. This trend must be abated before we see more unemployment in the bicycle industry.

This bill provides no special preference for the bicycle industry. It simply tries to give them a fair chance to compete with foreign imports which are presently subjected to a very low duty.

This bill was unanimously reported favorably by the Ways and Means Committee. It received favorable reports from the Departments of Commerce, Labor, and Treasury. I urge its adoption today.

Thank you.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. VANIK) that the House suspend the rules and pass the bill H.R. 5263, as amended.

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

The title was amended so as to read: "A bill to suspend until the close of June 30, 1980, the duty on certain bicycle parts."

A motion to reconsider was laid on the table.

TARIFF TREATMENT OF FILM, STRIPS, SHEETS, AND PLATES OF CERTAIN PLASTICS OR RUBBER

Mr. VANIK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5285) to amend the Tariff Schedules of the United States with respect to the tariff treatment accorded to sheets manufactured from acrylic resin materials, as amended.

The Clerk read as follows:

That subpart B of part 12 of schedule 7 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "otherwise processed" in headnote 2(iv) (D) and inserting in lieu thereof "otherwise usefully processed".

Sec. 2. The amendment made by the first section of this Act shall apply with

respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this act.

The SPEAKER pro tempore. Is a second demanded?

Mr. CONABLE. Mr. Speaker, I demand a second?

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

The Speaker pro tempore. The gentleman from Ohio (Mr. VANIK) and the gentleman from New York (Mr. CONABLE) are recognized for 20 minutes each.

The Chair recognizes the gentleman from Ohio (Mr. VANIK).

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

Mr. Speaker, the purpose of H.R. 5285 is to clarify a headnote of the Tariff Schedules of the United States to insure that acrylic sheet shall be classified as "processed" only if the processing is related to a commercial purpose.

H.R. 5285 was introduced by our colleague, Mr. LEDERER of Pennsylvania.

Some importers have developed a practice of drilling superfluous holes in the excess border of nonflexible acrylic sheet. This practice results in such sheet being classified as "processed" and enjoying a lower rate of duty. This practice was initially disapproved by the Customs Service but that decision was reversed by the Treasury Department. The committee agreed that the "processed" classification should apply only to useful processing which is related to a commercial purpose rather than superfluous processing done only to enjoy a lower rate of duty.

Reports with objections to H.R. 5285 were received from the Departments of Commerce, State, and the Treasury. They characterized the original bill as an attempt to unilaterally raise duty on the articles which would be in violation of our GATT obligations.

In view of those objections, the bill was amended to delete the proposed new TSUS item which would have made all imports of unprocessed film, strips, sheets, and plates of acrylic resin, regardless of whether flexible or nonflexible, dutiable at the higher duty rate now applicable only to nonflexible unprocessed sheets.

The bill, as amended, is, therefore, solely directed at reversing the Treasury practice of permitting imports of acrylic resin sheets to be classified at the lower rate of duty by reason of processing unrelated to a useful purpose. Such a legislative change in Customs practice is consistent with U.S. obligations under the articles of the GATT since, in the view of the committee, approval of H.R. 5285, as amended, carries out the original intent of the Congress in enacting the Tariff Classification Act of 1962 under which the Tariff Schedules of the United States was established.

The committee was unanimous in reporting H.R. 5285 as amended, and I urge its passage.

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

Mr. Speaker, I support H.R. 5285 which amends the Tariff Schedules of the

United States with respect to the treatment of sheets manufactured from acrylic resin.

Currently, perfunctory improvements, such as holes drilled along the sides, will allow imported sheets made from acrylic resin more favorable treatment than those without such improvements. It has been alleged that improvements are made with no functional purpose in order to enjoy a lower duty.

Plain acrylic sheets are now classified in a manner that subject them to a column 1 duty of 8.5-percent per pound and a column 2 duty of 50-cents per pound. Improved sheets are classified differently and have a lower column 1 duty of 8.5-percent ad valorem and a column 2 duty of 80-percent ad valorem.

H.R. 5285 would amend the tariff schedules so that acrylic resin sheets, in order to receive a lower rate of duty as an improved product, must have been improved "for a useful commercial purpose." This would prevent superfluous modification of these sheets for the sole purpose of gaining more favorable tariff treatment.

Mr. Speaker, H.R. 5285 was reported unanimously by the committee. It is estimated to generate a revenue gain of approximately \$200,000. I recommend passage by the House at this time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. VANIK) that the House suspend the rules and pass the bill H.R. 5285, as amended.

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

The title was amended so as to read: "A bill to amend the Tariff Schedules of the United States with respect to the tariff treatment accorded to film, strips, sheets, and plates of certain plastics or rubber."

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to clause 3, rule XXVII, the Chair will now put the question on each motion, on which further proceedings were postponed, in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 6936, by the yeas and nays;
House Joint Resolution 372, by the yeas and nays;

H.R. 7012, by the yeas and nays;
H.R. 2387, by the yeas and nays;
H.R. 6974, by the yeas and nays;
H.R. 6975, by the yeas and nays; and
H.R. 4319, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic votes after the first such vote in this series.

FEDERAL ELECTION COMMISSION

The SPEAKER pro tempore. The unfinished business is the question of sus-

pending the rules and passing the bill H.R. 6936.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. THOMPSON) that the House suspend the rules and pass the bill H.R. 6936, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 383, nays 22, not voting 28, as follows:

[Roll No. 424]

YEAS—383

Abdnor	Coughlin	Huckaby
Addabbo	Cunningham	Hughes
Akaka	D'Amours	Hyde
Alexander	Daniel, Dan	Ichord
Allen	Daniel, R. W.	Ireland
Ambro	Danielson	Jacobs
Ammerman	Davis	Jeffords
Anderson,	de la Garza	Jenkins
Calif.	Delaney	Jenrette
Anderson, Ill.	Dellums	Johnson, Calif.
Andrews, N.C.	Derwinski	Johnson, Colo.
Andrews,	Devine	Jones, N.C.
N. Dak.	Dicks	Jones, Okla.
Annunzio	Dingell	Jones, Tenn.
Applegate	Dodd	Jordan
Archer	Downey	Kasten
Ashley	Drinan	Kastenmeier
Aspin	Duncan, Oreg.	Kazen
AuCoin	Duncan, Tenn.	Kelly
Bafalis	Early	Kemp
Baldus	Eckhardt	Ketchum
Barnard	Edgar	Keys
Baucus	Edwards, Ala.	Kildee
Beard, R.I.	Edwards, Calif.	Kostmayer
Beard, Tenn.	Ellberg	Krebs
Bedell	Emery	Krueger
Bellenson	English	LaFalce
Benjamin	Erlenborn	Lagomarsino
Bennett	Ertel	Latta
Bevill	Evans, Colo.	Le Fante
Bingham	Evans, Del.	Leach
Blanchard	Evans, Ga.	Lederer
Blouin	Evans, Ind.	Leggett
Boggs	Fary	Lehman
Boland	Fascell	Lent
Bolling	Findley	Levitas
Bonior	Fish	Lloyd, Calif.
Bonker	Fisher	Lloyd, Tenn.
Bowen	Fithian	Long, La.
Breaux	Flood	Long, Md.
Breckinridge	Florio	Lott
Brinkley	Flowers	Lujan
Brodhead	Flynt	Lukens
Brooks	Ford, Mich.	Lundine
Broomfield	Ford, Tenn.	McClary
Brown, Calif.	Forsythe	McCloskey
Brown, Mich.	Fowler	McCormack
Brown, Ohio	Fraser	McDade
Broyhill	Frenzel	McEwen
Buchanan	Frey	McFall
Burgener	Fuqua	McHugh
Burke, Calif.	Gammage	McKay
Burke, Fla.	Gaydos	Madigan
Burleson, Tex.	Gephardt	Maguire
Burlison, Mo.	Gialmo	Mahon
Burton, John	Gibbons	Mann
Burton, Phillip	Gilman	Markey
Butler	Ginn	Marks
Byron	Glickman	Marlenee
Caputo	Goldwater	Martin
Carney	Gonzalez	Mattox
Carr	Goodling	Mazzoli
Carter	Gore	Meeds
Cavanaugh	Gradison	Metcalfe
Cederberg	Grassley	Meyner
Chappell	Guyer	Mikulski
Chisholm	Hagedorn	Mikva
Clausen	Hall	Milford
Don H.	Hamilton	Miller, Calif.
Clay	Hanley	Miller, Ohio
Cleveland	Hannaford	Mineta
Cochran	Harkin	Minish
Cohen	Harrington	Mitchell, Md.
Coleman	Harris	Mitchell, N.Y.
Collins, Ill.	Hawkins	Moakley
Conable	Hefner	Moffett
Conte	Hefner	Mollohan
Conyers	Hefner	Montgomery
Corcoran	Hightower	Moore
Corman	Hillis	Moorhead,
Cornell	Hollenbeck	Calif.
Cornwell	Holtzman	Moorhead, Pa.
Cotter	Hubbard	Moss

Mottl	Robinson	Studds
Murphy, Ill.	Rodino	Taylor
Murphy, Pa.	Roe	Thompson
Murtha	Rogers	Thone
Myers, Gary	Rooney	Thornton
Myers, John	Rose	Traxler
Myers, Michael	Rosenthal	Treen
Natcher	Rostenkowski	Tribble
Neal	Roybal	Tsongas
Nedzi	Rudd	Tucker
Nichols	Runnels	Udall
Nix	Ruppe	Ullman
Nolan	Russo	Van Deerlin
Nowak	Ryan	Vander Jagt
O'Brien	Santini	Vanik
Oakar	Sarasin	Vento
Oberstar	Satterfield	Volkmer
Obey	Sawyer	Waggoner
Ottlinger	Scheuer	Walgren
Panetta	Schroeder	Walker
Patten	Schulze	Wampler
Pattison	Sebellius	Watkins
Pease	Sharp	Waxman
Pepper	Shipley	Weaver
Perkins	Shuster	Weiss
Pettis	Sikes	Whalen
Pickle	Simon	White
Fike	Sisk	Whitehurst
Poage	Skelton	Whitley
Pressler	Slack	Whitten
Preyer	Smith, Iowa	Wilson, Bob
Price	Smith, Nebr.	Wilson, C. H.
Pritchard	Snyder	Winn
Pursell	Solarz	Wirth
Quile	Spellman	Wolff
Quillen	Spence	Wright
Rahall	St Germain	Wylder
Rallsback	Staggers	Wylie
Rangel	Stangeland	Yates
Regula	Stanton	Yatron
Reuss	Stark	Young, Alaska
Rhodes	Steed	Young, Fla.
Richmond	Steers	Young, Mo.
Rinaldo	Stockman	Young, Tex.
Risenhoover	Stokes	Zablocki
Roberts	Stratton	Zeferetti

NAYS—22

Armstrong	Fountain	Michel
Ashbrook	Hammer	Quayle
Badham	schmidt	Rousselot
Bauman	Hansen	Steiger
Clawson, Del	Holt	Stump
Collins, Tex.	Kindness	Symms
Dornan	McDonald	Walsh
Edwards, Okla.	Mathis	

NOT VOTING—28

Badillo	Flippo	Murphy, N.Y.
Biaggi	Foley	Patterson
Brademas	Gudger	Roncallo
Burke, Mass.	Harsha	Seiberling
Crane	Holland	Skubitz
Dent	Horton	Teague
Derrick	Howard	Wiggins
Dickinson	Koch	Wilson, Tex.
Diggs	McKinney	
Fenwick	Marriott	

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Ms. Fenwick.

Mr. Dent with Mr. Marriott.

Mr. Brademas with Mr. Wiggins.

Mr. Biaggi with Mr. Flippo.

Mr. Murphy of New York with Mr. McKinney.

Mr. Howard with Mr. Skubitz.

Mr. Badillo with Mr. Crane.

Mr. Koch with Mr. Dickinson.

Mr. Foley with Mr. Harsha.

Mr. Charles Wilson of Texas with Mr. Horton.

Mr. Teague with Mr. Diggs.

Mr. Roncallo with Mr. Patterson of California.

Mr. Seiberling with Mr. Gudger.

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 1435) to authorize appropriations for the Federal Election Commission for fiscal year 1978.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1435

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 319 of the Federal Election Campaign Act of 1971 is amended—

(1) by striking out "and" after "September 30, 1976," and

(2) by inserting after "September 30, 1977" a comma and the following: "and \$7,500,000 for the fiscal year ending September 30, 1978".

MOTION OFFERED BY MR. THOMPSON

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

The Clerk read as follows:

Mr. THOMPSON moves to strike out all after the enacting clause of the Senate bill S. 1435 and to insert in lieu thereof the provisions of H.R. 6936, as passed by the House.

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: "To amend the Federal Election Campaign Act of 1971 to extend the authorization of appropriations contained in such Act."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 6936) was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 3(b)(3), rule XXVII, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on all the additional motions to suspend the rule on which the Chair has postponed further proceedings.

NATIONAL FAMILY WEEK

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the joint resolution (H.J. Res. 372), as amended.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. LEHMAN) that the House suspend the rules and pass the joint resolution (H.J. Res. 372), as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 400, nays 3,

answered "present" 1, not voting 29, as follows:

[Roll No. 425]

YEAS—400

Abdnor	Derwinski	Kazen
Addabbo	Devine	Kelly
Akaka	Dicks	Ketchum
Alexander	Dingell	Keys
Allen	Dodd	Kildee
Ambro	Dornan	Kindness
Ammerman	Downey	Kostmayer
Anderson,	Drinan	Krebs
Calif.	Duncan, Oreg.	Krueger
Anderson, Ill.	Duncan, Tenn.	LaFalce
Andrews, N.C.	Early	Lagomarsino
Andrews,	Eckhardt	Latta
N. Dak.	Edgar	Le Pante
Annunzio	Edwards, Ala.	Leach
Applegate	Edwards, Calif.	Lederer
Archer	Edwards, Okla.	Leggett
Armstrong	Ellberg	Lehman
Ashbrook	Emery	Lent
Aspin	English	Levitas
AuCoin	Erlenborn	Lloyd, Calif.
Badham	Ertel	Lloyd, Tenn.
Bafalls	Evans, Colo.	Long, La.
Baldus	Evans, Del.	Long, Md.
Barnard	Evans, Ga.	Lott
Baucus	Evans, Ind.	Lujan
Bauman	Fary	Lukens
Beard, R.I.	Fascell	Lundine
Beard, Tenn.	Findley	McClary
Bedell	Fish	McCloskey
Bellenson	Fisher	McCormack
Benjamin	Fithian	McDade
Bennett	Flood	McDonald
Bevill	Florio	McEwen
Bingham	Flowers	McFall
Blanchard	Flynt	McHugh
Blouin	Ford, Mich.	McKay
Boggs	Ford, Tenn.	Madigan
Boland	Forsythe	Maguire
Bolling	Fountain	Mahon
Bonior	Fowler	Mann
Bonker	Fraser	Markey
Bowen	Frenzel	Marks
Breaux	Frey	Marlenee
Breckinridge	Fuqua	Martin
Brinkley	Gammage	Mathis
Brodhead	Gaydos	Mattox
Brooks	Gephardt	Mazzoli
Broomfield	Gialmo	Meeds
Brown, Calif.	Gibbons	Metcalfe
Brown, Mich.	Gilman	Meyner
Brown, Ohio	Ginn	Michel
Broyhill	Glickman	Mikulski
Buchanan	Goldwater	Mikva
Burgener	Gonzalez	Milford
Burke, Calif.	Goodling	Miller, Calif.
Burke, Fla.	Gore	Miller, Ohio
Burleson, Tex.	Gradison	Mineta
Burleson, Mo.	Grassley	Minish
Burton, John	Gudger	Mitchell, Md.
Burton, Phillip	Guyer	Mitchell, N.Y.
Butler	Hagedorn	Moakley
Byron	Hall	Moffett
Caputo	Hamilton	Mollohan
Carney	Hammer-	Montgomery
Carr	schmidt	Moore
Carter	Hanley	Moorhead,
Cavanaugh	Hannaford	Calif.
Cederberg	Hansen	Moorhead, Pa.
Chappell	Harkin	Moss
Chisholm	Harris	Mottl
Clausen,	Hawkins	Murphy, Ill.
Don H.	Heckler	Murphy, Pa.
Clawson, Del	Hefner	Murtha
Clay	Heftel	Myers, John
Cleveland	Hightower	Myers, Michael
Cochran	Hillis	Natcher
Cohen	Hollenbeck	Neal
Coleman	Holt	Nedzi
Collins, Ill.	Holtzman	Nichols
Collins, Tex.	Horton	Nix
Conable	Hubbard	Nolan
Conte	Huckaby	Nowak
Conyers	Hughes	O'Brien
Corcoran	Hyde	Oaker
Corman	Ichord	Oberstar
Cornell	Ireland	Ober
Cornwell	Jacobs	Panetta
Cotter	Jeffords	Patten
Coughlin	Jenkins	Pattison
Cunningham	Jenrette	Pease
D'Amours	Johnson, Calif.	Pepper
Daniel, Dan	Johnson, Colo.	Perkins
Daniel, R. W.	Jones, N.C.	Pettis
Danielson	Jones, Okla.	Pickle
Davis	Jones, Tenn.	Poage
de la Garza	Jordan	Pressler
Delaney	Kasten	Preyer
Dellums	Kastenmeier	Price

Pritchard
Pursell
Quayle
Quile
Quillen
Rahall
Rallsback
Rangel
Regula
Reuss
Rhodes
Rinaldo
Risenhoover
Roberts
Robinson
Rodino
Roe
Rogers
Rooney
Rose
Rosenthal
Rostenkowski
Rousselot
Roybal
Rudd
Runnels
Ruppe
Russo
Ryan
Santini
Sarasin
Satterfield
Sawyer
Scheuer
Schroeder
Schulze
Sebellius

Sharp
Shipley
Shuster
Sikes
Simon
Sisk
Skelton
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Solarz
Spellman
Spence
St Germain
Staggers
Stangeland
Stanton
Stark
Steed
Steers
Steiger
Stockman
Stokes
Stratton
Studds
Stump
Symms
Taylor
Thompson
Thone
Thornton
Traxler
Treen
Trible
Tsongas
Tucker

Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vento
Volkmmer
Waggonner
Walgren
Walker
Walsh
Wampler
Watkins
Waxman
Weaver
Weiss
Whalen
White
Whitehurst
Whitley
Whitten
Wilson, Bob
Wilson, C. H.
Winn
Wirth
Wolff
Wright
Wydlar
Wyllie
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Mo.
Young, Tex.
Zablocki
Zeferetti

pending the rules and passing the bill H.R. 7012, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. LEHMAN) that the House suspend the rules and pass the bill, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 401, nays 9, not voting 23, as follows:

[Roll No. 426]

YEAS—401

Abdnor	Cotter	Heckler
Addabbo	Coughlin	Hefner
Akaka	Cunningham	Heftel
Alexander	D'Amours	Hightower
Allen	Daniel, Dan	Hillis
Ambro	Daniel, R. W.	Hollenbeck
Ammerman	Danielson	Holt
Anderson,	Davis	Holtzman
Calif.	de la Garza	Horton
Anderson, Ill.	Delaney	Hubbard
Andrews, N.C.	Dellums	Huckaby
Andrews,	Derwinski	Hughes
N. Dak.	Devine	Hyde
Annunzio	Dicks	Ichord
Applegate	Diggs	Ireland
Archer	Dingell	Jacobs
Armstrong	Dodd	Jeffords
Ashbrook	Dornan	Jenkins
Ashley	Downey	Jenrette
Aspin	Drinan	Johnson, Calif.
AuCoin	Duncan, Oreg.	Johnson, Colo.
Badham	Duncan, Tenn.	Jones, N.C.
Bafalls	Early	Jones, Okla.
Barnard	Eckhardt	Jones, Tenn.
Baucus	Edgar	Jordan
Bauman	Edwards, Ala.	Kasten
Beard, R.I.	Edwards, Calif.	Kastenmeier
Beard, Tenn.	Edwards, Okla.	Kazen
Bedell	Ellberg	Kelly
Benjamin	Emery	Kemp
Bennett	English	Ketchum
Bevill	Erlenborn	Keys
Bingham	Ertel	Kildee
Blanchard	Evans, Del.	Kindness
Boggs	Evans, Ga.	Kostmayer
Boland	Evans, Ind.	Krebs
Bolling	Fary	Krueger
Bonior	Fascell	LaFalce
Bonker	Fenwick	Lagomarsino
Bowen	Findley	Latta
Breaux	Fish	Le Pante
Breckinridge	Fisher	Leach
Brinkley	Fithian	Lederer
Brodhead	Flood	Leggett
Brooks	Florio	Lehman
Broomfield	Flowers	Lent
Brown, Calif.	Flynt	Levitas
Brown, Mich.	Foley	Lloyd, Calif.
Brown, Ohio	Ford, Mich.	Lloyd, Tenn.
Broyhill	Ford, Tenn.	Long, La.
Buchanan	Forsythe	Long, Md.
Burgener	Fountain	Lott
Burke, Calif.	Fowler	Lujan
Burke, Fla.	Fraser	Lukens
Burleson, Tex.	Frenzel	Lundine
Burleson, Mo.	Frey	McClary
Burton, John	Fuqua	McCloskey
Burton, Phillip	Gammage	McCormack
Butler	Gaydos	McDade
Byron	Gephardt	McDonald
Caputo	Gialmo	McEwen
Carney	Gibbons	McFall
Carr	Gilman	McHugh
Carter	Ginn	McKay
Cavanaugh	Glickman	Madigan
Cederberg	Goldwater	Maguire
Chappell	Gonzalez	Mahon
Chisholm	Goodling	Mann
Clausen,	Gore	Markey
Don H.	Gradison	Marks
Clawson, Del	Grassley	Marlenee
Clay	Gudger	Martin
Cleveland	Guyer	Mathis
Cochran	Hagedorn	Mattox
Cohen	Hamilton	Mazzoli
Coleman	Hammer-	Meeds
Collins, Ill.	schmidt	Metcalfe
Collins, Tex.	Hanley	Meyner
Conable	Hannaford	Michel
Conte	Hansen	Mikulski
Conyers	Harkin	Mikva
Corcoran	Harrington	Milford
Corman	Harris	Miller, Calif.
Cornell	Harsha	Miller, Ohio
Cornwell	Hawkins	Mineta

NAYS—3

Myers, Gary Ottinger Pike

ANSWERED "PRESENT"—1

Harrington

NOT VOTING—29

Ashley	Fenwick	Murphy, N.Y.
Badillo	Flippo	Patterson
Biaggi	Foley	Richmond
Brademas	Harsha	Roncalio
Burke, Mass.	Holland	Seiberling
Crane	Howard	Skubitz
Dent	Kemp	Teague
Derrick	Koch	Wiggins
Dickinson	McKinney	Wilson, Tex.
Diggs	Marriott	

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Ms. Fenwick.
Mr. Brademas with Mr. Kemp.
Mr. Teague with Mr. Marriott.
Mr. Biaggi with Mr. Wiggins.
Mr. Richmond with Mr. Skubitz.
Mr. Patterson of California with Mr. McKinney.
Mr. Murphy of New York with Mr. Harsha.
Mr. Foley with Mr. Crane.
Mr. Badillo with Mr. Dickinson.
Mr. Howard with Mr. Holland.
Mr. Koch with Mr. Flippo.
Mr. Dent with Mr. Charles Wilson of Texas.
Mr. Roncalio with Mr. Seiberling.
Mr. Diggs with Mr. Ashley.

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

The result of the vote was announced as above recorded.

The title was amended so as to read: "Joint Resolution to authorize the President to issue a proclamation designating the week beginning on November 20, 1977 as 'National Family Week.'"

A motion to reconsider was laid on the table.

AGRICULTURAL CENSUS AMENDMENTS ACT OF 1977

The SPEAKER pro tempore. The unfinished business is the question of sus-

Minish	Regula	Stratton
Mitchell, Md.	Reuss	Studds
Mitchell, N.Y.	Rhodes	Stump
Moakley	Richmond	Symms
Moffett	Rinaldo	Taylor
Mollohan	Risenhoover	Thompson
Montgomery	Robinson	Thone
Moore	Rodino	Thornton
Moorhead, Calif.	Roe	Traxler
Moorhead, Pa.	Rogers	Treen
Moss	Rooney	Trible
Mottl	Rose	Tsongas
Murphy, Ill.	Rosenthal	Tucker
Murphy, Pa.	Rostenkowski	Udall
Murtha	Rousselot	Ullman
Myers, John	Roybal	Van Deerlin
Myers, Michael	Rudd	Vander Jagt
Natcher	Runnels	Vanik
Neal	Russo	Vento
Nedzi	Santini	Volkmmer
Nichols	Sarasin	Waggonner
Nix	Satterfield	Walgren
Nolan	Sawyer	Walker
Nowak	Scheuer	Walsh
O'Brien	Schroeder	Wampler
Oakar	Schulze	Watkins
Oberstar	Sebellus	Waxman
Obey	Sebelius	Weaver
Ottenger	Sharp	Weiss
Panetta	Shipley	Whalen
Patten	Shuster	White
Pattison	Sikes	Whitehurst
Pease	Simon	Whitley
Pepper	Sisk	Whitten
Perkins	Skelton	Wilson, Bob
Pettis	Slack	Wilson, C. H.
Pickle	Smith, Nebr.	Winn
Pike	Snyder	Wirth
Poage	Solarz	Wolff
Pressler	Spellman	Wright
Preyer	Spence	Wyder
Price	St Germain	Wylie
Pritchard	Staggers	Yatron
Pursell	Stangeland	Young, Alaska
Quayle	Stanton	Young, Fla.
Quile	Stark	Young, Mo.
Quillen	Steed	Young, Tex.
Rahall	Steers	Zablocki
Rallsback	Steiger	Zeferetti
Rangel	Stockman	
	Stokes	

NAYS—9

Baldus	Evans, Colo.	Ryan
Bellenson	Hall	Smith, Iowa
Blouin	Myers, Gary	Yates

NOT VOTING—23

Badillo	Flippo	Roberts
Biaggi	Holland	Roncalio
Brademas	Howard	Seiberling
Burke, Mass.	Koch	Skubitz
Crane	McKinney	Teague
Dent	Marriott	Wiggins
Derrick	Murphy, N.Y.	Wilson, Tex.
Dickinson	Patterson	

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Mr. Derrick.
 Mr. Biaggi with Mr. Marriott.
 Mr. Brademas with Mr. Wiggins.
 Mr. Dent with Mr. Skubitz.
 Mr. Teague with Mr. McKinney.
 Mr. Howard with Mr. Dickinson.
 Mr. Koch with Mr. Roberts.
 Mr. Badillo with Mr. Patterson of California.
 Mr. Roncalio with Mr. Flippo.
 Mr. Murphy of New York with Mr. Holland.
 Mr. Seiberling with Mr. Charles Wilson of Texas.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SALARY ADJUSTMENTS FOR OMB DIRECTOR AND DEPUTY

The SPEAKER pro tempore. The unfinished business is the question of sus-

pending the rules and passing the bill, H.R. 2387, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. SCHROEDER) that the House suspend the rules and pass the bill, H.R. 2387, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 253, nays 158, not voting 22, as follows:

[Roll No. 427]

YEAS—253

Addabbo	Fuqua	Nix
Akaka	Gammage	Nolan
Alexander	Gaydos	Nowak
Allen	Gephardt	O'Brien
Ammerman	Gialmo	Oberstar
Andrews, N.C.	Gibbons	Obey
Annuizio	Gilman	Ottenger
Applegate	Ginn	Patten
Archer	Goldwater	Pattison
Armstrong	Gonzalez	Pepper
Ashley	Goodling	Perkins
Aspin	Gradison	Pettis
Bafalis	Hamilton	Pickle
Barnard	Hammer	Preyer
Beard, R.I.	schmidt	Price
Beard, Tenn.	Hanley	Pritchard
Bellenson	Hannaford	Quile
Benjamin	Harrington	Quillen
Bennett	Harris	Rangel
Bevill	Harsha	Regula
Bingham	Hawkins	Rhodes
Blanchard	Hefner	Rinaldo
Boggs	Hefter	Risenhoover
Boland	Hightower	Rodino
Bolling	Hollenbeck	Roe
Bonker	Horton	Rogers
Breaux	Hubbard	Rooney
Breckinridge	Hughes	Rose
Brinkley	Hyde	Rosenthal
Brooks	Ireland	Rostenkowski
Brown, Mich.	Jenkins	Rousselot
Broyhill	Jenrette	Roybal
Buchanan	Johnson, Calif.	Ruppe
Burgener	Johnson, Colo.	Russo
Burlison, Mo.	Jones, Okla.	Ryan
Burton, John	Jordan	Sarasin
Burton, Phillip	Kastenmeier	Schroeder
Butler	Kazen	Sharp
Carney	Kemp	Shuster
Carr	Kindness	Sikes
Cavanaugh	Krebs	Simon
Cederberg	LaFalce	Sisk
Cohen	Le Fante	Skelton
Conable	Leach	Slack
Conte	Lederer	Smith, Iowa
Corcoran	Leggett	Solarz
Corman	Lehman	Spellman
Cornell	Levitas	Spence
Cornwell	Lloyd, Calif.	St Germain
Coughlin	Long, La.	Stanton
Daniel, Dan	Lundine	Stark
Davis	McClary	Steed
de la Garza	McCloskey	Steers
Delaney	McCormack	Steiger
Dellums	McEwen	Stockman
Derwinski	McFall	Studds
Dicks	McHugh	Thornton
Diggs	McKay	Treen
Downey	Mahon	Tsongas
Early	Mann	Tucker
Eckhardt	Markey	Udall
Edgar	Marks	Ullman
Edwards, Ala.	Mathis	Van Deerlin
Edwards, Calif.	Mattox	Vander Jagt
Emery	Meeds	Vanik
Evans, Colo.	Metcalfe	Vento
Evans, Del.	Meyner	Waggonner
Evans, Ga.	Michel	Walgren
Fary	Mikva	Wampler
Fascell	Milford	Waxman
Fenwick	Miller, Ohio	Weiss
Findley	Mineta	Whalen
Fish	Minish	White
Fisher	Moakley	Whitehurst
Flood	Mollohan	Wilson, Bob
Flowers	Moore	Wilson, C. H.
Foley	Moorhead, Pa.	Wirth
Ford, Mich.	Murphy, Ill.	Wolff
Forsythe	Murtha	Wright
Fountain	Myers, Gary	Wyder
Fowler	Myers, Michael	Wylie
Fraser	Natcher	Yates
Frenzel	Nedzi	Young, Alaska

Young, Fla.
Young, Mo.

Young, Tex.
Zablocki

Zeferetti

NAYS—158

Abdnor	Erlenborn	Montgomery
Ambro	Ertel	Moorhead, Calif.
Anderson, Calif.	Evans, Ind.	Fithian
Anderson, Ill.	Florio	Moss
Andrews, N. Dak.	Flynt	Mottl
Ashbrook	Ford, Tenn.	Murphy, Pa.
AuCoin	Frey	Myers, John
Badham	Glickman	Neal
Baldus	Gore	Nichols
Baucus	Grassley	Oakar
Bauman	Gudger	Panetta
Bedell	Guyer	Pease
Blouin	Hagedorn	Pike
Bonior	Hall	Poage
Bowen	Hansen	Pressler
Brodhead	Harkin	Pursell
Broomfield	Heckler	Quayle
Brown, Calif.	Hillis	Rahall
Brown, Ohio	Holt	Rallsback
Burke, Calif.	Holtzman	Reuss
Burke, Fla.	Huckaby	Richmond
Burleson, Tex.	Ichord	Roberts
Byron	Jacobs	Robinson
Caputo	Jeffords	Rudd
Carter	Jones, N.C.	Runnels
Chappell	Jones, Tenn.	Santini
Chisholm	Kasten	Satterfield
Clausen	Kelly	Sawyer
Don H.	Ketchum	Scheuer
Clawson, Del	Keys	Schulze
Clay	Kildee	Sebellus
Cleveland	Kostmayer	Shipley
Cochran	Krueger	Smith, Nebr.
Coleman	Lagomarsino	Snyder
Collins, Ill.	Latta	Staggers
Collins, Tex.	Lent	Stangeland
Conyers	Lloyd, Tenn.	Stokes
Cotter	Long, Md.	Stratton
Cunningham	Lott	Stump
D'Amours	Lujan	Symms
Daniel, R. W.	Lukens	Taylor
Danielson	McDade	Thompson
Devine	McDonald	Thone
Dingell	Madigan	Traxler
Dodd	Maguire	Tribble
Dornan	Marlenee	Volkmmer
Drinan	Martin	Walker
Duncan, Oreg.	Mazzoli	Walsh
Duncan, Tenn.	Mikulski	Watkins
Edwards, Okla.	Miller, Calif.	Weaver
Ellberg	Mitchell, Md.	Whitley
English	Mitchell, N.Y.	Whitten
	Moffett	Winn
		Yatron

NOT VOTING—22

Badillo	Flippo	Roncalio
Biaggi	Holland	Seiberling
Brademas	Howard	Skubitz
Burke, Mass.	Koch	Teague
Crane	McKinney	Wiggins
Dent	Marriott	Wilson, Tex.
Derrick	Murphy, N.Y.	
Dickinson	Patterson	

The Clerk announced the following pairs:

On this vote:
 Mr. Burke of Massachusetts and Mr. Brademas for, with Mr. Teague against.
 Mr. Howard and Mr. Biaggi for, with Mr. Crane against.

Until further notice:

Mr. Dent with Mr. Dickinson.
 Mr. Roncalio with Mr. Wiggins.
 Mr. Seiberling with Mr. McKinney.
 Mr. Derrick with Mr. Flippo.
 Mr. Charles Wilson of Texas with Mr. Holland.
 Mr. Badillo with Mr. Marriott.
 Mr. Murphy of New York with Mr. Patterson.
 Mr. Koch with Mr. Skubitz.

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

Mr. YATES and Mr. JONES of Oklahoma changed their votes from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

INCREASE IN SUPERGRADES FOR FEDERAL COURT ADMINISTRATION

The SPEAKER (Mr. AMMERMAN). The unfinished business is the question of suspending the rules and passing the bill H.R. 6974, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. SCHROEDER) that the House suspend the rules and pass the bill H.R. 6974, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 189, nays 224, not voting 20, as follows:

[Roll No. 428]

YEAS—189

Addabbo	Frenzel	Nowak
Alexander	Gephardt	O'Brien
Ammerman	Gialmo	Oberstar
Andrews, N.C.	Gibbons	Ottenger
Annunzio	Gilman	Patten
Applegate	Gonzalez	Patterson
Ashley	Gradison	Pattison
Aspin	Hamilton	Pepper
Badillo	Hanley	Perkins
Baucus	Hannaford	Preyer
Beard, R.I.	Harrington	Price
Bellenson	Harris	Pritchard
Biaggi	Harsha	Rahall
Bingham	Hawkins	Rallsback
Boggs	Hightower	Rangel
Boland	Hollenbeck	Richmond
Boiling	Holtzman	Rinaldo
Bonker	Hubbard	Rodino
Breaux	Hughes	Roe
Breckinridge	Hyde	Rooney
Brooks	Jeffords	Rose
Brown, Mich.	Jenrette	Rosenthal
Buchanan	Johnson, Calif.	Rostenkowski
Burke, Calif.	Johnson, Colo.	Roybal
Burlison, Mo.	Jordan	Ryan
Burton, John	Kastenmeier	Scheuer
Burton, Phillip	Kazen	Schroeder
Carney	Kindness	Sharp
Carr	LaFalce	Simon
Carter	Lederer	Skelton
Cavanaugh	Leggett	Smith, Iowa
Chisholm	Lehman	Solarz
Clay	Lloyd, Calif.	Spellman
Collins, Ill.	Long, La.	St Germain
Conte	Lott	Staggers
Corcoran	Lundine	Stangeland
Corman	McClory	Stanton
Cotter	McCloskey	Stark
D'Amours	McCormack	Steed
Davis	McFall	Steers
de la Garza	Mahon	Stokes
Delaney	Mann	Studds
Dellums	Markley	Thone
Dicks	Marks	Treen
Diggs	Mathis	Tsongas
Dodd	Mattox	Tucker
Drinan	Mazzoli	Udall
Duncan, Ore.	Meeds	Ullman
Early	Metcalfe	Vander Jagt
Edwards, Calif.	Meyner	Vanik
Ellberg	Mikva	Vento
Evans, Colo.	Miller, Calif.	Wells
Fary	Mitchell, Md.	Whalen
Fascell	Moakley	White
Fenwick	Moore	Wilson, C. H.
Fisher	Moorhead, Pa.	Wirth
Flood	Murphy, Ill.	Wolff
Foley	Murphy, Pa.	Wright
Ford, Mich.	Myers, Gary	Wylder
Ford, Tenn.	Myers, Michael	Young, Mo.
Forsythe	Nedzi	Young, Tex.
Fountain	Nix	Zablocki
Fraser	Nolan	Zerferetti

NAYS—224

Abdnor	AuCoin	Blouin
Akaka	Badham	Bonior
Allen	Bafalis	Bowen
Ambro	Baldus	Brinkley
Anderson, Calif.	Barnard	Broadhead
Anderson, Ill.	Bauman	Broomfield
Andrews, N. Dak.	Beard, Tenn.	Brown, Calif.
Archer	Bedell	Brown, Ohio
Armstrong	Benjamin	Broyhill
Ashbrook	Bennett	Burgener
	Bevill	Burke, Fla.
	Blanchard	Burleson, Tex.

Butler	Hefner	Pike
Byron	Heftel	Poage
Caputo	Hillis	Pressler
Cederberg	Holt	Pursell
Chappell	Horton	Quayle
Clausen,	Huckaby	Quile
Don H.	Ichord	Quillen
Clawson, Del.	Ireland	Regula
Cleveland	Jacobs	Reuss
Cochran	Jenkins	Rhodes
Cohen	Jones, N.C.	Risenhoover
Coleman	Jones, Okla.	Roberts
Collins, Tex.	Jones, Tenn.	Robinson
Conable	Kasten	Rogers
Conyers	Kelly	Rousselot
Cornell	Ketchum	Rudd
Cornwell	Keys	Runnels
Coughlin	Kildee	Ruppe
Cunningham	Kostmayer	Russo
Daniel, Dan	Krebs	Santini
Daniel, R. W.	Krueger	Sarasin
Danielson	Lagomarsino	Satterfield
Derwinski	Latta	Sawyer
Devine	Le Fante	Schulze
Dingell	Leach	Sebelius
Dornan	Lent	Shipey
Downey	Levitas	Shuster
Duncan, Tenn.	Lloyd, Tenn.	Sikes
Eckhardt	Long, Md.	Sisk
Edgar	Lujan	Slack
Edwards, Ala.	Lukens	Smith, Nebr.
Edwards, Okla.	McDade	Snyder
Emery	McDonald	Spence
English	McEwen	Steiger
Erlenborn	McHugh	Stockman
Ertel	McKay	Stratton
Evans, Del.	Madigan	Stump
Evans, Ga.	Maguire	Symms
Evans, Ind.	Marlenee	Taylor
Findley	Martin	Thompson
Fish	Michel	Thornton
Fithian	Mikulski	Traxler
Florio	Millford	Trible
Flowers	Miller, Ohio	Van Deerlin
Flynt	Mineta	Volkmer
Fowler	Minish	Waggoner
Frey	Mitchell, N.Y.	Walgren
Fuqua	Moffett	Walker
Gammage	Mollohan	Walsh
Gaydos	Montgomery	Wampler
Ginn	Moorhead,	Watkins
Glickman	Calif.	Waxman
Goldwater	Moss	Weaver
Goodling	Mottl	Whitehurst
Gore	Murtha	Whitley
Grassley	Myers, John	Whitten
Gudger	Natcher	Wilson, Bob
Guyer	Neal	Winn
Hagedorn	Nichols	Wylie
Hall	Oakar	Yates
Hammer-	Obey	Yatron
schmidt	Panetta	Young, Alaska
Hansen	Pease	Young, Fla.
Harkin	Pettis	
Heckler	Pickle	

NOT VOTING—20

Brademas	Holland	Roncalio
Burke, Mass.	Howard	Seiberling
Crane	Kemp	Skubitz
Dent	Koch	Teague
Derrick	McKinney	Wiggins
Dickinson	Marriott	Wilson, Tex.
Flippo	Murphy, N.Y.	

The Clerk announced the following pairs:

On this vote:

Mr. Burke of Massachusetts and Mr. Howard for, with Mr. Teague against.

Mr. Brademas and Mr. Koch for, with Mr. Crane against.

Until further notice:

Mr. Dent with Mr. Skubitz.

Mr. Murphy of New York with Mr. Kemp.

Mr. Seiberling with Mr. McKinney.

Mr. Roncalio with Mr. Marriott.

Mr. Derrick with Mr. Dickinson.

Mr. Holland with Mr. Flippo.

Mr. Charles Wilson of Texas with Mr. Wiggins.

Mr. IRELAND and Mr. RUSSO changed their vote from "yea" to "nay."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

INCREASE IN NUMBER OF HEARING EXAMINERS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill (H.R. 6975), as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. SCHROEDER) that the House suspend the rules and pass the bill, H.R. 6975, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 284, nays 131, not voting 18, as follows:

[Roll No. 429]

YEAS—284

Addabbo	Erlenborn	Markey
Akaka	Evans, Colo.	Marks
Alexander	Evans, Del.	Marlenee
Ambro	Evans, Ga.	Martin
Ammerman	Fary	Mathis
Anderson, Ill.	Fascell	Mattox
Andrews, N.C.	Fenwick	Mazzoli
Annunzio	Findley	Meeds
Applegate	Fish	Metcalfe
Ashley	Fisher	Meyner
Aspin	Flood	Mikulski
AuCoin	Foley	Mikva
Badillo	Ford, Mich.	Miller, Calif.
Baldus	Forsythe	Mineta
Barnard	Fraser	Minish
Baucus	Frenzel	Mitchell, Md.
Beard, R.I.	Fuqua	Moakley
Bedell	Gammage	Moffett
Bellenson	Gaydos	Mollohan
Biaggi	Gephardt	Moore
Bingham	Gialmo	Moorhead, Pa.
Blanchard	Gibbons	Moss
Blouin	Gilman	Murphy, Ill.
Boggs	Gonzalez	Murphy, Pa.
Boland	Goodling	Murtha
Boiling	Gore	Myers, Gary
Bonior	Gradison	Myers, Michael
Bonker	Gudger	Nedzi
Breaux	Hamilton	Nix
Breckinridge	Hammer-	Nolan
Brodhead	schmidt	Nowak
Brooks	Hanley	Oakar
Brown, Calif.	Hannaford	Oberstar
Brown, Mich.	Harkin	Obey
Broyhill	Harris	Ottenger
Buchanan	Harsha	Panetta
Burgener	Hawkins	Patten
Burke, Calif.	Heckler	Patterson
Burlison, Mo.	Hefner	Pattison
Burton, John	Heftel	Pease
Burton, Phillip	Hightower	Pepper
Butler	Hollenbeck	Perkins
Carney	Holtzman	Pettis
Carr	Hubbard	Pickle
Carter	Hughes	Preyer
Cavanaugh	Hyde	Price
Chappell	Ireland	Pritchard
Chisholm	Jeffords	Quile
Clay	Jenkins	Quillen
Cleveland	Johnson, Calif.	Rahall
Cohen	Johnson, Colo.	Rallsback
Collins, Ill.	Jones, N.C.	Rangel
Conable	Jordan	Regula
Conte	Kastenmeier	Rhodes
Conyers	Kazen	Richmond
Corcoran	Kemp	Risenhoover
Corman	Kildee	Robinson
Cornell	Kindness	Rodino
Cornwell	Kostmayer	Roe
Cotter	Krebs	Rogers
Coughlin	Krueger	Rooney
Daniel, Dan	LaFalce	Rose
Daniel, R. W.	Le Fante	Rosenthal
Danielson	Leach	Rostenkowski
Davis	Lederer	Roybal
Delaney	Leggett	Ruppe
Dellums	Lehman	Russo
Diggs	Lloyd, Calif.	Ryan
Dingell	Long, La.	Sarasin
Dodd	Long, Md.	Sawyer
Downey	Lundine	Scheuer
Duncan, Ore.	McClory	Schroeder
Duncan, Tenn.	McCloskey	Sharp
Eckhardt	McDade	Simon
Edgar	McFall	Sisk
Edwards, Ala.	McHugh	Slack
Edwards, Calif.	Maguire	Smith, Iowa
Ellberg	Mahon	Smith, Nebr.
English	Mann	Solarz

Spellman
St Germain
Staggers
Stanton
Stark
Steed
Steers
Steiger
Stokes
Stratton
Studds
Stump
Thompson
Thone
Thornton
Traxler

Treen
Trible
Tsongas
Tucker
Udall
Ullman
Van Deerlin
Vanik
Vento
Walgren
Wampler
Watkins
Waxman
Weaver
Weiss
Whalen

White
Whitehurst
Whitley
Wilson, Bob
Wilson, C. H.
Wirth
Wolff
Wright
Wylie
Yates
Yatron
Young, Fla.
Young, Mo.
Young, Tex.
Zablocki
Zeferetti

NAYS—131

Abdnor
Allen
Anderson,
Calif.
Andrews,
N. Dak.
Archer
Armstrong
Ashbrook
Bafalls
Bauman
Beard, Tenn.
Benjamin
Bennett
Bevill
Bowen
Brinkley
Broomfield
Brown, Ohio
Burke, Fla.
Burlison, Tex.
Byron
Caputo
Cederberg
Clausen,
Don H.
Clawson, Del.
Cochran
Coleman
Collins, Tex.
Crane
Cunningham
D'Amours
de la Garza
Derwinski
Devine
Dicks
Dornan
Drinan
Early
Edwards, Okla.
Emery
Ertel
Evans, Ind.

Fithian
Florio
Flowers
Flynt
Ford, Tenn.
Fountain
Fowler
Frey
Ginn
Glickman
Goldwater
Grassley
Guyer
Hagedorn
Hall
Hansen
Harrington
Hillis
Holt
Horton
Huckaby
Ichord
Jacobs
Jenrette
Jones, Okla.
Jones, Tenn.
Kasten
Kelly
Ketchum
Keys
Lagomarsino
Latta
Lent
Levitas
Lloyd, Tenn.
Lott
Lujan
Luken
McCormack
McDonald
McEwen
McKay
Madigan
Michel
Milford

Miller, Ohio
Mitchell, N.Y.
Montgomery
Moorhead,
Calif.
Mottl
Myers, John
Natcher
Neal
Nichols
O'Brien
Pike
Poage
Pressler
Pursell
Quayle
Reuss
Rinaldo
Roberts
Rousselot
Rudd
Runnels
Santini
Satterfield
Schulze
Sebelius
Shipley
Shuster
Sikes
Skelton
Snyder
Spence
Stangeland
Stockman
Symms
Taylor
Vander Jagt
Volkmer
Waggonner
Walker
Walsh
Whitten
Winn
Wylder
Young, Alaska

NOT VOTING—18

Brademas
Burke, Mass.
Dent
Derrick
Dickinson
Flippo

Holland
Howard
Koch
McKinney
Marriott
Murphy, N.Y.

Roncalio
Seiberling
Skubitz
Teague
Wiggins
Wilson, Tex.

The Clerk announced the following pairs:

On this vote:

Mr. Burke of Massachusetts and Mr. Brademas for, with Mr. Teague against.

Mr. Howard and Mr. Koch for, with Mr. Marriott against.

Until further notice:

Mr. Dent with Mr. Skubitz.

Mr. Roncalio with Mr. McKinney.

Mr. Murphy of New York with Mr. Dickinson.

Mr. Seiberling with Mr. Flippo.

Mr. Derrick with Mr. Wiggins.

Mr. Holland with Mr. Charles Wilson of Texas.

Messrs. CAVANAUGH, GAMMAGE, MAHON, GONZALEZ, LEDERER, and DAN DANIEL changed their vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend title 5, United States Code, to provide that hearing examiners shall be known as administrative law judges, and to increase the number of such positions which the Civil Service Commission may establish and place at GS-16 of the General Schedule."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEHMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on House Joint Resolution 372 and on the bill H.R. 7012.

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

There was no objection.

RETENTION OF FEDERAL LIFE AND HEALTH INSURANCE BENEFITS DURING RETIREMENT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill H.R. 4319, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mrs. SPELLMAN) that the House suspend the rules and pass the bill H.R. 4319, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 373, nays 37, not voting 23, as follows:

[Roll No. 430]

YEAS—373

Abdnor
Addabbo
Akaka
Alexander
Allen
Ambro
Ammerman
Anderson,
Calif.
Anderson, Ill.
Andrews, N.C.
Andrews,
N. Dak.
Annunzio
Applegate
Archer
Ashbrook
Ashley
AuCoin
Badham
Badillo
Baldus
Barnard
Baucus
Bauman
Beard, R.I.
Bedell
Benjamin
Bennett
Bevill
Biaggi
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonior
Bonker
Bowen
Breaux
Breckinridge
Brinkley
Brodhead
Broomfield

Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burlison, Mo.
Burton, John
Burton, Phillip
Byron
Caputo
Carney
Carr
Carter
Cavanaugh
Cederberg
Chappell
Chisholm
Clausen,
Don H.
Clawson, Del.
Clay
Cleveland
Cohen
Coleman
Collins, Ill.
Conable
Conte
Conyers
Corcoran
Corman
Cornell
Cornwell
Cotter
Coughlin
Crane
Cunningham
Daniel, Dan
Daniel, R. W.
Danielson
Davis
de la Garza
Delaney

Dellums
Derwinski
Devine
Dicks
Diggs
Dingell
Dodd
Dornan
Downey
Drinan
Duncan, Oreg.
Duncan, Tenn.
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Edwards, Okla.
Ellberg
Emery
English
Erlenborn
Ertel
Evans, Colo.
Evans, Del.
Evans, Ga.
Fary
Fascell
Fenwick
Findley
Fish
Fisher
Fithian
Flood
Florio
Flowers
Flynt
Foley
Ford, Mich.
Ford, Tenn.
Forsythe
Fountain
Fowler
Fraser
Frenzel

Frey
Fuqua
Gammage
Gaydos
Gephardt
Gialmo
Gibbons
Gilman
Ginn
Glickman
Goldwater
Gonzalez
Goodling
Grassley
Gudger
Guyer
Hagedorn
Hamilton
Hammer-
schmidt
Hanley
Hannaford
Hansen
Harkin
Harrington
Harris
Harsha
Hawkins
Heckler
Hefner
Hefel
Hightower
Hillis
Hollenbeck
Holt
Holtzman
Horton
Hubbard
Huckaby
Hughes
Hyde
Ireland
Jeffords
Jenkins
Jenrette
Johnson, Calif.
Johnson, Colo.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Kasten
Kastenmeier
Kazen
Kemp
Ketchum
Kildee
Kindness
Kostmayer
Krebs
Krueger
LaFalce
Lagomarsino
Le Fante
Leach
Lederer
Leggett
Lehman
Levitas
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Long, Md.
Lott
Lujan
Luken
Lundine
McClory
McCloskey
McCormack
McDade

McEwen
McFall
McHugh
McKay
Madigan
Maguire
Mahon
Mann
Markay
Marks
Marlenee
Martin
Mathis
Mattox
Mazzoli
Meeds
Metcalfe
Meyner
Mikulski
Mikva
Milford
Miller, Calif.
Mineta
Minish
Mitchell, Md.
Moakley
Moffett
Mollohan
Montgomery
Moore
Moorhead,
Calif.
Moorhead, Pa.
Moss
Murphy, Ill.
Murtha
Myers, Gary
Myers, John
Myers, Michael
Natcher
Nedzi
Nichols
Nix
Nolan
Nowak
O'Brien
Oakar
Oberstar
Obey
Ottinger
Panetta
Patten
Patterson
Pepper
Perkins
Pettis
Pickle
Poage
Pressler
Preyer
Price
Pritchard
Pursell
Quie
Quillen
Rallsback
Rangel
Regula
Reuss
Rhodes
Richmond
Rinaldo
Risenhoover
Roberts
Robinson
Rodino
Roe
Rooney
Rose
Rosenthal
Rostenkowski

NAYS—37

Armstrong
Aspin
Bafalis
Beard, Tenn.
Bellenson
Burlison, Tex.
Butler
Cochran
Collins, Tex.
D'Amours
Evans, Ind.
Gore
Gradison

Hall
Ichord
Jacobs
Kelly
Keys
Latta
Lent
McDonald
Michel
Miller, Ohio
Mitchell, N.Y.
Mottl
Murphy, Pa.

NOT VOTING—23

Brademas
Brooks
Burke, Mass.
Dent
Derrick

Pease
Pike
Quayle
Rahall
Rogers
Runnels
Satterfield
Shuster
Stratton
Wirth
Wylder

Rousselot
Roybal
Rudd
Russo
Ryan
Santini
Sarasin
Sawyer
Scheuer
Schroeder
Schulze
Sebelius
Sharp
Shipley
Sikes
Simon
Slask
Skelton
Slack
Smith, Iowa
Snyder
Solarz
Spellman
Spence
St Germain
Staggers
Stangeland
Stanton
Stark
Steed
Steers
Steiger
Stockman
Stokes
Studds
Stump
Symms
Taylor
Thompson
Thone
Thornton
Traxler
Treen
Trible
Tsongas
Tucker
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vento
Volkmer
Waggonner
Walgren
Walker
Walsh
Wampler
Watkins
Waxman
Weaver
Weiss
Whalen
White
Whitehurst
Whitley
Whitten
Wilson, Bob
Wilson, C. H.
Winn
Wolff
Wright
Wylie
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Mo.
Young, Tex.
Zablocki
Zeferetti

Roncallo
Ruppe
Seiberling

Skubitz
Smith, Nebr.
Teague

Wiggins
Wilson, Tex.

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Mr. Dickinson.
Mr. Brademas with Mr. Marriott.
Mr. Dent with Mr. Wiggins.
Mr. Howard with Ms. Smith of Nebraska.
Mr. Murphy of New York with Mr. Skubitz.
Mr. Pattison of New York with Mr. Ruppe.
Mr. Roncallo with Mr. McKinney.
Mr. Teague with Mr. Charles Wilson of Texas.
Mr. Koch with Mr. Seiberling.
Mr. Neal with Mr. Holland.
Mr. Brooks with Mr. Derrick.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. NEAL. Mr. Speaker, I was detained on official business and missed the last vote, the vote on H.R. 4319. I wish the RECORD to show that had I been present. I would have voted "yea."

REREFERRAL OF H.R. 8223 FROM COMMITTEE ON JUDICIARY TO THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. RODINO. Mr. Speaker, I ask unanimous consent that the bill H.R. 8223 be rereferred from the Committee on the Judiciary to the Committee on Interior and Insular Affairs.

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

TEMPORARY SUSPENSION OF DUTY ON INTRAVENOUS FAT EMULSION

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 1904) to provide duty-free treatment for intravenous fat emulsions, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Reserving the right to object, Mr. Speaker, I do so for the purpose of giving the gentleman from Ohio (Mr. VANIK), the chairman of the subcommittee, an opportunity to explain the bill.

Mr. VANIK. If the gentleman will yield, Mr. Speaker, the purpose of H.R. 1904 is to suspend until June 30, 1980, the duty on intravenous fat emulsion.

H.R. 1904 was introduced by our colleague, Mr. STARK of California.

Intravenous fat emulsion is used as a source of calories and essential fatty acids for patients requiring intravenous nutrition. It provides the missing nutritional ingredient essential for successful long-term intravenous feeding and is

especially valuable in treating infants and patients under cancer therapy or extensive burn treatment. There is currently no production of any intravenous fat emulsion in the United States.

Reports which opposed the permanent reduction but which did not object to a 3-year suspension of the duty were received from the Departments of Commerce, State, the Treasury, Agriculture, and Labor, and from the Office of the Special Representative for Trade Negotiations.

The bill was amended to suspend the duty until June 30, 1980, rather than permanently reduce the duty. A temporary suspension preserves the negotiating value of a permanent reduction for the multilateral trade negotiations where the United States will be able to obtain something in return for a permanent duty reduction.

The committee was unanimous in reporting H.R. 1904, and I urge its passage.

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

Mr. VANIK. Mr. Speaker, I thank the gentleman.

Mr. STEIGER. Mr. Speaker, I support H.R. 1904 providing a temporary suspension of duty for intravenous fat emulsion until June 30, 1980.

Currently, only one type of intravenous fat emulsion is imported for use in the United States. The product, Intralipid, is imported from Sweden and contains a heretofore missing nutritional ingredient essential for successful long-term intravenous feeding. It is used most importantly in treating infants, burn patients, and cancer therapy patients. There is no domestic production of any type of intravenous fat emulsion, and the special Intralipid product has been imported to this country since 1975.

Under the Tariff Schedules of the United States, intravenous fat emulsion products are subject to a column 1 duty of 5 percent ad valorem and a column 2 duty of 25 percent ad valorem. The annual loss of custom revenue, should H.R. 1904 be enacted, is estimated to be approximately \$126,000.

Mr. Speaker, insuring that intravenous fat emulsion is available at the lowest possible cost is of great importance to the seriously ill or injured whose medical expenses likely will be very high anyway. Duty-free treatment of this product is certainly one way of reaching this goal. The temporary nature of the suspension will enable Congress to review its action should domestic production in this area develop. Furthermore, it will preserve the duty as a negotiating item in the multilateral trade negotiations—MTN.

Mr. Speaker, the committee received no objection to H.R. 1904 from any source, and reported the bill unanimously. I recommend passage by the House at this time.

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

Mr. ASHBROOK. Yes, Mr. Speaker, reserving the right to object, I have several questions to direct to my friend and

colleague, the gentleman from Ohio (Mr. VANIK).

It is my understanding that these bills were not even announced last Friday when we adjourned; is that correct?

Mr. VANIK. If the gentleman will yield, Mr. Speaker, I understand that they were on the unanimous consent calendar. They were reported out of committee over 2 weeks ago.

Mr. ASHBROOK. I imagine they were not printed in the Record. Are these private bills?

Mr. VANIK. No. These bills are minor bills which passed the Committee on Ways and Means unanimously. We had hearings on all of them. We very carefully considered them, and we took these from the list of about 43, so that we have these bills on the Suspension Calendar today.

Mr. ASHBROOK. Further reserving the right to object, Mr. Speaker, may I ask the gentleman how many bills of this type are in your committee at the present time?

Mr. VANIK. I do not know how many bills we have left. I think we have about 18 more which are left.

I might point out that the hearings were open. The markup was open. There was full discussion of the entire problem which related to each piece of legislation by the administration and by all interested parties. There was no objection to this bill. This bill is vital in order to provide for a very essential matter of health affecting a very important segment of the American population.

Mr. ASHBROOK. Further reserving the right to object, Mr. Speaker, as I read the bills, two of them must be private bills because they are for aid to individuals. The gentleman indicated that they were not private bills.

Mr. VANIK. If the gentleman will yield further, there are two private bills on the list. I will be very glad to discuss those when we reach them on the Suspension Calendar.

Mr. ASHBROOK. Further reserving the right to object, Mr. Speaker, the gentleman from Wisconsin (Mr. STEIGER) indicated that there was some change with respect to the way the unanimous consent and suspension bills are now handled.

I would say that many Members, including myself, sometimes wonder about how these bills come out of the Committee on Ways and Means. Frankly, we do not know whether they draw them out of a hat or take them up on the basis of seniority or on the basis of one per Member each year or two per Member or on contributions.

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

Mr. ASHBROOK. I yield to the gentleman from Wisconsin.

Mr. STEIGER. Mr. Speaker, the answer is that these are not Members' bills brought up in the way in which we used to handle them, as I understand it, on the Committee on Ways and Means. Therefore, what we are going to have as we go through this list is bills that come from across the country, from members and nonmembers of the Committee on Ways and Means. They are not done

by seniority or on behalf of individual Members. They are not done on any basis except that the chairman of the subcommittee calls them up for a hearing.

We went through 5 days, I think, on every one of the little tariff bills that had been introduced, without regard to who introduced them and without regard to the position of anybody. We had all of the administration representatives present; that is, the Special Trade representative, the International Trade Commission, the Labor Department, the Commerce Department, and the State Department, all of whose representatives came and gave their views.

We then also had the views of those Members who were in favor of the legislation, who could come and testify and also those who were opposed to the legislation.

May I say to my colleague, the gentleman from Ohio (Mr. ASHBROOK) that the decision that was made on the bills that are on the floor today are on those bills that were unanimously adopted by the subcommittee and unanimously adopted by the full committee. We did not bring to the floor some bills, including one in which our colleague, the gentleman from Maryland was interested, because there were some objections. We will go back to those bills. I hope we can report some of those, and those bills will come up with the full knowledge of the Members that there was objection or that there was a problem in the domestic market or some small operation, so that all of the Members will be aware of that. All of these measures were considered as to whether they were appropriate, did they solve a problem, did they cost much money, and so forth.

Mr. ASHBROOK. Mr. Speaker, further reserving the right to object, let me say that I appreciate the response of the gentleman from Wisconsin (Mr. STEIGER) and, with the very fine assurance that a nonmember of the Committee on Ways and Means does have a chance to get a bill out of that committee on occasion, I will withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part 3 of schedule 4 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 437.60 the following new item:

"437.62 Intravenous fat emulsion..... Free.... Free".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of enactment of this Act.

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

With the following committee amendment:

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

That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately before item 907.80 the following new item:

"907.75 Intravenous fat emulsion (provided for in item 440.00, part 3C, schedule 4). Free.... Free.... On or before 6/30/80".

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to suspend until July 1, 1980, the duty on intravenous fat emulsion."

A motion to reconsider was laid on the table.

TEMPORARY SUSPENSION OF DUTY ON WOOD EXCELSIOR

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2692) to suspend for 2 years the duty on wood excelsior imported from Canada, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, and I shall not object, I take this time so as to give the gentleman from Ohio (Mr. VANIK) a chance to explain the bill.

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

Mr. STEIGER. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 2692 is to suspend until June 30, 1980, the duty on wood excelsior.

H.R. 2692 was introduced by our colleague, Mr. DRINAN of Massachusetts.

Wood excelsior, which is produced by shredding wood blocks, consists of thin, narrow, flexible strands of wood which tend to curl and form a loosely joined mass. Its uses include packing material for fragile goods, a filling material for low-priced mattresses and furniture, a filter and vapor-dispersing agent for evaporative coolers, and in the filtration of crude oil and petroleum products. Due to the very high volume/weight ratio, and its low-unit value, long distance shipping is expensive and uneconomical. This bill would reduce the cost of wood excelsior to firms in New England that presently import excelsior from Canada.

Reports which opposed the permanent reduction but which did not object to a 3-year suspension of the duty were received from the Departments of Commerce, State, the Treasury, Agriculture, and Labor and from the Office of the Special Representative for Trade Negotiations.

The bill was amended to remove the specific reference to imports from Can-

ada in order to remove the objection that a duty suspension limited to imports from Canada violates our GATT obligations. In addition, a technical amendment was made to specify a certain calendar date, June 30, 1980, for expiration rather than 2 years after enactment. It is believed that a temporary duty suspension will not adversely affect the U.S. ability to negotiate in the context of the multilateral trade negotiations a permanent duty reduction and receive in return some permanent trade benefits.

The committee was unanimous in reporting H.R. 2692 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I also wish to lend my support to H.R. 2692, suspending until June 30, 1980 the duty on imported wood excelsior.

Currently, under section 904 of the Tariff Schedules of the United States—TSUS—column 1 entries of wood excelsior are subject to an 8-percent ad valorem duty. This bill, on the date of enactment, would temporarily suspend the duty until June 30, 1980.

Wood excelsior is a light-weight porous material composed of flexible strands of wood. Because of its resilience, wood excelsior is used most notably as protective packaging material, an acoustical component filling, or padding, a filtering, or padding, a filtering agent, and soil covering.

Although there are 12 known domestic plants now producing wood excelsior, increased demand requires this country to import additional quantities of the product. These imports come almost exclusively from Canada, because high shipping costs associated with weight/volume/unit cost relationships tend to preclude shipment over long distances.

Imports of wood excelsior have decreased by about 90 percent over the past 10 years, and the import consumption ratio in 1976 was less than 0.05 percent. A temporary suspension of duty would encourage imports of this important product from Canada with negligible impact on domestic industry.

Objections were raised by the administration over the original language of the bill, which limited the suspension of duty to imports from Canada. Such a discriminatory clause would be in violation of our commitments under the General Agreement on Tariffs and Trade—GATT. However, specific reference to Canada has now been removed from the bill, and I can see no objection to the bill as it now reads. Revenue loss is expected to be minimal.

Mr. Speaker, the committee reported H.R. 2692 unanimously, with no further objections to the temporary suspension of duty in this instance. I recommend passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by adding immediately after item 903.90 the following new item:

"904.00 Wood excelsior, including excelsior pads and wrappings (provided for in item 200.25, part 1A, schedule 2), if Canadian article.....	Free. No change. On or before the close of the 2-year period beginning on the effective date of this item....."
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SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

With the following committee amendments:

Page 1, line 5, strike out "905.90" and insert "903.80".

Page 1, strike out the matter appearing immediately after line 6 and insert the following:

"904.00 Wood excelsior, including excelsior pads and wrappings (provided for in item 200.25, part 1A, schedule 2).....	Free. No change. On or before 6/30/80"
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The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to suspend until the close of June 30, 1980, the duty on wood excelsior."

A motion to reconsider was laid on the table.

TEMPORARY SUSPENSION OF DUTY ON SYNTHETIC TANTALUM/COLUMBIUM CONCENTRATE

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2982) to suspend for a 2-year period the duty on synthetic tantalum-columbium concentrate, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, I am delighted to yield to the gentleman from Ohio (Mr. VANIK) so he may offer an explanation of the bill.

Mr. VANIK. Mr. Speaker, I thank my colleague, the gentleman from Wisconsin, who is the ranking minority member of the Subcommittee on Trade.

Mr. Speaker, the purpose of H.R. 2982 is to suspend until June 30, 1980, the duty on synthetic tantalum/columbium concentrate.

H.R. 2982 was introduced by our colleague, Mr. DRINAN of Massachusetts.

Tantalum/columbium concentrate is used in the production of steels used in heavy equipment, oil and gas pipelines and structural steel. Tantalum metal is a basic material in the production of tantalum capacitors, a vital component in most electronic circuitry, as well as a corrosion resistant material for chemical processing equipment handling acids and other corrosive chemicals. Columbium oxide is an alloying ingredient in superalloys used in jet engine parts and other high-strength specialty steels.

There is no known domestic production of natural or synthetic tantalum/columbium concentrate which are used interchangeably. Natural tantalum/columbium concentrate is presently duty free but increased demand has created shortages and has driven up the price of the natural concentrate and domestic consumers are turning to synthetic concentrate. Domestic consumers seek the temporary duty suspension.

Favorable reports were received from the Departments of Commerce, State, and Treasury. Reports with no objections were received from the Department of Labor and from the Office of the Special Representative for Trade Negotiations.

A technical amendment was made to the bill to make the duty suspension expiration date a calendar date, June 30, 1980, rather than 2 years after date of enactment and also in order to provide a common expiration date for most of the duty suspension bills acted upon by the committee.

The committee was unanimous in reporting H.R. 2982 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I support H.R. 2982 suspending until June 30, 1980, the rate of duty on synthetic tantalum/columbium concentrate.

Currently, there is no domestic mining of natural columbium or any domestic production of synthetic tantalum/columbium concentrate. Since 1969, market prices have made it impossible to mine the limited deposits of natural columbium located in the United States. Therefore, all raw materials of this type needed for domestic industry are imported.

Natural columbium concentrate already can enter the United States duty free. Worldwide shortages and rising costs of this substance, however, have caused manufacturers to turn to synthetic concentrates. These synthetic concentrates carry a column-1 duty of 7.5 percent ad valorem and a column-2 duty of 30 percent ad valorem. Duty-free treatment is sought in this case so that prices of articles containing tantalum/columbium concentrate can be kept at the lowest possible level.

Mr. Speaker, the committee heard no objections to enactment of H.R. 2982 and reported the bill unanimously. Loss in customs revenue is expected to be less than \$238,457 annually. I recommend passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2982

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 911.25 the following:

"911.27 Synthetic tantalum/columbium concentrate (provided for in item 603.70, pt. 1, schedule 6).....	Free. No change. On or before the close of the 2-year period beginning on the effective date of this item."
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SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

With the following committee amendment:

Page 1, in the matter appearing after line 5, strike out "On or before the close of the 2-year period beginning on the effective date of this item." and insert "On or before 6/30/80".

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to suspend until the close of June 30, 1980, the duty on synthetic tantalum/columbium concentrate."

A motion to reconsider was laid on the table.

PERMANENT DUTY-FREE TREATMENT FOR COPYING LATHES USED FOR MAKING ROUGH OR FINISHED SHOE LASTS AND FOR PARTS OF SUCH LATHES

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3093) to extend until July 1, 1979, the duty-free treatment on copying lathes used for making rough or finished shoe lasts, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, I will be delighted to yield to the chairman of the subcommittee to explain the bill.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 3093 is to permanently admit duty-free copying lathes used for making rough or finished shoe lasts and parts of such lathes.

H.R. 3093 was introduced by our colleague, Mr. BURKE of Massachusetts.

The duty suspension on copying lathes capable of producing more than one size shoe last was initially enacted in 1956 and continued thereafter to reduce the cost of highly specialized and expensive copying lathes for domestic shoe last manufacturers. A last is a form which is shaped like the human foot and over which a shoe is formed during the manufacture of shoes. Domestic production of copy lathes for shoe last manufacture ceased in the mid-1950's.

Favorable reports were received from the Department of the Treasury and the Office of the Special Representative for Trade Negotiations. Reports with no objections were received from the Departments of Commerce, State, and Labor.

Since the temporary suspension of the duty has been in existence for approximately 20 years as a result of numerous bills during that period, there is no foreseeable resumption of domestic production and the administration recommended the suspension be made permanent, this bill has been amended to make the duty suspension permanent and to make the duty-free entry applicable, upon proper request, to articles entered prior to enactment but after June 30, 1976, the date the last duty suspension expired.

The committee was unanimous in reporting H.R. 3093 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I support H.R. 3093, making permanent the duty-free treatment of copying lathes used for making shoe lasts, effective June 30, 1976.

Since the mid-1950s, there has been no domestic production of copying lathes, and duty on such lathes had been suspended for successive 2- and 3-year periods since 1956. In 1965, the duty suspension was extended to parts for these lathes. However, the suspension expired on June 30, 1976 and the current column 1 duty again became 5 percent ad valorem on the copying lathes and 7 percent ad valorem on most of the parts. Column 2 duties also had been suspended, and were reinstated last June as well.

Copying lathes are highly specialized and very expensive equipment. There is no indication that any domestic firm would take up production or be created for that purpose. A permanent duty suspension would serve to lower the cost of this important piece of equipment to the already hard-pressed shoe industry. Loss in customs revenue would be approximately \$3,300 annually.

Mr. Speaker, the committee heard no objection at all to H.R. 3093 during public hearings on the matter, and reported the bill unanimously. I urge passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3093

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

America in Congress assembled, That item 911.70 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "6/30/76" and inserting in lieu thereof "6/30/79".

SEC. 2. (a) The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

(b) Upon request therefor filed with the customs officer concerned on or before the ninetieth day after the date of the enactment of this Act, the entry of any article—

(1) which was made after June 30, 1976, and before the date of the enactment of this Act, and

(2) with respect to which there would have been no duty if the amendment made by the first section of this Act applied to such entry, shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry had been made on the date of the enactment of this Act.

With the following committee amendments:

Page 1, strike out lines 3 through 5, inclusive, and insert the following:

That subpart F of part 4 of Schedule 6 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended—

(1) by inserting immediately after item 674.40 the following new item:

"674.41 Copying lathes used for making rough or finished shoe lasts from models of shoe lasts and, in addition, capable of producing more than one size shoe last from a single size model of a shoe last..... Free... Free";

(2) by inserting immediately after item 674.42 the following new item:

"674.48... Work and tool holders and other parts of, and accessories used principally with, copying lathes provided for in item 674.41..... Free... Free..."; and

(3) by striking out "machine tools;" in the superior heading to items 674.50 through 674.56, inclusive, and inserting in lieu thereof "machine tools (other than copying lathes provided for in item 674.41);".

SEC. 2. Item 911.70 of the Appendix to such Schedules is repealed.

Page 1, line 6, strike out "Sec. 2. (a) The amendment" and insert "Sec. 3. (a) The amendments".

Page 2, line 6, strike out "the amendment" and insert "any of the amendments".

Page 2, after line 11, insert the following:

(c) The amendment made by section 2 of this Act shall take effect on the date of the enactment of this Act.

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

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

There was no objection.

The committee amendments were agreed to.

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

The title was amended so as to read:

"A bill to provide duty-free treatment for certain copying lathes used for making rough or finished shoe lasts and for parts of such lathes."

A motion to reconsider was laid on the table.

EXTENSION OF EXISTING SUSPENSION OF DUTIES ON CERTAIN CLASSIFICATIONS OF YARNS OF SILK

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3373) to extend for additional temporary period the existing suspension of duties on certain classifications of yarns of silk, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, and I shall not do so; but I am delighted to yield to the chairman of the subcommittee under my reservation to explain the bill.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 3373 is to continue until June 30, 1980, the suspension of duties on certain classifications of yarns of silk.

H.R. 3373 was introduced by our colleague, Mr. SIKES of Florida.

There is no domestic production of these silk yarns. The duty was originally suspended in 1959 and has continued to be suspended by various bills in order to permit domestic producers of fine yarn fabrics to import fine silk yarns duty free and remain competitive with imported fine yarn fabrics.

Favorable reports were received from the Departments of Commerce and Agriculture. Reports with no objections were received from the Departments of State and the Treasury and from the Office of the Special Representative for Trade Negotiations.

Technical amendments were made to the bill to make the bill effective from the date of enactment with the right of liquidation or reliquidation of entries prior to enactments but after November 7, 1975. The bill, as originally drafted, was automatically retroactive to November 7, 1975, the date the prior duty suspension expired, and would have presented administrative problems. The duty suspension expiration date was changed to June 30, 1980, in order to provide a common expiration date for most of the duty suspension bills acted upon by the committee.

The committee was unanimous in reporting H.R. 3373 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I support the bill.

Mr. Speaker, I support H.R. 3373 that would continue the suspension of duty on certain classifications of silk yarns until June 30, 1980.

Silk yarns covered by the suspension are imported under two items of the Tariff Schedules of the United States. Imports of silk yarn singles are dutiable at 8.5 percent ad valorem from countries accorded most favored nation treatment (MFN) and at 40 percent ad

valorem from nations not accorded this treatment. Imports of plied silk yarns are dutiable at 12.5 percent ad valorem from countries accorded MFN treatment and at 50 percent from other nations.

The tariffs on spun silk yarns were suspended originally in September 1959 to enable domestic producers of fine yarn fabrics to import necessary raw materials duty free, thus improving their competitive position in relation to imports of similar completed fabrics. There is no domestic production of these silk yarn items, and there has been no imports of silk yarn singles since 1966. However, the duty suspension was allowed to expire in November 1975, and reapplication of the duty has posed undue hardship on domestic fabric manufacturers who must import the silk yarns once covered by the suspension.

The major manufacturers of silk goods who import the silk yarns in question employ between 3,000 and 4,000 workers in New York, New Jersey, Pennsylvania, and Virginia. They understandably view this duty as a nuisance tariff since domestic industry is hindered rather than protected by its application. It is estimated that reinstating the suspension would result in a loss in customs revenue of about \$17,000 annually.

Mr. Speaker, the committee reviewed H.R. 3373 extensively and heard no unfavorable comments from the executive departments or from any other source. The bill was reported unanimously, and I recommend passage by the House at this time.

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

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3373

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) items 905.30 and 905.31 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) are each amended by striking out "11/7/75" and inserting in lieu thereof "6/30/78".

(b) The amendments made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after November 7, 1975.

With the following committee amendments:

Page 1, line 3, strike out "(a)".

Page 1, line 6, strike out "6/30/78" and insert "6/30/80."

Page 1, strike out lines 7, 8, and 9 and insert the following:

SEC. 2. (a) The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

(b) Upon request therefor filed with the customs officer concerned on or before the 90th day after the date of the enactment of this Act, the entry or withdrawal of any article—

(1) which was made after November 7, 1975, and before the date of the enactment of this Act, and

(2) with respect to which there would have been no duty if the amendment made by the first section of this Act applied to such entry or withdrawal,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of the enactment of this Act.

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

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

There was no objection.

The committee amendments were agreed to.

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

TEMPORARY SUSPENSION OF DUTY ON POPPY STRAW CONCENTRATE USED IN PRODUCING CODEINE OR MORPHINE

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3790) to suspend until the close of June 30, 1980, the duty on concentrate of poppy straw used in producing codeine or morphine, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, and I shall not do so, but I yield under my reservation to the chairman of the subcommittee to explain the bill.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 3790 is to suspend until June 30, 1980, the duty on concentrate of poppy straw used in producing codeine or morphine.

H.R. 3790 was introduced by our colleague, Mr. SCHULZE of Pennsylvania.

The Department of Justice, under the Controlled Substances Act, authorized the importation into the United States of the previously prohibited poppy straw and poppy straw concentrate as substitute raw materials, to relieve the shortage of available raw materials for the production of medicinal morphine and codeine in the United States. Three U.S. companies process imported poppy straw to produce most of its own morphine and codeine. U.S. producers were forced to turn to poppy straw after a significant world shortage of opium developed. There is no domestic production of poppy straw.

It is believed the passage of H.R. 3790 would have no adverse effects on any U.S. interests and would not change the competitive positions of the three domestic processors. The enactment of H.R. 3790 could eventually lower prices to the ultimate consumers of prescriptions containing morphine and codeine derivatives.

Reports with no objections were received from the Departments of Commerce, State, and the Treasury. The Department of Agriculture and the Office of the Special Representative for Trade

Negotiations deferred to other agencies.

Technical amendments were made to the bill to make the bill effective until June 30, 1980 as the title correctly states; to place the new TSUS item in proper numerical sequence within the TSUS and to conform the article description to the TSUS form.

The committee was unanimous in reporting H.R. 3790 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, this is a case where I suppose, if we could have a different title to the bill, we might all be better off.

Mr. Speaker, I also wish to lend my support to H.R. 3790, providing for a temporary suspension of duty until June 30, 1980 on imported concentrate of poppy straw to be used in the production of codeine and morphine.

Under the Controlled Substances Act, the Justice Department has authorized the importation of poppy straw and poppy straw concentrate in order to relieve shortages of available raw materials—such as opium—used in the production of medicinal codeine and morphine. Currently, such substances have a column 1 duty of 1.5 percent ad valorem and a column 2 duty of 10 percent ad valorem.

Because of a world-wide shortage of opium, drug companies have had to import increasing quantities of poppy straw and poppy straw concentrate for the production of medicines. There is no domestic source of this substance. Removing the duty would lower production costs, aid employment, and eventually make prescription drugs containing codeine and morphine less expensive for consumers. Enactment of H.R. 3790 is expected to result in a revenue loss of approximately \$450,000 annually.

A bill similar to H.R. 3790 was introduced in the 94th Congress. It received extensive study by several governmental departments and agencies involved and no objection was found to removing the duty in this case. The suspension was made temporary so that Congress may review its effect after an appropriate period of time.

Mr. Speaker, the committee reported the bill unanimously, and I recommend passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3790

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 912.10 the following new item:

"912.25 Concentrate of poppy straw (however provided for in Schedule 4, part 3) when imported for use in producing codeine or morphine.....	Free. Free. On or before 6/30/79".
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SEC. 2. The amendment made by the first section of this Act shall apply with respect

to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

With the following committee amendments:

Page 1, line 5, strike out "after item 912.10" and insert "before item 907.80".

Page 1, strike out all the matter appearing immediately after line 6 and insert the following:

'907.70 Concentrate of poppy straw (however provided for in part 3 of schedule 4) when imported for use in producing codeine or morphine..... Free. Free. On or before 6/30/80".

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

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

There was no objection.

The committee amendments were agreed to.

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

TEMPORARY SUSPENSION OF DUTY ON WOOL NOT FINER THAN 46S

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3946) to suspend for a temporary period the rate of duty on wool not finer than 46s, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, and I shall not do so, I will yield to the gentleman from Ohio to explain the bill.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 3946 is to suspend until June 30, 1980 the duty on imports on wool not finer than 46s.

H.R. 3946 was introduced by our colleague, Mr. QUITE of Minnesota.

Wool classified not finer than 46s is only nominally produced domestically. Improved wool, the overwhelming domestic production, is due to its characteristics of strength and color uniformity, well suited for clothing manufacture. Unimproved wool, the duty on the import of which would be suspended by this bill, is characterized by coarseness, toughness and scratchiness and, while unsuited for clothing, is when blended with improved wool used in the production of carpets, blankets and furniture upholstery. The bill would aid domestic firms using wool to meet the competition from both synthetic fibers and imports of woolen products.

Favorable reports were received from the Departments of Commerce and the Treasury and reports with no objections were received from the Departments of State and Labor.

Technical amendments to the bill were made to eliminate certain definitional

and administrative problems raised by some administration agencies.

The committee was unanimous in reporting H.R. 3946 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I support H.R. 3946 to temporarily suspend the duty on wool not finer in grade than 46s. The suspension would continue until June 30, 1980.

Very little coarse wool not finer than 46s, and no unimproved wool, is produced domestically. U.S. firms almost exclusively manufacture finer wools used in making clothing and other wearing apparel. However, the coarse and unimproved wool, especially if blended with better grades, is very desirable for use in the manufacture of carpets, blankets, and upholstery fabrics.

Currently, imports of wool not finer than 46s have imposed on them a wide range of duties, depending on factors other than coarseness. Also, the duty on wool affects price supports under the National Wool Act of 1954, because the supports are based on a percentage of the cumulative gross receipts of import duties collected on all wool and wool products. Enactment of H.R. 3946 is expected to result in a loss of customs revenue amounting to \$389,000 annually.

Domestic firms using coarse wool in their manufacturing face substantial competition both from imports of similar products and from manmade fibers. A suspension of duty in this case would improve the competitive position of such firms as well as improve the quality and lower the price of blankets and floor coverings to consumers. Also, elimination of these duties would limit price support payments which have varied widely from year to year.

Mr. Speaker, the committee heard no objection to H.R. 3946 and reported the bill unanimously. I recommend passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. VOLKMER. Mr. Speaker, I reserve the right to object.

I would like to ask the gentleman from Ohio a question concerning the statement on page 2 of the report. There is a little bit in here which bothers me a little bit as being from a district that has domestic wool produced, and tomorrow we start on the agricultural programs and the wool act and our subsidies to our own wool growers—my question is this language in the report:

By reducing gross duty receipts this bill could limit price support payments which have varied considerably from year to year.

Assuming that we do not have any income from this wool, which I know is not direct competition itself with our domestic wool, will we have any price support payments at all for our domestic wool producers?

Mr. VANIK. Well, I might point out that this bill only involves a \$389,000 annual figure.

Mr. VOLKMER. I notice that.

Mr. VANIK. I might also point out that the bill was supported by the president of the National Wool Growers Association and the American Textile Manufacturers.

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

Mr. VOLKMER. I yield.

Mr. STEIGER. I think the answer to the gentleman's question is no, it will not have any effect. However one answers that question, the answer is it has no effect on that issue because the domestic producers basically do not provide that kind of wool.

Mr. VOLKMER. I know. There is no competition. I am not worried about the competition. I am worried about the subsidy, because of the language in the report—and I do not know that much about either act—on page 2, which says it could limit the price support payments. I am asking how much it is going to limit the price support payments.

Mr. VANIK. If the gentleman will yield, I think this is only a minimal amount, and that can be adjusted in the price-support bill.

Mr. VOLKMER. Mr. Speaker, further reserving the right to object, then I will have to work on it and ask the gentleman if he will help me support any provisions I might need tomorrow or the next day in the agriculture program so that we will not by this bill reduce what we are attempting to do in the agricultural bill.

Mr. VANIK. If the gentleman will yield, I cannot say that I will support a whole bill over this one item. I will be happy to support what is involved here, \$389,000, but I do not pledge myself to support the whole bill the gentleman is speaking of.

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, if there is an objection made to this bill, may the bill be brought back at a later time, still under the Consent Calendar?

The SPEAKER pro tempore. It still remains on the Union Calendar and can be brought up for consideration at a future date.

Mr. VOLKMER. So there is really no major harm done.

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

Mr. VOLKMER. Mr. Speaker, under my reservation of objection I will yield to the gentleman from California.

Mr. KETCHUM. I thank the gentleman for yielding.

Mr. Speaker, as a former wool grower myself, I can tell the gentleman that this bill has absolutely no effect on the wool support program. What occurs in the Committee on Agriculture has no effect on this bill, and vice versa.

Mr. VOLKMER. Mr. Speaker, further reserving the right to object, I will ask the gentleman this question: In other words, the amount that comes in under the tariff will have no effect, the fact that it is not going to come in any more, as to the subsidy?

Mr. KETCHUM. Absolutely not.

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

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3946

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately before item 905.30 the following new item:

"905.10 Wool: Not finer than 46s... Free. Free. On or before 9/30/81".

(b) (1) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States are provided for in subsection (a) shall be treated—

(A) as not having the status of statutory provisions enacted by the Congress, but

(B) as having been proclaimed by the President as being required or appropriate to carry out foreign trade agreements to which the United States is a party.

(2) The amendments made by this section shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

With the following committee amendment:

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

That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended—

(1) by adding immediately after headnote 3 the following new headnote: "4. For so long as items 905.10 and 905.11 are in effect, headnotes 3, 4, and 5 of subpart C of part 1 of schedule 3 shall be suspended (except insofar as they relate to hair of the camel) and in lieu thereof—

"(a) for purposes of item 307.40—

"(1) the classification provisions for wool not finer than 46s shall apply to any package of wool containing not over 10 percent by weight of wool finer than 46s but not containing wool finer than 48s; and

"(1) the citation for imports classifiable under item 307.40 shall be such item number followed by the item number for the part of the contents of the package which determines the rate of duty; and

"(b) for purposes of item 905.11, a tolerance of not more than 10 percent of wools not finer than 48s may be allowed in each bale or package of wools imported as not finer than 46s."; and

(2) by adding immediately before item 905.30 the following new items:

"Wool (provided for in part 1C, schedule 3):	
905.10 All wool provided for in items 306.00 through 306.24.....	Free. Free. On or before 6/30/80
905.11 Other wool not finer than 46s provided for in items 306.30 through 306.34.....	Free. Free. On or before 6/30/80"

Sec. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

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

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

There was no objection.

The committee amendment was agreed to.

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

TEMPORARY SUSPENSION OF DUTY ON CERTAIN DOXORUBICIN HYDROCHLORIDE ANTIBIOTICS

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 4018) to suspend until the close of June 30, 1979, the duty on certain doxorubicin hydrochloride antibiotics, and for other purposes, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, and I shall not do so, I will ask the gentleman from Ohio (Mr. VANIK) if he will explain the bill.

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

Mr. STEIGER. I yield to the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Speaker, the purpose of H.R. 4018 is to suspend until June 30, 1980 the duty on imports of doxorubicin hydrochloride.

H.R. 4018 was introduced by our colleague, Mr. EVANS of Delaware.

Doxorubicin hydrochloride, not domestically produced, is a drug used in cancer chemotherapy. The National Institutes of Health, which annually purchases several million dollars of the drug, supports the bill. It is anticipated that savings due to duty suspension will be passed on to consumers.

Favorable reports were received from the Departments of Commerce, Labor, and the Treasury. A report with no objections was received from the Department of State.

Technical amendments were made to the bill to make the new item number follow in proper sequence in the Tariff Schedules of the United States and to provide for an expiration date of June 30, 1980, a common expiration date with most of the other duty suspension bills acted upon by the committee. In addition, the reference to a proclaimed rate rather than a statutory rate was deleted as unnecessary in a temporary duty suspension bill.

The committee was unanimous in reporting H.R. 4018 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I thank my colleague, the gentleman from Ohio (Mr. VANIK) for his excellent explanation.

Mr. Speaker, I support H.R. 4018 that would suspend until June 30, 1980 the

column 1 rate of duty on certain doxorubicin hydrochloride antibiotics.

Doxorubicin hydrochloride is a drug used by physicians in cancer chemotherapy. Imports of the drug have increased significantly until they now are valued at several million dollars per year. The drug is produced only in Italy and is imported and distributed by a single domestic firm, Adria Laboratories. The current column 1 rate of duty is 5 percent ad valorem.

A suspension of duty is favored by the administration and supported by Adria Laboratories. The resultant lower costs of this drug will have a mitigating effect on the significant medical cost for cancer patients. Lost customs revenue is estimated to be \$500,000 annually.

Besides reducing medical costs, enactment of H.R. 4018 will serve to improve the trade posture of this country. Subsection (b) of the bill states that a suspension of duty in this case, is proclaimed by the President as being required or appropriate to carry out trade agreements to which the United States is a party.

Mr. Speaker, the committee heard no objection to H.R. 4018 and reported the bill unanimously. I urge passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4018

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part 1 of subpart B of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately before item 907.80 the following new item:

"Doxorubicin hydrochloride (provided for in item 407.85, part 1, or in item 437.32 or 438.02, part 3, schedule 4, depending on source).....	Free	No change.	On or before June 30, 1979."
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(b) The rate of duty prescribed in rate column numbered 1 under item 907.40 of the Tariff Schedules of the United States (as added by subsection (a)) shall be considered to have been proclaimed by the President as being required or appropriate to carry out trade agreements to which the United States is a party, not as a statutory provision enacted by Congress.

(c) The amendment made by subsection (a) applies to articles entered, or withdrawn from warehouse, for consumption after the date of enactment of this Act.

With the following committee amendment:

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

That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately before item 907.80 the following new item:

"907.20 Doxorubicin hydrochloride (provided for in item 407.85, part 1, or in item 437.32 or 438.02, part 3, schedule 4, depending on source)..... Free. No change. On or before 6/30/80".

SEC. 2. The amendment made by the first section of this act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of enactment of this act.

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

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

There was no objection.

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to suspend until the close of June 30, 1980, the duty on certain doxorubicin hydrochloride antibiotics."

A motion to reconsider was laid on the table.

REQUEST FOR CONSIDERATION OF H.R. 4654, TEMPORARY REDUCTION OF DUTY ON UNMOUNTED UNDERWATER LENSES

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 4654) to reduce the rate of duty on unmounted underwater lenses, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, I shall not do so, but under my reservation I will yield to the gentleman from Ohio (Mr. VANIK) so that he may explain the bill.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 4654 is to reduce until June 30, 1980, the duty on imports of unmounted underwater lenses.

H.R. 4654 was introduced by our colleague, Mr. WILSON of California.

The underwater lenses covered by the bill are used in combination with other lenses to manufacture underwater viewers for underwater photography. The lens is a high quality product produced in Japan, with special features that remove refraction caused by water. Domestically produced lenses similar to the imported product sell at about three times the cost.

There is only one domestic producer of the complete underwater unit and the firm feels that the duty reduction for unmounted underwater lenses would be an important factor in increasing their production. The only other manufacturer is reported to be a Japanese firm. The domestic firm claims the high duty on

this lens has impaired its ability to compete with the Japanese imports.

Reports in opposition to the bill were received from the Departments of Commerce, State, and Labor and from the Office of the Special Representative for Trade Negotiations. They opposed the temporary duty suspension on the grounds that these lenses are imported primarily from Japan, a major trading partner, and any duty reduction should be negotiated in the context of the multilateral trade negotiations context so that the United States receives some trade benefit for such a reduction.

The objections were considered in the light of total U.S. imports in 1975 of unmounted underwater lenses valued at approximately \$78,000 with a customs duty of approximately \$11,000 and the fact that the bill is a temporary duty reduction rather than a permanent unilateral reduction of the duty. It is believed that whatever negotiating value exists in reducing the duty on unmounted underwater lenses is not taken away since this duty reduction is a temporary measure.

Technical amendments were made to place the temporary duty reduction in a new TSUS item in the Appendix to the TSUS rather than amending the permanent TSUS item for a temporary period.

The committee was unanimous in reporting H.R. 4654 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, I support H.R. 4654, a bill that would reduce until June 30, 1980, the duty on unmounted underwater lenses.

The lenses covered by the bill are used with other types of lenses to make viewers for underwater photography. They are of high quality and have special features to reduce refraction. Although produced domestically, the cost of the lenses is about three times higher when purchased from U.S. firms than when imported from Japan. Even so, the cost is considerable and tends to limit domestic production of completed underwater viewers.

The complete unit is manufactured by only one domestic firm, Seacor of California. At this time, they are interested in doubling their production of these viewers and in improving their competitive position in relation to the imported completed unit. The duty reduction on unmounted underwater lenses would serve to keep the price of the domestic product down and thus make it more attractive than those manufactured and assembled in Japan.

Currently, the column 1 rate of duty for this article is 14 percent ad valorem and the column 2 rate is 45 percent ad valorem. H.R. 4654 would temporarily reduce the column 1 rate to 7 percent, while leaving the column 2 rate unchanged. The loss in customs revenue for the first full year after enactment is expected to be approximately \$5,460.

Mr. Speaker, although the administration has opposed enactment of H.R. 4654, they have done so because they prefer duty reductions to be negotiated in the context of the multilateral trade nego-

tiations, MTN. The temporary nature of the reduction, however, would preserve this option. The committee reported the measure unanimously, and I recommend passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. ALLEN. Mr. Speaker, reserving the right to object, because the Departments of Commerce, State, and Labor do object to the passage of this bill and feel that this is a matter that should be negotiated under the Trade Act where the United States might get some benefit from it, I do object.

The SPEAKER pro tempore. Objection is heard.

FOR THE RELIEF OF JACK R. MISNER WITH RESPECT TO THE VESSEL "PANDA"

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5037) for the relief of Jack R. Misner, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object—and I shall not do so—under my reservation I will be happy to yield to the gentleman from Ohio (Mr. VANIK) so he may give the House his explanation of this bill.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 5037, a private bill, is to extend until September 18, 1977, a temporary importation bond covering the schooner *Panda*.

H.R. 5037 was introduced by our colleague, Mr. KEMP of New York.

The schooner entered the United States under a bond filed by Captain Misner in September 1972, under provisions of the TSUS which provide that articles imported for repair, alteration, or processing, but not sale in the United States may enter without payment of duty under bond for their exportation within 1 year. The TSUS limits renewal of the bond upon application to a maximum of an additional 2 years.

The bond on the schooner *Panda* was granted for the 3-year maximum total period. However, due to material shortages and continual delay in delivery dates, the renovation schedule had to be considerably extended. All equipment and materials for reconstruction of the yacht are of U.S. origin.

Unless the statutory 3-year time limit on this bond is extended, Captain Misner is liable for payment of penalty duty or can be forced to remove the vessel from the United States prior to completion of the repairs.

Reports with no objections were received from the Departments of Commerce and the Treasury.

The committee was unanimous in reporting H.R. 5037 and I urge its passage.

Mr. STEIGER. Mr. Speaker, I support H.R. 5037, a private bill extending until September 18, 1977, the expiration date of a temporary importation bond concerning the schooner *Panda* so that Jack R. Misner, of North Tonawanda, N.Y., can complete extensive renovation of the vessel.

Originally, it was anticipated that renovation of the vessel involved could be completed within the 3 years allowed under the bond when first issued. However, material shortages and postponements in delivery dates have made the 3-year statutory time limit impossible to meet. All equipment and materials involved in the reconstruction are of U.S. origin.

The extension of the bond will allow Mr. Misner to complete work on the vessel without the hardship of leaving port or without becoming liable for payment of a penalty duty. H.R. 5037 applies only to the schooner *Panda*, and would not affect present law with respect to temporary importation bond cases in general.

Favorable reports with respect to extending the temporary importation bond in this instance were received from both the Department of Commerce and the Department of the Treasury. No additional revenue loss or administrative costs would be incurred by enactment of this bill. A similar bill was introduced in the 94th Congress and passed the House but was not taken up in the Senate.

Mr. Speaker, the committee received no opposition to H.R. 4047 from any source and reported the bill unanimously. I recommend passage by the House at this time.

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

Mr. STEIGER. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, I would like to ask the gentleman this question: If the owner of the boat were to part with it, how much money would we actually be talking about?

Mr. STEIGER. Mr. Speaker, let me yield, if I may, under my reservation of objection, to the gentleman from New York (Mr. KEMP), the author of the bill.

Mr. KEMP. Mr. Speaker, I appreciate the gentleman's yielding.

The Customs Service has advised Captain Misner that he would have to pay something like \$7,000 in liquidated damages for failure to act within the bond period or if the bill should not be passed.

As the gentleman from Wisconsin (Mr. STEIGER) and the gentleman from Ohio (Mr. VANIK) point out, it is for a very limited period so that the captain may finish the renovation.

Mr. VOLKMER. If the gentleman will yield further, is it not ready to sail? If we pass this bill and the work proceeds, will it not be ready to sail?

Mr. KEMP. It will be sailing out, yes. It is almost completed. As the gentleman from Ohio (Mr. VANIK) pointed out, it is only because there has been such a tremendous shortage of materials involving the renovating of the schooner that there has been this delay.

Mr. VOLKMER. What is the value of this schooner?

Mr. STEIGER. The value of the schooner?

I must say, further reserving the right to object, that I do not know that we have that figure. We do not deal with the value of the schooner. What we are dealing with in this bill is the repairs that are required.

Maybe we should have asked what the value was, but I do not know what it is.

Mr. VOLKMER. Has it been laid up in drydock for all 5 years?

Mr. STEIGER. Yes; it has been laid up a substantial amount of time.

Mr. VOLKMER. Mr. Speaker, I thank the gentleman.

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

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5037

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to permit Jack R. Misner, of North Tonawanda, New York, to complete the renovation of the schooner *Panda* (entry numbered 902261, September 25, 1972) within the United States (which renovation has been delayed because of material shortages), the Secretary of the Treasury, notwithstanding the provisions of subpart 5C of schedule 8 of the Tariff Schedules of the United States (19 U.S.C. 1202), shall extend the expiration date of the temporary importation bond covering the schooner *Panda* until the close of September 18, 1977.

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

TEMPORARY REDUCTION OF DUTY ON UNMOUNTED UNDERWATER LENSES

Mr. VANIK. Mr. Speaker. I ask unanimous consent again for the immediate consideration of the bill H.R. 4654, to reduce the rate of duty on unmounted underwater lenses, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. ALLEN. Reserving the right to object, Mr. Speaker, since this bill was considered a few minutes ago, I have been advised that the amount of money involved is something like \$5,460 a year and that since it is such a small amount, it is not likely that the Departments of Commerce, State, and Labor, notwithstanding their objections, would ever get around to negotiating this matter under our multilateral trade negotiations.

For that reason, Mr. Speaker, I ask leave to withdraw my objection so that the bill may be passed by unanimous consent.

The SPEAKER pro tempore. The gentleman's objection is withdrawn.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart A of part 2 of schedule 7 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 708.01 the following new item:

"708.02 Underwater..... 7% ad val. 45% ad val."

SEC. 2. The amendment made by the first section of this Act shall for a period of two years apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

Mr. BOB WILSON. Mr. Speaker, I rise in support of my bill, H.R. 4654, to reduce the rate of duty on unmounted underwater lenses.

This legislation was introduced as a result of a price competition problem encountered by a firm located in my district, Seacor Inc. Seacor produces the Sea-Eye, a corrected 21-mm. underwater lens. Descriptive brochures on the Sea-Eye and its uses in underwater photography are attached. This lens has been utilized by a variety of publications, as well as Government, educational, and private organizations engaged in oceanographic endeavors, including the Jacques Cousteau team.

There are only two producers of this underwater lens for the retail market: Seacor, located in San Diego, and the Japanese firm, Nikon. One clarification is needed at this point in my testimony. In its recent report to the committee, the International Trade Commission states that "underwater lenses are produced in the United States by a number of companies, almost entirely on a custom basis." The report then enumerates five major producers of underwater lenses. It is important to emphasize, however, that all the firms listed, except Seacor, produce these underwater lenses solely on a custom or special order basis. Seacor is the only American firm producing such a lens for the retail market, a point which my office confirmed earlier this week with the analyst who prepared the ITC's report on H.R. 4654.

Because of the tariff on one component, however, an unmounted underwater lens, Seacor has encountered difficulty in keeping its price competitive with Nikon. A diagram of the Sea-Eye components is attached for the subcommittee's information. Seacor advises that it makes all the parts for the Sea-Eye with two exceptions: The dome, which is manufactured in Connecticut, and the unmounted underwater lens, for which they have an exclusive contract from the Yashika Co. in Japan. There is no domestic source for this unmounted lens. Imported from Japan, it is subject to a tariff rate of 14 percent.

I want to reemphasize that Seacor competes with no American firm in the sale of the Sea-Eye, but solely with Nikon. The tariff on the one imported component, however, increases the cost of each completed Sea-Eye by \$20, mak-

ing it more difficult for the Sea-Eye to be competitive with the Nikon product on the world market. Since one of the basic purposes of our tariff laws is the protection of American business, I feel a revision of the 14 percent tariff rate on this unmounted underwater lens is warranted.

H.R. 4654 provides for a temporary reduction in the tariff to 7 percent. This is a revised version of legislation I submitted during the 94th Congress, H.R. 11050, which called for a permanent reduction in the tariff from 14 to 7 percent. This permanent reduction was opposed by the several agencies queried by the committee, because it was felt that such a permanent unilateral reduction should instead be negotiated in multilateral trade negotiations in exchange for reciprocal benefits for U.S. exports.

In his September 9, 1976, letter to Chairman ULLMAN, the Acting General Counsel of the Treasury Department outlined the Department's opposition to a permanent reduction, but advised that Treasury would support a temporary duty reduction on these lenses "in view of the fact that there is no domestic supplier for these underwater lenses, and thus no adverse economic consequences which would result to American manufacturers." Additionally, the Department acknowledged that a temporary reduction in the tariff could prove to be a boon to consumers through lower prices. According to the Department of Commerce, other U.S. lens manufacturers do not object to the proposed duty reduction. They would, understandably, prefer that such a reduction be accomplished in the multilateral trade negotiations in exchange for salutary tariff concessions for U.S. optical exports. Such a position is certainly not surprising and I would hope that a permanent arrangement of this sort can be achieved through the MTN.

In the interim, I urge the House to favorably consider a temporary reduction in the duty on this one item. I know that the members of the subcommittee feel as I do about the importance of assisting American businessmen to be more competitive in the world market. H.R. 4654 would do exactly that, without any adverse impact on other U.S. firms or the American taxpayer.

In closing, I want to reiterate that H.R. 4654 would make an American-made underwater lens, the Sea-Eye, more competitive with its Japanese rival by removal of the tariff on the one component which is unobtainable in the United States. I urge favorable consideration of this bill.

With the following committee amendments:

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

That subpart B of part 1 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately before item 912.07 the following new item:

"912.06 Underwater lenses, not mounted (provided for in item 708.03, part 2A, schedule 7)..... 7% ad val. No change. On or before 6/30/80"

SEC. 2. The amendment made by the first section of this act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this act.

Mr. VANIK (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendments be considered as read and printed in the Record.

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

There was no objection.

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to reduce until the close of June 30, 1980, the duty on unmounted underwater lenses."

A motion to reconsider was laid on the table.

TEMPORARY SUSPENSION OF DUTY ON PHOTOGRAPHIC COLOR COUPLERS AND COUPLER INTERMEDIATES

Mr. VANIK. Mr. Speaker, I ask unanimous consent for immediate consideration of the bill, H.R. 5052, to provide for the temporary suspension of duty on the importation of color couplers and coupler intermediates used in the manufacture of photographic sensitized material—provided for in items 405.20 and 403.60, respectively—which was unanimously reported favorably to the House by the Committee on Ways and Means. The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, and I shall not do so, I will yield to the gentleman from Ohio (Mr. VANIK) so that he may give us an explanation of the bill.

Mr. VANIK. Mr. Speaker, I thank the gentleman from Wisconsin for yielding to me.

Mr. Speaker, the purpose of H.R. 5052 is to suspend until June 30, 1980, the duty on imports of color couplers and coupler intermediates.

H.R. 5052 was introduced by our colleague, Mr. FRENZEL of Minnesota.

Coupler intermediates are used to produce color couplers and color couplers are finished dyes used in the manufacture of photographic paper used in printing photographs. Domestic producers produce for their own internal consumption only.

The bill would enable another domestic firm to import the articles duty free from a subsidiary's foreign plant for a temporary period in order to supply their domestic photographic paper production. They anticipate building a plant to produce these chemicals domestically.

A favorable report was received from the Department of the Treasury. A report with no objections was received from the Department of Commerce.

Technical amendments were made to the bill to describe with greater speci-

ficity the articles covered by the duty suspension, to place the new TSUS items in proper order within the TSUS and to specify an expiration date.

The committee was unanimous in reporting H.R. 5052 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object.

Mr. Speaker, I support H.R. 5052 a bill suspending, until June 30, 1980, the duty on color couplers and on coupler intermediates.

Color couplers are finished dyes used in making photographic paper. Coupler intermediates are used in the production of color couplers. These items currently carry a column 1 duty of 1.7 cents per pound plus 12.5 percent ad valorem and 3 cents per pound plus 19 percent ad valorem respectively. The column 2 rate for both articles would not be affected by this bill.

Although two U.S. firms currently produce color couplers and coupler intermediates, they do so only for internal consumption. The 3M Co. on the other hand, must import these products from a foreign subsidiary in order to supply their photographic paper plant located in Rochester, N.Y. The temporary suspension contained in H.R. 5052 would help keep 3M's costs competitive with other similar U.S. firms until they themselves can begin domestic production of these chemicals for their own use. Annual loss in customs revenue for the 3-year period is estimated to be \$550,000.

Mr. Speaker, the committee heard no objection to passage of H.R. 5052 during public hearings on miscellaneous tariff measures, and reported the bill unanimously. I recommend passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5052

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202), is amended by inserting immediately after item 405.20, the following new items:

"913.00	Color couplers used in the manufacture of photographic sensitized material.....	Free. No change.	Two years after enactment.
913.10	Color intermediates used in the manufacture of photographic sensitized material.....	Free. No change.	Two years after enactment."

SEC. 2. The amendments made by the first section of this Act shall apply with respect to articles entered or withdrawn from warehouse, within the two years period beginning on the date of enactment of this Act.

With the following committee amendment:

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

That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately before item 907.80 the following new items:

"907.10 Cyclic organic chemical products in any physical form having a benzenoid, quinoid, or modified benzenoid structure (provided for in item 403.60, part 1B, schedule 4) to be used in the manufacture of photographic color couplers.....	Free.	No change.	On or before 6/30/80.
907.12 Photographic color couplers (provided for in item 405.20, part 1C, schedule 4).....	Free.	No change.	On or before 6/30/80."

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this act.

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill providing for the temporary suspension of duty on photographic color couplers and coupler intermediates."

A motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF COMPETITION BOBSLEDS AND LUGES

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5146) to amend the Tariff Schedules of the United States to provide for the duty-free entry of competition bobsleds and luges, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, and I shall not object, I do so merely for the purpose of yielding to the gentleman from Ohio (Mr. VANIK) so that he may explain the bill.

Mr. VANIK. Mr. Speaker, I thank the gentleman from Wisconsin for yielding to me.

Mr. Speaker, the purpose of H.R. 5146 is to provide for the duty-free entry of bobsleds and luges of a kind used in international competition.

H.R. 5146 was introduced by our colleague, Mr. McEWEN of New York. I might just add that he is not a member of the Committee on Ways and Means.

Legislation to remove the duty on sleds is one of the recommendations of the recently concluded study of amateur sports by the President's Commission on Olympic Sports. The Commission agrees that a major impediment to participation in these sports is the high cost of equipment. There are no American bobsled or luge manufacturers and this legislation would not adversely affect any U.S. industry.

A favorable report was received from the Department of Commerce. Reports with no objections were received from the Department of the Treasury and Labor.

A technical amendment was made to the proposed Tariff Schedules of the United States (TSUS) items 734.97 and 734.98 in order that the indentation of the article description follow the form used in the TSUS.

The committee was unanimous in reporting H.R. 5146 as amended, as I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I support H.R. 5146, providing for duty-free treatment of competition bobsleds and luges.

Participation in Olympic sports is a very expensive activity, partly because of the high cost of equipment. The President's Commission on Olympic Sports recently completed a study of amateur sports, and among its recommendations was that legislation be enacted to remove the duty on competition sleds.

The current column 1 rate of duty on bobsleds and luges is 9 percent ad valorem and the column 2 rate is 45 percent ad valorem. It is estimated that only from four to six new sleds are imported each year, so the impact of such duty-free treatment on customs revenues would be minimal. There are no American manufacturers of competition bobsleds and luges.

Mr. Speaker, legislation such as H.R. 5146 is important to this country's Olympic and other amateur athletes who face high costs and yet are restricted in the type of monetary support they can accept while competing as amateurs. The committee reported the bill unanimously and received no objection from any source. I recommend passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5146

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart D of part 5 of schedule 7 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out item 734.97 and inserting in lieu thereof the following:

"734.97 Bobsleds and luges of a kind used in international competition.....	Free.....	Free.....
734.98 Other.....	9% ad val.	45% ad val."

SEC. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of enactment of this Act.

With the following committee amendment:

Page 1, strike out the matter appearing immediately after line 6 and insert the following:

"734.98 Bobsleds and luges of a kind used in international competition.....	Free.....	Free.....
734.99 Other.....	9% ad val.	45% ad val."

The committee amendment was agreed to.

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

REDUCED DUTY ON LEVULOSE UNTIL JULY 1, 1980

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5176) to lower the duty on levulose until the close of December 31, 1980, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, and I shall not object, but I do so for the purpose of yielding to the gentleman from Ohio so that he may explain the bill.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 5176 is to reduce until June 30, 1980, the duty on imports of levulose.

H.R. 5176 was introduced by our colleague, Mr. CORMAN of California.

Levulose, a pure or relatively pure product, is a monosaccharide which, together with dextrose, represents a basic component of ordinary sugar. There is no natural source of pure levulose, which is the result of expensive manufacturing processes. Although levulose is known to be sweeter than sucrose, its price is substantially higher than sugar and it does not compete with sugar. The primary use of levulose is in special dietary preparations where the use of sugar must be avoided.

The lowering of duties on levulose is considered not likely to represent a threat to products of the U.S. natural sweetener industry, that is, sugar, dextrose, corn syrup, high levulose corn syrup, or honey, nor is the product likely to have much impact on noncaloric sweeteners such as saccharin or cyclamates.

There is currently no domestic production of pure levulose but a domestic company intends to construct a plant in California to manufacture this product. Until construction is completed in the early 1980's, the company will import its supply of levulose.

A report with no objections was received from the Food and Drug Administration of the Department of Health, Education, and Welfare.

The committee was unanimous in reporting H.R. 5176 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I support H.R. 5176, a bill that would temporarily lower, until June 30, 1980, the rate of duty on levulose.

Levulose is a relatively pure substance used in the production of certain artificial sweeteners of special value to diabetics. It appears most commonly in nature as a component of honey, and its separation requires an expensive manufacturing process. There are no domestic commercial producers of pure levulose,

and imports of the substance into this country come mainly from Finland but also from West Germany and France.

Currently, a west coast corporation now producing an artificial sweetener is interested in constructing a plant to manufacture levulose. The temporary reduction contained in H.R. 5176 will provide relief from the rather high duty on levulose until construction of the plant can be completed. The bill would affect only column 1 rates, lowering them from 20 percent ad valorem to 1.9875 cents per pound. This is the same rate as is applied to refined sugar. The annual customs revenue loss is estimated to be approximately \$195,000.

As a rare and costly polysaccharide, levulose does not compete with the domestic natural sweetener industry, such as sugar, corn syrup, dextrose, or honey. Neither does it offer any significant competition to the more common noncaloric sweeteners such as saccharin. Lowering the duty in this instance, therefore, would have no adverse effect on any domestic manufacturer, and yet would serve to lower the cost of sweeteners containing levulose to consumers who must avoid sucrose, or ordinary sugar, in their diets.

Mr. Speaker, the committee heard no opposition to enactment of H.R. 5176 from any source and reported the bill without dissent. A similar bill was introduced in the 94th Congress and was passed by the House but later died in the Senate. I again urge the House to pass this important legislation.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 907.80 the following new item:

	1.9875¢ per lb.	1.9875¢ per lb.	On or before 12/31/ 80"
"907.90 Levulose (provided for in item 493.66, part 13B, schedule 4).....			

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

With the following committee amendment:

Page 1, strike out the matter appearing between lines 5 and 6 and insert the following:

	1.9875¢ per lb.	1.9875¢ per lb.	On or be- fore 6/ 30/80"
"907.90 Levulose (provided for in item 493.66, part 13B, schedule 4)....			

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to lower the duty on levulose until the close of June 30, 1980."

A motion to reconsider was laid on the table.

FOR THE RELIEF OF JOE CORTINA OF TAMPA, FLA.

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5289) for the relief of Joe Cortina of Tampa, Fla., which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, I shall not of course do so, but I yield to the gentleman from Ohio (Mr. VANIK) to explain this fascinating bill.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 5289, a private bill, is to specify the manner of liquidation or reliquidation of 29 specific customs entries of certain musical instruments.

H.R. 5289 was introduced by our colleague, Mr. GIBBONS of Florida.

Mr. Cortina, a Tampa, Fla., customs broker, was the importer of record on a series of musical instrument import entries from 1971 through 1973. Because a selling commission was paid by a domestic firm to a West German firm and because, it was alleged, the instruments were of East German origin, supplemental duties in excess of \$150,000 were assessed against Mr. Cortina. However, after a second investigation, Customs limited the number of instruments it alleged were of East German origin and reduced Mr. Cortina's supplemental duties liability to \$37,000. It is alleged that this liability would financially ruin Mr. Cortina since he has no effective recourse against either the domestic firm he represented which has been dissolved, or against its principal owner who is deceased. The bill is intended to relieve Mr. Cortina of all liability for the supplemental duties.

The committee was unanimous in reporting H.R. 5289 and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I support H.R. 5289, a private relief bill that would liquidate or reliquidate the customs entries of certain musical instruments that came into the port of Tampa, Fla.

Between October 1971 and October 1973, Joe Cortina, a Tampa customs broker, imported a series of musical instruments from a West German firm named Hans Herman Kuhl (HHK). Mr. Cortina had posted a customs entry bond based on the entered or declared value of the items. Later, the Customs Service discovered that a 10-percent selling commission had been paid by the domestic firm receiving the instruments; it subsequently was determined that HHK's instruments originated in East Germany. Therefore, Mr. Cortina became liable for additional duties equal to the 10-percent selling commission plus the difference in the column 1 and col-

umn 2 rate of duty on these articles.

Through circumstances that could not have been foreseen by Mr. Cortina, he has incurred a liability of approximately \$37,000 in excess of the bond he posted. H.R. 5289 would relieve Mr. Cortina of this liability for the unpaid duties and would refund any supplemental duties already paid to date. The one-time loss in customs revenue would be approximately \$46,000.

Mr. Speaker, the committee heard no objections to providing the relief desired by Mr. Cortina in this instance, and reported H.R. 5289 unanimously. I recommend passage by the House at this time.

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

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5289

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the entries listed in section 2 of this Act, covering certain musical instruments, shall be liquidated or reliquidated and, if appropriate, refund of duties made. Notwithstanding the provisions of General Headnote 3(e) of the Tariff Schedules of the United States (19 U.S.C. 1202) or any other provision of law, for purposes of the liquidations or reliquidations authorized by this Act, such entries shall be appraised at invoice unit prices net, packed, and shall be subject to duty at the applicable rates set forth in column 1 of such schedules.

SEC. 2. The entries referred to in the first section of this Act are as follows:

Entry number:	Date of entry
100284	July 14, 1972.
100607	July 27, 1973.
101233	August 18, 1972.
101426	September 1, 1972.
101756	September 14, 1972.
102217	October 15, 1973.
102394	October 7, 1971.
102483	October 15, 1971.
102687	November 15, 1971.
102708	July 8, 1973.
102711	November 17, 1971.
102781	October 20, 1972.
103117	December 16, 1971.
103252	November 8, 1972.
103275	December 28, 1971.
103576	November 22, 1972.
103638	November 27, 1972.
104335	December 21, 1972.
104601	March 8, 1972.
104920	January 16, 1973.
105205	April 10, 1972.
105998	May 15, 1972.
105998	March 2, 1973.
106002	May 15, 1972.
106730	June 21, 1972.
106731	June 21, 1972.
106888	June 29, 1972.
103114	December 16, 1971.
108444	June 11, 1973.

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

DUTY-FREE TREATMENT FOR ISTLE

Mr. VANIK. Mr. Speaker, I ask unanimous consent for the immediate

consideration of the bill (H.R. 5322) to continue for a temporary period the existing suspension of duty on certain istle, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. STEIGER. Mr. Speaker, reserving the right to object, I shall not of course do so, but I yield to the gentleman from Ohio (Mr. VANIK) for an explanation of the legislation.

Mr. VANIK. Mr. Speaker, the purpose of H.R. 5322 is to admit duty-free imports of istle, whether crude or processed.

H.R. 5322 was introduced by our colleague, Mr. FRENZEL of Minnesota.

Istle fiber is a vegetable fiber. There is no domestic production of either crude istle or processed istle fibers, which are used primarily in the manufacture of a wide range of high-quality industrial brushes. Istle fibers do not compete directly with domestically produced synthetic fibers because of their relatively high cost and absorbent quality.

Favorable reports were received from the Departments of Commerce, the Treasury, and Agriculture. Reports with no objections were received from the Department of State and from the Office of the Special Representative for Trade Negotiations.

The bill was amended to permit the duty-free entry of processed istle rather than continue the temporary suspension of the duty. This duty has been temporarily suspended by a number of bills for approximately 20 years without any foreseeable domestic production of processed istle and the administration favors the permanent duty-free entry treatment.

The committee was unanimous in reporting H.R. 5322 as amended, and I urge its passage.

Mr. STEIGER. Mr. Speaker, further reserving the right to object, I support H.R. 5322, a bill to permanently suspend the duty on processed istle fiber.

Istle is a vegetable fiber, native to Mexico, that is processed for use in the manufacture of industrial brushes. There is no domestic production of either crude istle or processed istle fiber, and virtually all U.S. imports of this product come from Mexico. Before importation, the crude fiber is generally cleaned, combed, and graded so that it can be manufactured into brushes in the United States without further processing.

Under the Tariff Schedules of the United States, processed istle fiber is subject to a duty of 20 percent ad valorem (both column 1 and column 2). However, this duty has been suspended by various public laws since September 4, 1957. Making the temporary suspension permanent would result in no additional loss of custom revenue. Crude istle fiber already has duty-free treatment.

Because of its special absorbent characteristics and relatively high cost, imported processed istle fiber does not compete with any domestically produced

synthetic fibers. However, the competitive position of istle brushes manufactured in the United States is affected by the importation of completed istle brushes. Such completed brushes are dutiable at a lower 14 percent ad valorem; and, without the existing suspension of duty on processed istle fiber, could be sold at a considerably lower price than such brushes manufactured domestically.

It appears clear that development of domestic plants for the processing of crude istle is not contemplated in the foreseeable future. A permanent suspension of the duty on istle fiber, therefore, will preserve the competitive position of istle brushes manufactured in this country without adversely affecting any domestic processors.

Mr. Speaker, it would be possible to remove administratively rather than legislatively the duty on processed istle fiber entering from Mexico, since Mexico is eligible for such treatment under this country's generalized system of preferences (GSP). However, applying for GSP treatment is complicated and time consuming. The desired result can be accomplished much more quickly and efficiently through enactment of H.R. 5322.

The committee heard no objection to H.R. 5322 during its hearings on miscellaneous tariff measures, and subsequently reported the bill unanimously. I recommend passage by the House at this time.

Mr. Speaker, this is the last of the bills by unanimous consent from the Committee on Ways and Means. The House has been very patient with us. I urge support for the bill.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 903.90 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "6/30/78" and inserting in lieu thereof "6/30/81".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1978.

With the following committee amendments:

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

That (a) subpart G of part 15 of schedule 1 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out—

192.65	"Istle:	Free	Free
192.70	Crude	20% ad val.	20% ad val."
	Processed		

and inserting in lieu thereof the following:
"192.66 Istle: Free Free".

(b) Item 903.90 of the Appendix to such Schedules is repealed.

Sec. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

Mr. VANIK (during the reading). Mr. Speaker, I ask unanimous consent that

the committee amendments be considered as read and printed in the RECORD.

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

There was no objection.

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to provide duty-free treatment for istle."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. VANIK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks with regard to the bills reported out by the Committee on Ways and Means and approved by the House today.

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

There was no objection.

CONFERENCE REPORT ON H.R. 7557, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 1978

Mr. McFALL. Mr. Speaker, I call up the conference report on the bill (H.R. 7557) making appropriations for the Department of Transportation and Related Agencies for the fiscal year ending September 30, 1978, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of June 29, 1977.)

Mr. McFALL (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 30 minutes.

Mr. McFALL. Mr. Speaker, the conference agreement would provide for total new budget authority of \$6,196,609,023 for fiscal year 1978 and \$12,243,000 for fiscal year 1977. This is about \$86 million below the President's budget. In several instances we have provided funding in excess of the budget estimates. But these increases are more than offset by reductions which reflect changing congressional attitudes about transportation priorities.

In addition, the conference agreement includes \$8,143,290,000 in appropriations

to liquidate contract authorizations. This is the same as the House-passed bill and is \$437.9 million less than the budget request.

Mr. Speaker, I believe that this conference agreement is a good one and one that the House can support. Of course, we have had and continue to have an amiable relationship with our friends in the other body, particularly the Senator from Indiana (Mr. BAYH) and the Senator from New Jersey (Mr. CASE).

HIGHLIGHTS OF THE CONFERENCE REPORT

Mr. Speaker, my good friends on the Merchant Marine and Fisheries Committee, as well as other Members, will be pleased that \$1,347,510,023 in new budget authority will be available to the Coast Guard. This includes \$236,000,000 for acquisition, construction and improvements and \$20,000,000 for research, development, test and evaluation.

The Supplemental Appropriations Act, 1977—Public Law 95-26—contains an appropriation of \$10 million for the pollution fund. That act also contains a provision making these funds available only upon the enactment of authorizing legislation. I have received a copy of a letter from Congressman JOHNSON, chairman of the Committee on Public Works and Transportation, indicating that the intent of his committee was to establish a \$35 million limit on the amount in the revolving fund at any one time, and not to limit aggregate appropriations into the revolving fund. In view of this, we believe that the \$10 million appropriated in fiscal year 1977 for this fund is currently available to perform the Coast Guard's clean up work.

For the activities of the Federal Aviation Administration, over \$1.8 billion will be provided for operations and \$14,000,000 for airport planning grants.

In the highway area, \$20,000,000 will be provided for traffic control signalization demonstration projects. This is in addition to the \$10 million provided for this program in the Economic Stimulus Appropriations Act.

In the rail transportation area, the conferees were faced with some very important problems regarding the National Railroad Passenger Corporation—Amtrak. The conference agreement includes the funding level for operating grants proposed by the House—\$488,500,000. The conference report, page 8, on amendment No. 24, reads as follows:

The conferees believe this amount will be sufficient for the entire fiscal year and direct Amtrak to make effective use of the criteria and procedures for making route and service decisions developed pursuant to section 8 of the Amtrak Improvement Act of 1975.

I believe that "effective" use of the criteria would include a recognition of the state of Amtrak service discussed in the House report and the application of the criteria discussed in the report.

Mr. Speaker, the conference agreement includes appropriations and limitations on contract authority for our mass transportation assistance programs. This area proved to be the most troublesome for the conferees. The conference agreement will provide \$70,000,000 for research, \$45,000,000 for rail service op-

erating payments, and \$789,000,000 for transit and highway projects substituted for interstate system segments. For the local Washington Metropolitan Area Transit Authority, the conference agreement includes funds for fiscal year 1977 interest costs and a provision which will require WMATA to move forward with the rail transit system in a responsible manner consistent with existing Federal mass transportation policy.

Finally, Mr. Speaker, the bill includes funding for the Urban Mass Transportation Administration's downtown people mover program. The Department of Transportation originally selected four cities for this program which seeks to test the feasibility and consumer response to recently developed automated mass transportation technology. The demonstrations are to be financed with section 3 capital grants on an 80-percent Federal, 20-percent local matching basis. The Senate committee directed that four additional cities be included in the program. Such a directive was disturbing to all of the House conferees because of the large costs projected for these people mover systems. The House and Senate conferees argued over this program for some time and finally we were able to come to an agreement that a majority of the House conferees and our Senate counterparts could accept. Our agreement is spelled out on pages 11 and 12 of the report. The conferees agreed that the four candidate cities mentioned in the Senate report—Jacksonville, St. Louis, Baltimore, and Indianapolis—should be considered, along with the four cities previously selected by the administration, for capital grant funding. These cities have all undertaken some initial planning efforts.

The House conferees were very concerned about the potential costs of these projects and the uncertainty surrounding the use of automated technology in a real world environment. It was feared by some conferees that some of the costly mistakes which plagued the Department's people mover project at Morgantown, W. Va., might be repeated under this program. The conference report language beginning on page 12 is designed to address some of these concerns:

The conferees believe that UMTA should impose strict limits on the Federal commitment for each project and should insist on contractual procedures, including fixed-price contracts, which will ensure that project costs are kept within current estimates.

The current estimates for the eight projects are as follows:

[In millions]

	Total cost	Federal share
Los Angeles.....	\$125.0	\$100.0
Houston.....	42.5	34.0
Minneapolis-St. Paul.....	56.3	45.0
Cleveland.....	51.3	41.0
Jacksonville.....	41.0	32.8
St. Louis.....	43.5	34.8
Baltimore.....	25.0	20.0
Indianapolis.....	50.0	40.0

The conference report language is clear—we expect that the cost of each project will stay within these levels. The Department should come back to the Appropriations Committees if this does not appear to be possible.

The conferees also agreed to the following language:

Further, the conferees believe that UMTA should undertake to fully inform the local communities of the potential capital and operating costs of DPM systems prior to the final project approval by UMTA.

The purpose of this language is to insure that the local communities go into this program with their eyes open and that design decisions can be made with the best estimate of present and future costs of those decisions. Too often in the past, local communities have been oversold on new, exotic technological equipment only to find out later that they are liable for significant operating and system maintenance costs. UMTA's section 5 formula grant program will cover only a portion of future operating deficits. It must be remembered that this technology has not previously been deployed in a central city area. We do not know if people will actually ride on these systems. The conference report language makes it clear that when UMTA officials sit down with the local officials to discuss the advantages and benefits of the downtown people mover program, the local officials will also be made aware of the risks associated with this kind of transportation system and also be presented with the best estimate of capital and operating costs to be assumed by the local community. If this is done, I believe the ultimate success of the demonstrations will be considerably enhanced and costly mistakes and misjudgments can be minimized.

Mr. Speaker, in addition to the new budget authority provided in the bill, this legislation includes several limitations on contract authority and loan authority programs. These provisions have been carried in one or more prior appropriations acts and are an important part of our effort to achieve greater congressional control over Federal spending. A list of the limitations for fiscal year 1978 follows:

Federal Aviation Administration:	
Grants-in-aid for airports.....	\$540,000,000
Federal Highway Administration:	
Highway-related safety grants.....	28,000,000
Federal-aid highways.....	7,445,000,000
National Highway Traffic Safety Administration:	
State and community highway safety.....	172,000,000
Federal Railroad Administration:	
Loan guarantee program.....	600,000,000
Urban Mass Transportation Administration:	
Urban mass transportation fund.....	2,365,000,000
Interstate transfers.....	350,000,000

Mr. Speaker, I urge the adoption of the conference report. I insert at this point in the RECORD a table giving the conference figures in detail:

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION ACT, 1978 (H.R. 7557)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY, JUNE 29, 1977

	New budget authority					Conference compared with—			
	Enacted 1977	Estimates 1978	House 1978	Senate 1978	Conference 1978	1977 enacted	1978 estimate	House bill	Senate bill
TITLE I									
DEPARTMENT OF TRANSPORTATION									
OFFICE OF THE SECRETARY									
Salaries and expenses.....	\$36,100,000	\$34,863,000	\$33,400,000	\$33,400,000	\$33,400,000	—\$2,700,000	—\$1,463,000		
Transportation planning, research, and development.....	28,000,000	31,200,000	24,000,000	28,000,000	25,000,000	—3,000,000	—6,200,000	+\$1,000,000	—\$3,000,000
Limitation on working capital fund.....			(39,847,000)	(39,847,000)	(39,847,000)	(+39,847,000)	(+39,847,000)		
Transportation research activities overseas.....	100,000					—100,000			
Total, Office of the Secretary.....	64,200,000	66,063,000	57,400,000	61,400,000	58,400,000	—5,800,000	—7,663,000	+1,000,000	—3,000,000
COAST GUARD									
Operating expenses.....	833,580,000	875,261,000	878,865,000	879,365,000	878,865,000	+45,285,000	+3,604,000		—500,000
By transfer.....	(4,803,000)					(—4,803,000)			
Appropriation for debt reduction.....	—197,422	—205,977	—205,977	—205,977	—205,977	—8,555			
Subtotal, operating expenses.....	833,382,578	875,055,023	878,659,023	879,159,023	878,659,023	+45,276,445	+3,604,000		—500,000
Acquisition, construction, and improvements.....	241,000,000	226,600,000		256,302,000	236,000,000	—5,000,000	+9,400,000	+236,000,000	—20,302,000
By transfer.....				(5,000,000)					(—5,000,000)
Alteration of bridges.....	10,900,000	15,100,000	15,100,000	15,100,000	15,100,000	+4,200,000			
Retired pay.....	147,103,000	155,401,000	155,401,000	155,401,000	155,401,000	+8,298,000			
Reserve training.....	35,750,000	36,560,000	36,560,000	36,560,000	36,560,000	+810,000			
Research, development, test, and evaluation.....	18,800,000	22,800,000		20,000,000	20,000,000	+1,200,000	—2,800,000	+20,000,000	
State boating safety assistance.....	5,790,000	5,790,000	5,790,000	5,790,000	5,790,000				
Pollution fund.....	10,000,000	5,000,000				—10,000,000	—5,000,000		
Total, Coast Guard.....	1,302,725,578	1,342,306,023	1,091,510,023	1,368,312,023	1,347,510,023	+44,784,445	+5,204,000	+256,000,000	—20,802,000
FEDERAL AVIATION ADMINISTRATION									
Operations.....	1,737,800,000	1,819,750,000	1,802,700,000	1,809,150,000	1,802,700,000	+64,900,000	—17,050,000		—6,450,000
By transfer.....			(5,600,000)	(5,600,000)	(5,600,000)	(+5,600,000)	(+5,600,000)		
Facilities, engineering, and development.....	15,500,000	17,963,000	14,263,000	14,263,000	14,263,000	—1,237,000	—3,700,000		
By transfer.....	(1,900,000)	(2,350,000)	(2,350,000)	(2,350,000)	(2,350,000)	(+450,000)			
Facilities and equipment (Airport and Airway Trust Fund).....	200,000,000	212,600,000	200,000,000	200,000,000	200,000,000		—12,600,000		
By transfer.....			(9,000,000)	(9,000,000)	(9,000,000)	(+9,000,000)	(+9,000,000)		
Research, engineering and development (Airport and Airway Trust Fund).....	74,350,000	85,000,000	80,800,000	80,800,000	80,800,000	+6,450,000	—4,200,000		
Grants-in-aid for airports (Airport and Airway Trust Fund).....									
Planning grants.....		11,275,000	10,000,000	16,275,000	15,000,000	+15,000,000	+3,725,000	+5,000,000	—1,275,000
Development grants (appropriation to liquidate contract authorization).....	(355,000,000)	(335,000,000)	(325,000,000)	(325,000,000)	(325,000,000)	(—30,000,000)	(—10,000,000)		
Operation and maintenance, Metropolitan Washington airports.....	21,500,000	21,273,000	21,273,000	21,273,000	21,273,000	—227,000			
Construction, Metropolitan Washington airports.....	5,000,000	6,000,000	5,000,000	5,500,000	5,500,000	+500,000	—500,000	+500,000	
Total, Federal Aviation Administration.....	2,054,150,000	2,173,861,000	2,134,036,000	2,147,261,000	2,139,536,000	+85,386,000	—34,325,000	+5,500,000	—7,725,000
FEDERAL HIGHWAY ADMINISTRATION									
Limitation on general operating expenses.....	(154,100,000)	(162,066,000)	(159,500,000)	(159,725,000)	(159,725,000)	(+5,625,000)	(—2,341,000)	(+225,000)	
Motor carrier safety.....	7,212,000	8,220,000	8,000,000	8,000,000	8,000,000	+788,000	—220,000		
Highway safety research and development.....	9,000,000	9,000,000	9,000,000	9,000,000	9,000,000				
Highway beautification.....	28,000,000	34,150,000	19,150,000	19,150,000	19,150,000	—8,850,000	—15,000,000		
Appropriation to liquidate contract authorization.....	(33,600,000)	(10,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	(—28,600,000)	(—5,000,000)		
Highway-related safety grants (appropriation to liquidate contract authorization).....	(26,820,000)	(20,000,000)	(20,000,000)	(20,000,000)	(20,000,000)	(—6,820,000)			
Railroad-highway crossings demonstration projects.....	26,000,000	7,835,000	5,100,000	5,100,000	5,100,000	—20,900,000	—2,735,000		
Off-system railway-highway crossings.....	75,000,000	75,000,000	75,000,000	75,000,000	75,000,000				
Territorial highways:									
Appropriation.....		2,800,000	5,600,000	5,600,000	5,600,000	+5,600,000	+2,800,000		
Rescission of contract authority (Appropriations to liquidate contract authorization).....	(3,560,000)	(290,000)	(290,000)	(290,000)	(290,000)	(—3,270,000)			
Highland scenic highway study.....				1,700,000	1,500,000	+1,500,000	+1,500,000	+1,500,000	—200,000
Alaska highway.....	15,000,000					—15,000,000			
Off-system roads (appropriation to liquidate contract authorization).....	(70,000,000)	(45,000,000)	(45,000,000)	(45,000,000)	(45,000,000)	(—25,000,000)			
Safer off-system roads.....	200,000,000		90,000,000	90,000,000	90,000,000	—110,000,000	+90,000,000		
National scenic and recreational highway (appropriation to liquidate contract authorization).....	(22,500,000)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(—12,500,000)			
Access highways to public recreation areas on certain lakes.....			3,350,000	8,650,000	8,650,000	+8,650,000	+8,650,000	+5,300,000	

	New budget authority					Conference compared with—			
	Enacted 1977	Estimates 1978	House 1978	Senate 1978	Conference 1978	1977 enacted	1978 estimate	House bill	Senate bill
TITLE I—Continued									
FEDERAL HIGHWAY ADMINISTRATION—Continued									
By transfer	(4,767,000)					(-4,767,000)			
Federal-aid highways (trust fund-appropriation to liquidate contract authorization)	(6,143,100,000)	(6,250,000,000)	(5,850,000,000)	(5,850,000,000)	(5,850,000,000)	(-293,100,000)	(-400,000,000)		
Highway safety construction programs (trust fund-appropriation to liquidate contract authorization)	(385,000,000)					(-385,000,000)			
Right-of-way revolving fund (trust fund-appropriation to liquidate contract authorization)	(35,000,000)	(32,700,000)	(20,000,000)	(20,000,000)	(20,000,000)	(-15,000,000)	(-12,700,000)		
Highways crossing Federal projects	50,000,000		20,000,000	20,000,000	20,000,000	-30,000,000	+20,000,000		
Baltimore-Washington Parkway	1,500,000					-1,500,000			
Overseas highway	12,500,000	17,000,000	25,000,000	17,000,000	17,000,000	+4,500,000	-8,000,000		
By transfer				(8,000,000)	(8,000,000)	(+8,000,000)	(-8,000,000)	(+8,000,000)	
Project acceleration demonstration program	10,000,000	5,000,000	5,000,000	5,000,000	5,000,000	-5,000,000			
Traffic control signalization demonstration projects	10,000,000		30,000,000		20,000,000	+10,000,000	+20,000,000	-10,000,000	+20,000,000
Intermodal urban demonstration project			2,250,000	2,250,000	2,250,000	+2,250,000	+2,250,000		
Alaska roads study	200,000					-200,000			
Total, Federal Highway Administration	444,412,000	159,005,000	282,986,000	251,986,000	271,786,000	-172,626,000	+112,781,000	-11,200,000	+19,800,000
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION									
Traffic and highway safety	76,284,000	83,540,000	77,253,000	80,000,000	78,388,000	+2,104,000	-5,152,000	+1,135,000	-1,612,000
State and community highway safety									
Appropriation		1,140,000	1,140,000	1,140,000	1,140,000	+1,140,000			
(Appropriation to liquidate contract authorization)	(88,500,000)	(122,200,000)	(112,000,000)	(112,000,000)	(112,000,000)	(+23,500,000)	(-10,200,000)		
Total, National Highway Traffic Safety Administration	76,284,000	84,680,000	78,393,000	81,140,000	79,528,000	+3,244,000	-5,152,000	+1,135,000	-1,612,000
FEDERAL RAILROAD ADMINISTRATION									
Office of the Administrator	6,570,000	7,050,000	6,950,000	6,950,000	6,950,000	+380,000	-100,000		
Railroad safety	19,750,000	20,960,000	19,100,000	19,100,000	19,100,000	-650,000	-1,860,000		
Railroad research and development	52,900,000	57,000,000	55,000,000	53,600,000	53,600,000	+700,000	-3,400,000	-1,400,000	
Rail service assistance	83,000,000	88,350,000	79,000,000	84,000,000	81,500,000	-1,500,000	-6,850,000	+2,500,000	-2,500,000
Northeast corridor improvement program	200,000,000	400,000,000	400,000,000	400,000,000	400,000,000	+200,000,000			
Grants to National Railroad Passenger Corp.	600,700,000	655,000,000	633,500,000	680,000,000	646,500,000	+45,800,000	-8,500,000	+13,000,000	-33,500,000
Payment to the Alaska railroad revolving fund	6,000,000	3,000,000		3,000,000	3,000,000	-3,000,000		+3,000,000	
Railroad rehabilitation and improvement financing funds	120,000,000	275,000,000	200,000,000	200,000,000	200,000,000	+80,000,000	-75,000,000		
Rail bank (by transfer)	(2,000,000)					(-2,000,000)			
Total, Federal Railroad Administration	1,088,920,000	1,506,360,000	1,393,550,000	1,446,650,000	1,410,650,000	-321,730,000	-95,710,000	+17,100,000	-36,000,000
URBAN MASS TRANSPORTATION ADMINISTRATION									
Urban mass transportation fund:									
Administrative expenses	12,600,000	22,100,000	20,000,000	20,000,000	20,000,000	+7,400,000	-2,100,000		
Research, development, and demonstrations and university research and training	61,200,000	73,100,000	67,000,000	70,000,000	70,000,000	+8,800,000	-3,100,000	+3,000,000	
Appropriation to liquidate contract authorization	(1,700,000,000)	(1,756,000,000)	(1,756,000,000)	(1,756,000,000)	(1,756,000,000)	(+56,000,000)			
Rail service operating payments	55,000,000	30,000,000	40,000,000	45,000,000	45,000,000	-10,000,000	+15,000,000	+5,000,000	
Projects substituted for interstate system projects	400,000,000	507,717,000	424,000,000	469,000,000	439,000,000	+39,000,000	-68,717,000	+15,000,000	-30,000,000
Total, Urban Mass Transportation Administration	528,800,000	632,917,000	551,000,000	604,000,000	574,000,000	+45,200,000	-58,917,000	+23,000,000	-30,000,000
ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION									
Limitation on administrative expenses	(1,028,000)	(1,114,000)	(1,114,000)	(1,114,000)	(1,114,000)	(+86,000)			
MATERIALS TRANSPORTATION BUREAU									
Materials transportation program	2,250,000	8,400,000	8,100,000	8,100,000	8,100,000	+5,850,000	-300,000		
Total, title I, new budget (obligational) authority, Department of Transportation	5,561,741,578	5,973,592,023	5,596,975,023	5,968,849,023	5,889,510,023	+327,768,445	-84,082,000	+292,535,000	-79,339,000
TITLE II									
RELATED AGENCIES									
NATIONAL TRANSPORTATION SAFETY BOARD									
Salaries and expenses	13,800,000	14,710,000	14,710,000	14,710,000	14,710,000	+910,000			

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY, JUNE 29, 1977—Continued

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1978 (H.R. 7557)

	New budget authority					Conference compared with—			
	Enacted 1977	Estimates 1978	House 1978	Senate 1978	Conference 1978	1977 enacted	1978 estimate	House bill	Senate bill
TITLE III—Continued									
CIVIL AERONAUTICS BOARD									
Salaries and expenses.....	22,646,000	23,367,000	23,367,000	23,367,000	23,367,000	+721,000			
Payments to air carriers.....	80,007,000	72,510,000	72,510,000	72,510,000	72,510,000	-7,497,000			
Total, Civil Aeronautics Board.....	102,653,000	95,877,000	95,877,000	95,877,000	95,877,000	-6,776,000			
INTERSTATE COMMERCE COMMISSION									
Salaries and expenses.....	60,786,000	61,566,000	60,525,000	61,566,000	60,525,000	-261,000	-1,041,000		-1,041,000
By transfer.....	(1,400,000)					(-1,400,000)			
THE PANAMA CANAL									
Canal Zone Government:									
Operating expenses.....	65,900,000	70,687,000	70,500,000	70,500,000	70,500,000	+4,600,000	-187,000		
Capital outlay.....	3,150,000	2,895,000	2,130,000	2,130,000	2,130,000	-1,020,000	-765,000		
Panama Canal Company:									
Limitation on general and administrative expenses.....	(25,285,000)	(26,231,000)	(26,231,000)	(26,231,000)	(26,231,000)	(+946,000)			
Total, the Panama Canal.....	69,050,000	73,582,000	72,630,000	72,630,000	72,630,000	+3,580,000	-952,000		
DEPARTMENT OF THE TREASURY									
Office of the Secretary: Investment in fund anticipation notes.....	(120,000,000)	(275,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(+80,000,000)	(-75,000,000)		
UNITED STATES RAILWAY ASSOCIATION									
Administrative expenses.....	12,000,000	10,100,000	10,000,000	10,000,000	10,000,000	-2,000,000	-100,000		
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY									
Federal contribution:									
Fiscal year 1977.....	6,800,000					-6,800,000			
Fiscal year 1978.....	15,421,779	2,700,000	2,700,000	2,700,000	2,700,000	-12,721,779			
Total, Federal Contribution.....	22,221,779	2,700,000	2,700,000	2,700,000	2,700,000	-19,521,779			
Interest subsidy.....	19,374,000	48,657,000	48,657,000	48,657,000	48,657,000	+29,283,000			
Fiscal year 1977 supplemental.....				12,243,000	12,243,000	+12,243,000	+12,243,000	+12,243,000	
Total, Washington Metropolitan Area Transit Authority.....	41,595,779	51,357,000	51,357,000	51,357,000	51,357,000	+9,761,221			
Fiscal year 1977 supplemental.....				12,243,000	12,243,000	+12,243,000	+12,243,000	+12,243,000	
NATIONAL TRANSPORTATION POLICY STUDY COMMISSION									
Salaries and expenses.....	3,000,000	2,000,000	2,000,000	2,000,000	2,000,000	-1,000,000			
Total, title II, new budget (obligational) authority, related agencies.....	302,884,779	309,192,000	307,099,000	308,140,000	307,099,000	+4,214,221	-2,093,000		-1,041,000
Fiscal year 1977 supplemental.....				12,243,000	12,243,000	+12,243,000	+12,243,000	+12,243,000	
TITLE III									
GENERAL PROVISIONS									
Federal Aviation Administration: Grants-in-aid for airport development (limitation on obligations).....	(545,000,000)	(540,000,000)	(540,000,000)	(540,000,000)	(540,000,000)	(-5,000,000)			
Federal Highway Administration: Highway related safety grants (limitation on obligations).....	(21,000,000)	(21,000,000)	(21,000,000)	(28,000,000)	(28,000,000)	(+7,000,000)	(+7,000,000)	(+7,000,000)	
Territorial highways (limitation on obligations).....	(5,600,000)	(5,600,000)				(-5,600,000)	(-5,600,000)		
Federal-aid highways (limitation on obligations).....	(7,200,000,000)	(7,200,000,000)	(7,445,000,000)	(7,445,000,000)	(7,445,000,000)	(+245,000,000)	(+245,000,000)		
National Highway Traffic Safety Administration: State and community highway safety (limitation on obligations).....	(129,000,000)	(129,000,000)	(129,000,000)	(172,000,000)	(172,000,000)	(+43,000,000)	(+43,000,000)	(+43,000,000)	
Federal Railroad Administration (limitation on loan guarantee program).....	(400,000,000)	(800,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	(+200,000,000)	(-200,000,000)		
Urban Mass Transportation Administration: Urban Mass transportation fund (limitation on commitments).....	(2,077,700,000)	(2,300,200,000)	(2,307,000,000)	(2,415,000,000)	(2,365,000,000)	(+287,300,000)	(+64,800,000)	(+58,000,000)	(-50,000,000)
Interstate transfer.....	(175,000,000)	(350,000,000)	(350,000,000)	(350,000,000)	(350,000,000)	(+175,000,000)			
Total, title III, general provisions.....	(10,553,300,000)	(11,345,800,000)	(11,392,000,000)	(11,550,000,000)	(11,500,000,000)	(+946,700,000)	(+154,200,000)	(+108,000,000)	(-50,000,000)
Total, Titles I, II, and III, New budget (obligational) authority.....	5,864,626,357	6,282,784,023	5,904,074,023	6,276,989,023	6,196,609,023	+331,982,666	-86,175,000	+292,535,000	-80,380,000
Fiscal year 1977 supplemental.....				12,243,000	12,243,000	+12,243,000	+12,243,000	+12,243,000	
Memoranda:									
Appropriations to liquidate contract authorizations.....	(8,863,080,000)	(8,581,190,000)	(8,143,290,000)	(8,143,290,000)	(8,143,290,000)	(-719,790,000)	(-437,900,000)		
Appropriations for debt reduction.....	(197,422)	(205,977)	(205,977)	(205,977)	(205,977)	(+8,555)			
Grand total.....	(14,727,903,779)	(14,864,180,000)	(14,047,570,000)	(14,420,485,000)	(14,340,105,000)	(-387,798,779)	(-524,075,000)	(+292,535,000)	(-80,380,000)

Mr. McFALL. Mr. Speaker, I also want to express my sincere thanks to my good friend and colleague, the ranking minority member of the subcommittee, the gentleman from Massachusetts (Mr. CONTE). I have enjoyed working with Mr. CONTE as well as the other members on the majority and minority sides of the subcommittee. I think we have produced a good conference report. We have worked hard over the last several months to develop this legislation and I want to thank my good friend from Massachusetts and commend him for the diligence and intelligence with which he has approached all the important issues facing our subcommittee.

Mr. CONTE. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, I want to thank the gentleman from California first of all. As I said in general debate, it has been my pleasure to work with him. We have worked as a team and we have brought out, I think, some good bills which most of the time, including this year, have been below the budget.

Mr. Speaker, I rise in support of this conference report on the transportation appropriations bill for fiscal year 1978, but I do so with some reservations. As my colleagues are aware, I refrained from signing the conference report, as did the remainder of the minority House conferees. This was primarily because of our opposition to the expansion of the number of sites for what was supposed to be a downtown people mover demonstration program.

Mr. Speaker, I will have more to say about that program at the conclusion of my remarks. But first, I would like to outline the major points of the conference agreement.

For the Coast Guard, we held to the House funding level for operation expenses, providing \$878.9 million and an additional 150 positions for the new tanker inspection program.

For Coast Guard acquisitions, construction, and improvements, we compromised on \$236 million, \$20.3 million below the Senate figure. Among others, this amount will provide the full budget request for the medium range surveillance aircraft procurement program.

For the Federal Aviation Administration, we ended up providing \$14 million for airport planning grants and \$1 million for State standards grants.

Under the Federal Highway Administration, the conference committee provided \$20 million for the traffic control signalization project, \$10 million less than was provided in the House bill. The Senate had not included any funding for this program in its bill and I was sorry that the Senate conferees caved in so easily. I will be giving this program especially close scrutiny in next year's hearings.

Under the Federal Railroad Administration we were able to hold to the House figure of \$488.5 million for operating expenses. For capital expenses of Amtrak we provided \$108 million, \$13 million above the House figure, but \$22 million below the Senate.

This amount includes \$4.1 million for right-of-way improvements between

Post Road and Rensselaer, N.Y., which will shorten the time required for the Boston-Chicago run by as much as an hour.

Finally, the conference report provides capital grant funds for UMTA's "downtown people mover" program.

In April 1976 UMTA announced a competitive capital grant demonstration program to deploy simple downtown automated people mover systems in selected cities by 1980. The 38 applicants were narrowed to 11 finalists, then last December, UMTA announced the selection of four cities for the program—Cleveland, Houston, Los Angeles, and St. Paul. Two additional cities, Detroit and Miami, were to be funded through the regular capital grant program.

The House bill provided funds for these projects, as requested in the UMTA budget.

The Senate attempted to negate the demonstration aspect of the program and the sites selected in the competition, by adding four more cities to the program—Jacksonville, St. Louis, Baltimore, and Indianapolis.

The conference agreement provides for the consideration of these four cities under the regular grant program and exempts them from the need to perform an alternatives analysis.

Mr. Speaker, there are a number of reasons that the minority House conferees could not in good conscience support this provision.

Some of us remember all too clearly the \$133.6 million boondoggle we built in the Morgantown, W. Va., people mover. That was supposed to demonstrate the people mover technology.

Supposedly that technology is on the shelf, ready to go. At Morgantown, however, they are still having trouble with wheels freezing up in the winter. There are still other problems with the technology.

And even if there were not, the technology has still never been tried in an urban, downtown setting. No one knows if a downtown people mover will work, whether anyone will ride it, how much it would eventually cost to build and to operate.

As the bill stands now, we are providing funds for six people movers and giving a major advantage to four more. Frankly, Mr. Chairman, there is no way you can call building 10 people movers a demonstration project. If the Congress wants to build a people mover in every city, or at least in those cities that are represented by a Senator on the Appropriations Committee, then it can go ahead. But I would think that on the basis of the \$133.6 million fiasco in Morgantown, we should be more cautious about rushing into a program of this sort.

Mr. Speaker, next year all 10 of these projects will be back with their hands out for money. At that time, we are going to have to decide how much this Nation can afford to spend for the construction of unproven transit toys. I think we are making a real mistake by short circuiting the regular application process and exempting four additional projects from alternatives analysis.

And finally, Mr. Speaker, in all fairness I should mention that this bill only provides for 10 of the 11 finalists in the competition. The city of Norfolk, apparently because it does not have a Senator on the Appropriations Committee, was left out of this bill entirely. As far as I can see, that is the only difference between Norfolk and the other 10 competition finalists.

All 11 cities undertook significant and substantial planning efforts. As far as I know, Norfolk did the same studies as the other cities, and if the cities added by the Senate are to be exempt from alternative analysis, it seems unfair that Norfolk should be left out.

Mr. Speaker, I do not want to beat these people movers into the ground—at least not this year. But I do want to declare now that I will not let this turn into another Morgantown. The August issue of Readers Digest magazine contains an article about the Morgantown project, entitled "Anatomy of a Boondoggle." It is an excellent article which I commend to my colleagues. It expresses the hope that we have learned from the Morgantown experience. I hope so too, and enclose the article at this point in my remarks.

ANATOMY OF A BOONDOGGLE

(By Trevor Armbrister)

It sounded like such a fine idea: a new system of urban transportation called Personal Rapid Transit, or PRT. At a cost of only \$18 million, the "people-mover"—a sort of horizontal elevator—would alleviate downtown traffic jams and revitalize the central business district. It would also whisk students around the Morgantown campus of West Virginia University without noise, in pollution-free comfort, at energy-conserving speed. That, at any rate, was the scenario presented to federal planners in 1970.

It hasn't worked out that way. Costs soared to \$128 million; the system did not begin operating until nearly three years after its official dedication; and when it did start running, it broke down continually. "This has got to be one of the worst boondoggles ever perpetrated on the American taxpayer," says U.S. Rep. Silvio O. Conte (R., Mass.).

Government programs, of course, founder frequently, and the tragicomic experiences of a college town (pop. 30,000) might not seem all that significant on a national scale. Yet PRT is important because federal officials cite it to justify a program for spending at least an additional \$220 million for "people-movers" in Cleveland, Los Angeles, Houston, St. Paul, Minn., and Detroit. Federal programs, as this one so clearly shows, take on a mad momentum of their own and—once begun—are virtually impossible to stop. If the Carter Administration ever hopes to balance the budget, here is a case study of how not to do it.

The man who conceived PRT is Samy E. G. Elias, an affable Egyptian-born professor. Arriving in Morgantown in 1965 to join the faculty of the university's department of industrial engineering, he found traffic congestion so bad that the school's 11,256 students were having trouble moving among their three campuses, even with 17 university shuttle buses in operation. The solution, Elias decided, should be a new form of public transportation—computer-controlled driverless vehicles that would roll along an elevated guideway at speeds of up to 30 m.p.h. A strip of land along the winding Monongahela River linked the campuses and seemed a natural PRT corridor.

In June 1967, Elias sought a grant from the federal government, but nothing happened. In 1969, after a change of administrations, university President James G. Harlow and Elias tried again, enlisting the aid of Rep. Harley O. Staggers (D., W. Va.), powerful chairman of the House Interstate and Foreign Commerce Committee. He arranged a meeting with Transportation Secretary John A. Volpe. The Department of Transportation was spending millions to solve transportation problems in large cities, the West Virginians maintained. Why not federal help for small cities, too? Morgantown could become a "national transportation-research laboratory."

Impressed, the Urban Mass Transportation Administration (UMTA)—an agency within the Department of Transportation—agreed to pay \$101,000 toward a feasibility study, if the university supplied an additional \$33,000. The people conducting the study at the university were the same ones who had conceived the project. Their conclusion: PRT would work.

In March 1970 UMTA gave the university another \$20,000 to complete the feasibility study. Elias and his aides discovered that Alden Self-Transit Systems Corp. of Bedford, Mass., had already designed a prototype system which would satisfy their requirements and could go into production quickly. The cost of a 3.6-mile, six-station, 90-vehicle system—able to move 1100 students every 20 minutes—they concluded, would be \$18 million. The university was prepared to pay \$4.5 million if UMTA would grant them \$13.5 million.

But UMTA had different views. Almost overnight the people-mover progressed to the agency's major research-and-development effort. To achieve "national relevance," UMTA elbowed aside the university and Alden Corp. and insisted on running the project itself. UMTA selected the Jet Propulsion Laboratory in Pasadena, Calif., as systems manager and announced that PRT would start rolling in October 1972.

By March 1971, however, JPL's accountants had a new cost estimate: \$37.4 million, or more than twice the original figure. Faced with explaining this to Congress, UMTA cut back the six stations to three, the 90 cars to 15 and the 3.6-mile system to 2.2. It said that would hold the cost to \$28.3 million. A dubious Congress agreed.

In July 1971, unable to reach agreement with UMTA on a contract, JPL withdrew from the project. UMTA selected the Boeing Aerospace Company as the new systems manager. But soon Boeing concluded that even the reduced system would cost \$40.6 million.

By this time, UMTA Administrator Carlos Villarreal had decided to build the system in two phases. The first phase—to be paid for out of UMTA's R&D budget—would consist of the 2.2-mile system, three stations and 45 cars. Phase II—charged to the agency's capital-grants-assistance program—would extend the system and add at least two more stations with 33 more cars. UMTA wouldn't begin Phase II until it had completed Phase I satisfactorily.

Unfortunately, Villarreal and his fellow bureaucrats violated a cardinal rule of construction: the simplest system is the most reliable. Because it wanted PRT to be a national model, UMTA insisted on a high degree of sophistication. That drove costs up.

Another time-honored rule—haste makes waste—was ignored. Anxious to demonstrate its commitment to urban areas in an election year, the Nixon Administration set the PRT dedication for October 1972. This hopelessly unrealistic deadline meant that Fred Eric R. Harris Inc., in designing the system, had to do so without knowing the exact specifications of the vehicles to ride on it.

And Boeing had to build the cars without knowing precise details about the track. "We tried to build the system before we had fully designed it," one former UMTA official explains. "It's called 'concurrency planning,' and it means you design all the pieces and hope they fit together later."

They didn't. At the PRT dedication in Morgantown on October 24, 1972, television cameras rolled, and Transportation Secretary Volpe announced grandly that he was "looking through an opening into the future." UMTA's new administrator, Frank C. Herringer, boasted that the demonstration had been "an unquestioned success."

Yet only three of the rubber-tired vehicles rolled along only one mile of the system—achieving a top speed of 17 m.p.h. The car that was carrying Professor Elias and members of the press broke down and had to be towed off the track. As soon as the politicians had left Morgantown, Boeing went back to testing in an effort to remove the many bugs from the system.

In July 1973, UMTA released a report which said that PRT tests demonstrated "satisfaction with the concept." But those results also indicated deficiencies in vehicle steering, brakes, propulsion, control and communications. Nine sub-systems and components would need redesigning at a cost of up to \$15 million. Because the project was spiraling out of control, UMTA decided it could not begin Phase II.

Finally, in May 1975, UMTA agreed to complete a five-station system and provide 33 more cars, at an additional cost of \$63.6 million. Not until October 1975—three years after the official dedication of the system—did it begin to move students.

Now new problems arose. Originally, Boeing had planned to heat the system's power-rail to prevent snow and ice accumulation. UMTA vetoed that because the design was unsatisfactory and it was too expensive. So, when the weather turned foul, the cars couldn't move. Elias and his associates also asked that each car have the capability to push another car. UMTA refused. This meant that every time a single vehicle broke down, that part of the system had to be shut down until the car was towed away. UMTA also rejected requests for sidings where disabled cars could be placed.

Last winter, automobiles traveling an adjacent street kicked salt, deposited by snow-removal crews, onto the people-mover's power-rail. A fire broke out, shutting the system down for two weeks.

"We are being ripped off," one frustrated student complained in a letter to the university newspaper. "The PRT is not personal, and it certainly is not rapid." In the "old days," when buses ferried them to classes, students paid a transportation fee of \$4.25 per semester. That went to \$10 in 1976, and may soon go to \$12.

Testifying before the West Virginia legislature, Elias noted recently that there was only a 65-percent chance that Boeing could complete Phase II for the contract price. Overruns, he warned, could cost millions more.

Part of the system is operating, after a fashion—but at a cost vastly beyond the original estimate. Downtown congestion hasn't improved greatly. Annual operating and maintenance costs for buses were \$200,000; for the PRT cars they are \$1.3 million.

The Morgantown experience ought to make government think twice before funding people-movers elsewhere. Is UMTA hesitating? Not at all. Recently, it approved proposals for people-movers in five other cities, to cost at least \$220 million.

"We learned a lot from Morgantown," one UMTA official says. "We won't make the same mistakes twice." One can only hope so.

Mr. Speaker, the conference report provides for \$6.2 billion in new obligatory authority for fiscal year 1978, \$86.1 million below the budget request. Apart from the reservations I have mentioned, this is a good conference report, and I recommend its adoption.

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

Mr. CONTE. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Speaker, I thank my colleague for yielding.

I have listened with interest, as I always do to the statements of the gentleman from Massachusetts (Mr. CONTE), and I commend him for his strong statements. I think they are farsighted. The gentleman's position may not be accepted right now, but I think many of these actions will, just like the Morgantown projects, come back to haunt the Members later. I think the gentleman from Massachusetts (Mr. CONTE) might well remind some of us in this body of his statements when that happens.

Mr. Speaker, I thank the gentleman for giving this information to those of us who were not privy to that particular situation.

Mr. CONTE. Mr. Speaker, I want to thank my good friend, the gentleman from Ohio (Mr. ASHBROOK), for his kind remarks, and I yield back the balance of my time.

Mr. GIAIMO. Mr. Speaker, the Department of Transportation and related agencies appropriations bill for 1978, as reported from conference, is generally within the suballocations of budget authority and outlays made to the subcommittee by the full Appropriations Committee pursuant to section 302 of the Budget Act, and is generally consistent with the amount included in the first budget resolution for 1978.

The bill would provide budget authority of \$6,543 million, \$7 million more than the section 302 allocation, and outlays of \$15,191 million, \$120 million more than the allocation.

The major increase over the House bill is \$256 million for capital improvement and research programs of the U.S. Coast Guard. Funding for these programs was deleted by a point of order during House debate.

The conference report provides the necessary funds for the various modal programs, including necessary funds for program initiatives and research and development. It leaves no further room for supplemental appropriations.

This bill represents dedicated work by the Members of the Appropriations Committee, their cognizance of the requirements of the congressional budget process, and their support in the attainment of enhanced budget control.

I urge adoption of the bill as reported by the committee.

Mr. McFALL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that

the ayes appeared to have it.

Mr. ROUSSELOT. 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 397, nays 14, not voting 22, as follows:

[Roll No. 431]

YEAS—397

Abdnor	Cornwell	Hightower
Addabbo	Cotter	Hillis
Akaka	Coughlin	Hollenbeck
Alexander	Cunningham	Holt
Allen	D'Amours	Holtzman
Ambro	Daniel, Dan	Horton
Ammerman	Daniel, R. W.	Hubbard
Anderson	Danielson	Huckaby
Calif.	Davis	Hughes
Anderson, Ill.	de la Garza	Hyde
Andrews, N.C.	DeLaney	Ichord
Andrews,	Dellums	Ireland
N. Dak.	Derwinski	Jacobs
Annunzio	Devine	Jeffords
Applegate	Dicks	Jenkins
Archer	Diggs	Jenrette
Ashbrook	Dingell	Johnson, Calif.
Ashley	Dornan	Johnson, Colo.
Aspin	Downey	Jones, N.C.
AuCoin	Drinan	Jones, Okla.
Badham	Duncan, Oreg.	Jones, Tenn.
Badillo	Duncan, Tenn.	Jordan
Bafalis	Early	Kasten
Baldus	Eckhardt	Kastenmeier
Barnard	Edgar	Kazen
Baucus	Edwards, Ala.	Kemp
Bauman	Edwards, Calif.	Ketchum
Beard, R.I.	Edwards, Okla.	Keys
Beard, Tenn.	Elberg	Kildee
Bedell	Emery	Kindness
Bellenson	English	Kostmayer
Benjamin	Erlenborn	Krebs
Bennett	Ertel	Krueger
Bevill	Evans, Colo.	LaFalce
Biaggi	Evans, Del.	Lagomarsino
Bingham	Evans, Ga.	Latta
Blanchard	Evans, Ind.	Le Fante
Blouin	Fary	Leach
Boggs	Fascell	Lederer
Boland	Fenwick	Leggett
Bolling	Findley	Lehman
Bonior	Fish	Lent
Bonker	Fisher	Levitas
Bowen	Fithian	Lloyd, Calif.
Breaux	Flood	Lloyd, Tenn.
Breckinridge	Florio	Long, La.
Brinkley	Flowers	Long, Md.
Brodhead	Flynt	Lott
Brooks	Foley	Lujan
Broomfield	Ford, Mich.	Lukens
Brown, Calif.	Ford, Tenn.	Lundine
Brown, Mich.	Forsythe	McClory
Brown, Ohio	Fowler	McCloskey
Broyhill	Fraser	McCormack
Buchanan	Frenzel	McDade
Burgener	Frey	McEwen
Burke, Calif.	Fuqua	McFall
Burke, Fla.	Gammage	McHugh
Burleson, Tex.	Gaydos	McKay
Burlison, Mo.	Gephardt	Madigan
Burton, John	Gialmo	Maguire
Burton, Phillip	Gibbons	Mahon
Butler	Gilman	Mann
Byron	Ginn	Markay
Caputo	Goldwater	Marks
Carney	Gonzalez	Marlenee
Carr	Goodling	Martin
Carter	Gore	Mathis
Cavanaugh	Gradison	Mattox
Cederberg	Grassley	Mazzoli
Chappell	Guyer	Meeds
Clausen,	Hagedorn	Metcalfe
Don H.	Hall	Meyner
Clawson, Del	Hamilton	Michel
Clay	Hanley	Mikulski
Cleveland	Hannaford	Mikva
Cochran	Harkin	Millford
Cohen	Harrington	Miller, Calif.
Coleman	Harris	Mineta
Conte	Harsha	Minish
Conyers	Hawkins	Mitchell, Md.
Corcoran	Heckler	Mitchell, N.Y.
Corman	Hefner	Moakley
Cornell	Heftel	Moffett

Mollohan	Roberts	Stratton
Montgomery	Robinson	Studds
Moore	Rodino	Stump
Moorhead,	Roe	Taylor
Calif.	Rogers	Thompson
Moorhead, Pa.	Roncallo	Thone
Moss	Rooney	Thornton
Murphy, Pa.	Rose	Traxler
Murtha	Rosenthal	Treen
Myers, Gary	Rostenkowski	Tribble
Myers, John	Rousselot	Tsongas
Myers, Michael	Roybal	Tucker
Natcher	Rudd	Udall
Nedzi	Runnels	Ullman
Nichols	Ruppe	Van Deerlin
Nix	Russo	Vander Jagt
Nolan	Ryan	Vanik
Nowak	Santini	Vento
O'Brien	Sarasin	Volkmer
Oakar	Satterfield	Waggonner
Oberstar	Sawyer	Walgren
Obey	Scheuer	Walker
Ottinger	Schroeder	Walsh
Fanetta	Schulze	Wampler
Patten	Sebelius	Watkins
Patterson	Seiberling	Waxman
Pattison	Sharp	Weaver
Pease	Shipley	Weiss
Pepper	Shuster	Whalen
Perkins	Sikes	White
Pettis	Simon	Whitehurst
Pickle	Sisk	Whitley
Pike	Skelton	Whitten
Poage	Skubitz	Wilson, Bob
Pressler	Slack	Wilson, C. H.
Preyer	Smith, Iowa	Winn
Price	Smith, Nebr.	Wirth
Pritchard	Snyder	Wolf
Quayle	Solarz	Wright
Quile	Spellman	Wylder
Quillen	Spence	Wylie
Rahall	St Germain	Yates
Rallsback	Staggers	Yatron
Rangel	Stangeland	Young, Alaska
Regula	Stanton	Young, Fla.
Reuss	Stark	Young, Mo.
Rhodes	Steed	Young, Tex.
Richmond	Steers	Zablocki
Rinaldo	Stockman	Zeferetti
Risenhoover	Stokes	

NAYS—14

Armstrong	Glickman	Mottl
Collins, Tex.	Hansen	Neal
Conable	Kelly	Steiger
Crane	McDonald	Symms
Fountain	Miller, Ohio	

NOT VOTING—22

Brademas	Flippo	Marriott
Burke, Mass.	Gudger	Murphy, Ill.
Chisholm	Hammer-	Murphy, N.Y.
Collins, Ill.	schmidt	Pursell
Dent	Holland	Teague
Derrick	Howard	Wiggins
Dickinson	Koch	Wilson, Tex.
Dodd	McKinney	

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Mr. Dickinson.

Mr. Brademas with Mr. Hammerschmidt.

Ms. Chisholm with Mr. Marriott.

Mr. Murphy of Illinois with Mr. McKinney.

Mr. Dodd with Mr. Wiggins.

Mr. Howard with Mr. Koch.

Mr. Murphy of New York with Mr. Charles Wilson of Texas.

Mr. Teague with Ms. Collins of Illinois.

Mr. Gudger with Mr. Flippo.

Mr. Derrick with Mr. Holland.

Mr. EDWARDS of Oklahoma changed his vote from "nay" to "yea."

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 13, line 8, insert:

HIGHLAND SCENIC HIGHWAY STUDY

For necessary expenses to perform a study on the "Highland Scenic Highway", to remain available until expended, \$1,700,000, to be derived from the "Highway Trust Fund", to be transferred to the Forest Service, Department of Agriculture.

MOTION OFFERED BY MR. M'FALL

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

The Clerk read as follows:

Mr. MCFALL moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert: "\$1,500,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 15, line 14, strike out: "Fund." and insert: "Fund, together with \$8,000,000 to be allocated from amounts available for obligation as authorized by section 105(c) (2) of the Federal-Aid Highway Act of 1976."

MOTION OFFERED BY MR. M'FALL

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

The Clerk read as follows:

Mr. MCFALL moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: Page 22, line 10, strike out: "\$67,000,000" and insert: "\$70,000,000".

MOTION OFFERED BY MR. M'FALL

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

The Clerk read as follows:

Mr. MCFALL moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: Page 20, line 13, insert:

PAYMENTS TO THE ALASKA RAILROAD REVOLVING FUND

For payment to the Alaska Railroad Revolving Fund for capital replacements, improvements, and maintenance, \$3,000,000, to remain available until expended.

MOTION OFFERED BY MR. M'FALL

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

The Clerk read as follows:

Mr. MCFALL moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: Page 22, line 11, strike out: "\$64,500,000" and insert: "\$67,500,000".

MOTION OFFERED BY MR. M'FALL

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

The Clerk read as follows:

Mr. MCFALL moves that the House recede from its disagreement to the amendment of the Senate numbered 28 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 30, line 6, stricken out: "expended," and insert: "expended: *Provided*, That \$12,243,000 of such amount shall become available upon the date of enactment of this Act."

MOTION OFFERED BY MR. M'FALL

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

The Clerk read as follows:

Mr. MCFALL moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: "expended: *Provided*, That \$12,243,000 of such amount shall become available upon the date of enactment of this Act: *Provided further*, That the Secretary of Transportation shall execute an agreement with the Authority whereby the Authority agrees to (1) issue no additional bonds under title I of Public Law 92-349, (2) provide a minimum of 20 percent of the Authority's unreimbursed debt service costs under title I of Public Law 92-349, and (3) develop and execute a plan, with the participating local governments, that will provide for the Authority to be financially responsible for the remaining capital and operating costs of the rail transit system in a manner consistent with the Urban Mass Transportation Act of 1964, as amended, the Federal-Aid Highway Act of 1973, as amended, and the terms and conditions the Secretary may require."

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

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

There was no objection.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 38: Page 35, line 20, insert:

SEC. 317. Obligations for the Great River Road shall include preliminary engineering and the planning or execution of projects for the acquisition of areas of archeological, scientific, or historical importance and of necessary easements for scenic purposes, the construction or reconstruction of roadside rest areas, bicycle trails, and scenic viewing areas, the reconstruction and rehabilitation of existing road segments, and the construction of new route segments. No such funds, however, shall be used for constructing new segments until 60 per centum of the Great River Road in each State is completed: *Provided*, That such completion may be waived if the Administrator determines that circumstances in such State prevent such completion.

MOTION OFFERED BY MR. M'FALL

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

The Clerk read as follows:

Mr. MCFALL moves that the House recede from its disagreement to the amendment of the Senate numbered 38 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the last amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 36, line 8, insert:

SEC. 318. Such funds as may be necessary shall be utilized from the appropriations above made available to the Federal Aviation Administration and to the Civil Aeronautics Board for the preparation of a plan to coordinate as promptly as possible the use of Midway Airport with O'Hare Airport in Chicago, Illinois, for service by regularly scheduled airline carriers in order to relieve air traffic congestion and to promote air safety in that area.

MOTION OFFERED BY MR. M'FALL

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

The Clerk read as follows:

Mr. MCFALL moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

SEC. 318. Such funds as may be necessary shall be utilized from the appropriations above made available to the Federal Aviation Administration and to the Civil Aeronautics Board for the preparation of a plan to coordinate as promptly as possible the use of Midway Airport with O'Hare Airport in Chicago, Illinois, for service by regularly scheduled airline carriers in order to relieve air traffic congestion and to promote air safety in that area.

SEC. 319. Funds appropriated for grants to the National Railroad Passenger Corporation under Public Law 95-26 and for the fiscal year 1978 purchase payments for the Northeast Corridor shall be used for the payment of any principal and interest costs due or payable to the Consolidated Rail Corporation after March 11, 1977.

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

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

There was no objection.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mr. MCFALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on the conference report on the bill H.R. 7557.

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

There was no objection.

PERSONAL EXPLANATION

Mr. RONCALIO. Mr. Speaker, earlier today I was absent on the vote of 7 of the 14 bills on suspension, votes having been postponed until the end of all suspensions. If present, I would have voted against H.R. 2387 and H.R. 6974 and for the balance.

Ironically, I was delayed by transportation, but returned in time to vote on the transportation conference report.

WELCOME BACK TO CONGRESSMAN FLIPPO

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

Mr. BEVILL. Mr. Speaker, as many of you have already noticed, our friend and colleague from the Fifth District of Alabama, Congressman RONNIE FLIPPO, is back in the House Chamber following successful recovery from heart surgery last month.

I wanted to take this opportunity to recognize Congressman FLIPPO and inform those Members who may not be aware of his return to Washington.

I am sure all of the Members of this House join me in enthusiastically welcoming back Congressman FLIPPO. He is doing an outstanding job in representing the people of Alabama's Fifth District, and again it is very good to see RONNIE back on the House floor.

PERMISSION FOR COMMITTEE ON VETERANS' AFFAIRS TO SIT DURING 5-MINUTE RULE TUESDAY AND WEDNESDAY, JULY 19 AND 20

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that the Committee on Veterans' Affairs may sit during the 5-minute rule tomorrow and the next day.

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, will there be a markup of a bill?

Mr. ROBERTS. Mr. Speaker, if the gentleman will yield; no, we are having hearings on the upgrading of discharges.

Mr. ROUSSELOT. So the gentleman can assure us there will be no markup?

Mr. ROBERTS. The gentleman is correct.

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

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

There was no objection.

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES FOR FISCAL YEAR 1978

Mr. SLACK. Mr. Speaker, I call up the conference report on the bill (H.R. 7556) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending September 30, 1978, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of June 30, 1977.)

Mr. SLACK (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. SLACK).

Mr. SLACK. Mr. Speaker, the bill (H.R. 7556) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending September 30, 1978, and for other purposes, as agreed by the conferees, contains a total of \$7,709,432,000 in new budget authority for fiscal year 1978. It also contains \$352 million for liquidation of contract authority, as well as \$211,515,000 in new budget authority for fiscal year 1977.

Mr. Speaker, the total amount included in the bill for fiscal year 1978 is \$5,605,598,802 less than the appropriations to date for fiscal year 1977. It is, however, \$103,312,500 more than the total amount originally approved by the House for fiscal year 1978, and is \$3,017,000 more than the total approved by the Senate for fiscal year 1978.

I would like to mention the major differences in the conference agreement and the bill as it passed the House. For the Law Enforcement Assistance Administration, the conferees agreed on \$647,250,000, an increase of \$47,250,000 over the House amount. The total amount provided for the Economic Development Administration is \$409,325,000, an increase of \$22,600,000 over the House total. For the National Oceanic and Atmospheric Administration, the total amount agreed to in conference is \$788,828,000,

an increase of \$33,028,000 over the House total. The amount provided for the Legal Services Corporation is \$205 million, which is \$12 million less than the amount the House approved.

The conferees also approved a total of \$211,515,000 in new budget authority for fiscal year 1977. No funds were provided by the House for fiscal year 1977, but the Senate had included \$213,132,000. The major item in the conference agreement for fiscal year 1977 is \$200 million for the disaster loan program of the Small Business Administration.

Mr. Speaker, I insert at this point in the record a summary table showing the conference action, by department or agency, with comparisons with fiscal year 1977, the budget estimates, the House bill, and the Senate bill.

(The table referred to follows:)

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY—DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES (FISCAL YEARS)

	New budget authority					Conference compared with—			
	Enacted 1977	Estimates, 1977-79	House, 1977-78	Senate, 1977-78	Conference, 1977-78	1977 enacted	1977-78 estimate	House bill	Senate bill
Department of State.....	1,148,036,202	1,253,211,000	1,228,694,000	1,215,120,000	1,234,970,000	+86,933,798	-18,241,000	+6,276,000	+19,850,000
Department of Justice.....	2,338,544,000	2,376,575,000	2,248,721,000	2,348,961,000	2,300,619,000	-37,825,000	-75,956,000	+51,898,000	-48,342,000
Department of Commerce.....	7,891,908,000	1,809,098,000	1,864,915,000	1,985,749,000	1,923,275,000	-5,968,634,000	+33,176,000	+58,360,000	-62,474,000
The Judiciary.....	419,945,600	453,597,500	444,440,500	444,318,000	444,318,000	+24,372,400	-9,279,500	-122,500	.....
Related agencies:									
Arms Control and Disarmament Agency.....	12,200,000	13,600,000	13,255,000	13,600,000	13,600,000	+1,400,000	.....	+345,000	.....
Board for International Broadcasting.....	53,385,000	63,985,000	60,660,000	65,900,000	65,900,000	+12,515,000	+1,915,000	+5,240,000	.....
Commission on Civil Rights.....	10,078,000	10,540,000	10,540,000	10,420,000	10,480,000	+402,000	-60,000	-60,000	+60,000
Commission on Security and Cooperation in Europe.....	.....	350,000	325,000	347,000	347,000	+347,000	-3,000	+22,000	.....
Equal Employment Opportunity Commission.....	70,513,000	77,177,000	76,800,000	77,150,000	77,050,000	+6,537,000	+127,000	+250,000	-100,000
Federal Communications Commission.....	56,911,000	59,826,000	61,300,000	61,500,000	61,400,000	+4,489,000	+1,574,000	+100,000	-100,000
Federal Maritime Commission.....	8,640,000	8,901,000	8,950,000	9,424,000	9,424,000	+784,000	+532,000	+474,000	.....
Federal Trade Commission.....	54,680,000	59,543,000	59,500,000	59,500,000	59,500,000	+4,820,000	-43,000	.....	.....
Foreign Claims Settlement Commission.....	742,000	929,000	920,000	920,000	920,000	+178,000	-9,000	.....	.....
International Trade Commission.....	11,840,000	12,187,000	.....	12,187,000	11,500,000	-340,000	-687,000	+11,500,000	-687,000
Japan-United States Friendship Commission.....	.....	2,000,000	2,000,000	2,000,000	2,000,000	+2,000,000	.....	.....	.....
Legal Services Corporation.....	125,000,000	217,053,000	217,000,000	195,000,000	205,000,000	+80,000,000	-12,053,000	-12,000,000	+10,000,000
Marine Mammal Commission.....	1,000,000	900,000	900,000	900,000	900,000	-100,000	.....	.....	.....
Office of the Special Representative for Trade Negotiations.....	2,581,000	2,680,000	2,680,000	2,680,000	2,680,000	+99,000	.....	.....	.....
Privacy Protection Study Commission.....	776,000	.....	.....	.....	.....	-776,000	.....	.....	.....
Renegotiation Board.....	6,002,000	6,285,000	6,000,000	6,000,000	6,000,000	-2,000	-285,000	.....	.....
Securities and Exchange Commission.....	56,270,000	58,290,000	58,000,000	58,290,000	58,100,000	+1,830,000	-190,000	+100,000	-190,000
Small Business Administration.....	782,070,000	623,150,000	964,150,000	850,000,000	935,000,000	+152,930,000	+311,850,000	-29,150,000	+85,000,000
United States Information Agency.....	263,908,000	286,678,000	276,369,000	286,449,000	286,449,000	+22,541,000	-229,000	+10,080,000	.....
Total, new budget (obligational) authority, 1978.....	13,315,030,802	7,477,555,500	7,606,119,500	7,706,415,000	7,709,432,000	-5,605,598,802	+231,875,500	+103,312,500	+3,017,000
Supplemental Appropriations, 1977.....	.....	212,575,000	.....	213,132,000	211,515,000	-211,515,000	-1,060,000	+211,515,000	-1,617,000
Grand total.....	13,315,030,802	7,690,131,500	7,606,119,500	7,919,547,000	7,920,947,000	-5,394,083,802	+230,815,500	+314,827,500	+1,400,000

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

Mr. SLACK. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I thank the gentleman for yielding.

Mr. Speaker, I was reading the conference report, and I would like to ask the gentleman if there is any significance we can attach to the fact that the Senate receded in only 8 cases and the House receded in 37 cases. Is it because the Senate had more amendments?

Mr. SLACK. Mr. Speaker, there were 90 amendments in disagreement, and many of them were amendments for executive level pay increases and amendments making technical and conforming changes.

Mr. ASHBROOK. If the gentleman will yield further, I see in section 707, Amendment 89, which is one in which this body has expressed a considerable amount of interest, prohibits the obliga-

tion or expenditure of funds made available in the act for making a commitment to provide any reparations, aid, or credits to Vietnam, Cambodia, or Laos.

Mr. CEDERBERG. Mr. Speaker, if the gentleman will yield, this amendment was added by the Senate and agreed to by the conferees.

Mr. ASHBROOK. I thank the gentleman for his explanation.

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

Mr. SLACK. I yield to the gentleman from Illinois, Mr. MCCLORY.

Mr. MCCLORY. Mr. Speaker, I am pleased to note the conference report increased the appropriation for the Law Enforcement Assistance Administration by \$47 million and, nevertheless, I want to express disappointment. This is still about \$150 million less than the committee authorized when we debated the authorization bill. I would like to add that I think we are in a very, very serious

situation with regard to law enforcement, in providing support for law enforcement in this Nation, because the Attorney General has authorized a task force to somehow revise or restructure LEAA, but nothing is going to be done this year.

Meanwhile we are cutting the appropriation, and we are going to have nothing as a substitute for it. I think we are reaching a hiatus from which we are going to suffer very seriously.

I merely want to call the attention of the Members of the House to the fact that we are downgrading LEAA, we are providing nothing in place of it, and I think law enforcement in this country is going to suffer as a result of our inaction, our lack of leadership, our lack of direction, and our lack of providing resources to enable the local and State officials to take care of this situation.

Mr. Speaker, the objective of the administration should be to improve and

strengthen the Law Enforcement Assistance Administration—not to dismantle it—or to curtail LEAA's resources.

A few of the accomplishments of LEAA—and its need for more, not less money, is made clear on page 29 of the Attorney General's task force report.

The following paragraphs outline a small part of the role of LEAA:

There have been some significant accomplishments in the LEAA program. Substantive reforms in criminal codes have been enacted in over half the States with support from LEAA funds. LEAA funds have also supported the unification of court systems in over half the States. LEAA funds, in many jurisdictions, have been the single most important support for providing effective counsel to indigent offenders. Many jurisdictions have been better serviced by police agencies through the development with LEAA funds of more effective patrol techniques, police community relations programs, team policing and minority recruitment efforts. LEAA funds have been an important resource for fighting organized crime at the State and local government level. LEAA's funds have supported the development of more humane and rational approaches for dealing with incarcerated offenders and have supported the implementation of diversion, probation, and community-based programs that provide needed alternatives to incarceration. LEAA support of the development of model procurement codes and procedures shows the promise of saving State and local taxpayers millions of dollars in revenues that would otherwise be lost through waste, inefficiency, and corruption. There are other examples of achievements in the LEAA program including the development and implementation of the Prosecutor's Management Information System (PROMIS), the Treatment Alternatives to Street Crime (TASC) program, and the career criminal program.

The LEAA experience clearly supports the proposition that a limited program of Federal research and demonstration is not enough. All the good ideas in the world are not going to help the State and local governments if they do not have the funds to implement these ideas. The fiscal crisis of the American cities and States is such that funds to implement improvements in the criminal justice system are not available. In many jurisdictions, there barely are enough funds to maintain the current level of services. A substantial amount of Federal financial assistance must be provided.

Mr. Speaker, as these views of Thomas J. Madden and Patricia Walden emphasize "funds to implement improvements in the criminal justice system are not available to American cities and States." Additional funds for that purpose are needed now, not at some future uncertain date when a restructured LEAA, or new program is developed. Law enforcement and reduction of crime in America depend on prompt and decisive action by the administration and the Congress.

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

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

Mr. WHITE. Mr. Speaker, I thank the gentleman for yielding.

I notice on page 23 of the report there appears language of this nature:

The committee expects the Bureau of Prisons to study further the use of existing detention facilities at military installations and endeavor to utilize such facilities to the maximum extent possible.

Now, does this language contemplate the moving of civilian inmates or prisoners into military facilities to mix with military prisoners?

Mr. SLACK. No. This would apply only to military installations that may not be needed by the military. There will not be a mixing of prisoners.

Mr. WHITE. This provides strictly for the use of those excess facilities that are no longer to be utilized by the military?

Mr. SLACK. The gentleman is correct.

Mr. WHITE. Mr. Speaker, I thank the gentleman very much.

Mr. CEDERBERG. Mr. Speaker, the chairman of the subcommittee has adequately explained the conference report, and I have no requests for time.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of the conference report on H.R. 7556 making funds available for fiscal year 1978 for the Departments of State, Justice, and Commerce, as well as several related agencies. I am especially pleased that this bill includes \$382.5 million for the Economic Development Administration and an additional \$64.6 million for the regional planning commissions which serve all or portions of 32 States. These funds provide a slight increase in moneys for public works facilities grants and begin funding for a new program providing interest-free loans to redevelopment areas for economic development purposes.

I am an enthusiastic supporter of the programs of the Economic Development Administration because I have seen the positive results these funds have provided. It is basically a job-creating program, and it provides funds to local communities that are vital for economic stimulus. The public works grant program has provided communities with funds to construct water and sewer systems, vocational schools, industrial parks, and other public facilities. These types of public facilities have enabled communities which had been economically deprived to attract new businesses and thus create new jobs that revitalize the entire area. These funds also provide planning money and technical assistance money to States and local communities which are helpful in evaluating their economic deficiencies and developing pragmatic solutions to their economic problems.

One of the most successful Federal programs I have been acquainted with is the economic development district program which received funds under title IV, as well as title I of the Public Works and Economic Development Act of 1965, as amended. The district program has provided grantsmanship expertise to many smaller communities which had previously been sorely lacking this type of service. Through the district program, EDA funds and other Federal funds have been targeted to areas experiencing particular economic problems. These moneys coupled with local initiative have made a difference in many communities.

For the first time, funds are provided to initiate an interest-free loan program for redevelopment areas, which was authorized by the Public Works and Economic Development Act Amendments of

1976. This program was designed to give EDA another tool which could be used for a variety of activities to accelerate the recycling of land and facilities for the creation of job opportunities.

While maintaining funding at pretty much the current level for most of the EDA programs, this legislation provides a slight increase in funds for the construction of public works facilities. I am pleased to see this upward movement. However, in the future I am hopeful that we can see even a more marked increase in this program. This and other programs of the Economic Development Administration have a proven track record. It is these types of programs which I feel must be bolstered in times of economic depression or hardship. I believe these programs are more effective than some of the past new Federal programs which are often dreamed up in haste to deal with an immediate economic problem.

I am encouraged that there have been signs that the administration through Secretary Kreps wants to give EDA a bigger role. This is welcome news, and I am hopeful that we can see more actions to back up these signs. The past level of success of the programs of the Economic Development Administration would seem to warrant a level of funding comparable to authorized levels of funding for these programs. I believe this would be a positive step toward creating economic stability and providing additional job opportunities.

Mr. JENNETTE. Mr. Speaker, as we today vote on funds for our Department of Justice I feel there is an unfulfilled promise that we must consider.

I am proud to be able to speak today in behalf of one of the many victims of Helsinki's unfulfilled promise, Zakhar Lvovich Tesker. Knowing of the problems experienced by Mr. Tesker and his family in their simple request to obtain an exit visa only serves to reinforce my deep gratitude for America's freedoms and basic belief that the rights of the individual are paramount. It is obvious that the Soviet Union does not share this basic commitment to upholding the rights of its citizens, even after the Soviets loudly acclaimed their own action in signing the Helsinki accord. As evidence of what is really happening in the Soviet Union I would like to share with my colleagues the story of Zakhar Lvovich Tesker.

ZAKHAR LVOVICH TESKER

Circumstances have changed young Zakhar Tesker from an ordinary "blue-collar" worker into one of Moscow's bravest activists. Once a soccer coach, he was dismissed from his job as a driver after applying for an exit visa.

His marriage to Rimma, a cosmetician, has been charged with dramatic events. By the time their son Benjamin was born in 1975, Zakhar was already deeply involved in the struggle for basic rights for Jews in the Soviet Union. He was placed under house arrest when he tried to leave his apartment to join demonstrating comrades. With Vladimir Slepak he undertook an exhausting journey to Siberia to visit imprisoned refuseniks Naspitz and Tsitlonok, to bring them warm clothing and moral support. Upon his return, Tesker was visited by the KGB and threatened with charges of being a parasite, although he is refused all work.

In October 1976, during a most daring demonstration, Zakhar Tesker was among the Jews who sat in at the Supreme Soviet insisting on written reasons for their refusals; they were taken by bus to a woods outside Moscow where Zakhar was dragged from the vehicle and beaten so severely his nose was broken. While Zakhar was serving fifteen days in prison following the beating, his wife Rimma, gave birth to a daughter.

After the birth of their first child, Zakhar wrote to a friend:

"We are all right, and I am very glad to tell you that my wife bore a child. That was a great event in my life. His name is Benjamin. That was really a happy day in our lives and I hope that very soon another happy day will come, and we shall go to Israel."

After 4 long years waiting, I hope that my words here in Congress will help bring that day closer when the Tesker family can go to Israel. Even greater is my hope that, by virtue of the steadfast resolve of Congress and the administration on this issue, the Soviet Union will see fit to regard its citizens as free people rather than as prisoners.

Mr. SLACK. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

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

Mr. RUSSO. 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 326, nays 85, not voting 22, as follows:

(Roll No. 432)

YEAS—326

Abdnor	Brown, Mich.	Diggs
Addabbo	Buchanan	Dingell
Akaka	Burke, Calif.	Dodd
Alexander	Burke, Fla.	Downey
Allen	Burlison, Mo.	Drinan
Ambro	Burton, John	Duncan, Oreg.
Ammerman	Burton, Phillip	Early
Anderson, Ill.	Butler	Eckhardt
Andrews, N.C.	Byron	Edgar
Andrews,	Caputo	Edwards, Ala.
N. Dak.	Carney	Edwards, Calif.
Annunzio	Carr	Ellberg
Applegate	Carter	Emery
Archer	Cavanaugh	Erlenborn
Ashley	Cederberg	Ertel
Aspin	Chappell	Evans, Colo.
AuCoin	Chisholm	Evans, Del.
Badillo	Clausen,	Evans, Ga.
Bafalis	Don H.	Evans, Ind.
Baldus	Clay	Fary
Baucus	Cohen	Fascell
Beard, R.I.	Coleman	Fenwick
Bedell	Collins, Ill.	Findley
Beilenson	Conte	Fish
Benjamin	Conyers	Fisher
Bevill	Corcoran	Fithian
Blaggi	Corman	Flood
Bingham	Cornell	Florio
Blanchard	Cornwell	Flowers
Blouin	Cotter	Flynt
Boggs	Coughlin	Foley
Boland	Cunningham	Ford, Mich.
Bolling	D'Amours	Ford, Tenn.
Bonior	Daniel, R. W.	Forsythe
Bonker	Danielson	Fowler
Bowen	Davis	Fraser
Breaux	de la Garza	Frenzel
Breckinridge	Delaney	Frey
Brinkley	Dellums	Fuqua
Broadhead	Derwinski	Gaydos
Brooks	Dicks	Gephardt

Glaimo	Martin	Rosenthal
Gilman	Mazzoli	Rostenkowski
Goldwater	Meeds	Roybal
Gonzalez	Metcalfe	Ruppe
Goodling	Meyner	Ryan
Gore	Mikulski	Santini
Gradison	Mikva	Sarasin
Guyer	Millford	Sawyer
Hagedorn	Miller, Calif.	Scheuer
Hamilton	Mineta	Sebelius
Hammer-	Minish	Seiberling
schmidt	Mitchell, Md.	Sharp
Hanley	Mitchell, N.Y.	Shipley
Hannaford	Moakley	Sikes
Harkin	Moffett	Simon
Harrington	Mollohan	Sisk
Harris	Montgomery	Skelton
Harsha	Moore	Skubitz
Hawkins	Moorhead, Pa.	Slack
Heckler	Moss	Smith, Iowa
Heftel	Murphy, Ill.	Smith, Nebr.
Hightower	Murphy, Pa.	Solarz
Hillis	Murtha	Spellman
Hollenbeck	Myers, Gary	St Germain
Holtzman	Myers, John	Staggers
Horton	Myers, Michael	Stangeland
Ireland	Natcher	Stanton
Jeffords	Nedzi	Stark
Jenrette	Nichols	Steed
Johnson, Calif.	Nix	Steers
Johnson, Colo.	Nolan	Stockman
Jones, N.C.	Nowak	Stokes
Jones, Tenn.	O'Brien	Stratton
Jordan	Oakar	Studds
Kastenmeier	Oberstar	Thompson
Kazen	Obey	Thone
Kildee	Ottinger	Thornton
Kostmayer	Panetta	Trible
Krebs	Patten	Tsongas
Krueger	Patterson	Tucker
LaFalce	Pattison	Udall
Le Pante	Pease	Ullman
Leach	Pepper	Van Deerin
Lederer	Perkins	Vander Jagt
Leggett	Pettis	Vanik
Lehman	Pickle	Vento
Lent	Pressler	Volkmmer
Lloyd, Calif.	Preyer	Walgren
Lloyd, Tenn.	Price	Walsh
Long, La.	Pritchard	Wampler
Long, Md.	Quayle	Waxman
Lott	Quie	Whalen
Lujan	Quillen	White
Luken	Rahall	Whitehurst
Lundine	Railsback	Whitten
McClory	Rangel	Wilson, C. H.
McCloskey	Regula	Winn
McCormack	Reuss	Wirth
McDade	Richmond	Wolf
McEwen	Rinaldo	Wright
McFall	Risenhoover	Wylder
McHugh	Roberts	Yates
McKay	Robinson	Yatron
Madigan	Rodino	Young, Alaska
Maguire	Roe	Young, Mo.
Mahon	Rogers	Young, Tex.
Mann	Roncallo	Zablocki
Marks	Rooney	Zeferetti
Marlenee	Rose	

NAYS—85

Anderson, Calif.	Hall	Neal
Armstrong	Hansen	Pike
Ashbrook	Hefner	Poage
Badham	Holt	Rhodes
Barnard	Hubbard	Rousselot
Bauman	Huckaby	Rudd
Beard, Tenn.	Hughes	Runnels
Bennett	Hyde	Russo
Brown, Ohio	Ichord	Satterfield
Broyhill	Jacobs	Schroeder
Burgener	Jenkins	Schulze
Burleson, Tex.	Jones, Okla.	Shuster
Clawson, Del.	Kasten	Snyder
Cleveland	Kelly	Spence
Cochran	Kemp	Steiger
Collins, Tex.	Ketchum	Stump
Conable	Keys	Symms
Crane	Kindness	Taylor
Daniel, Dan	Lagomarsino	Traxler
Devine	Latta	Treen
Dornan	Levitass	Waggonner
Edwards, Okla.	McDonald	Walker
English	Mathis	Watkins
Fountain	Mattox	Weaver
Gammage	Michel	Weiss
Ginn	Miller, Ohio	Whitley
Glickman	Moorhead,	Wilson, Bob
Grassley	Calif.	Wylie
	Mottl	Young, Fla.

NOT VOTING—22

Brademas	Brown, Calif.	Dent
Broomfield	Burke, Mass.	Derrick

Dickinson	Howard	Pursell
Duncan, Tenn.	Koch	Teague
Flippo	McKinney	Wiggins
Gibbons	Markey	Wilson, Tex.
Gudger	Marriott	
Holland	Murphy, N.Y.	

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Mr. Broomfield.

Mr. Brademas with Mr. Wiggins.

Mr. Dent with Mr. Pursell.

Mr. Murphy of New York with Mr. Dickinson.

Mr. Teague with Mr. McKinney.

Mr. Koch with Mr. Marriott.

Mr. Charles Wilson of Texas with Mr. Duncan of Tennessee.

Mr. Flippo with Mr. Brown of California.

Mr. Howard with Mr. Gibbons.

Mr. Derrick with Mr. Gudger.

Mr. Holland with Mr. Markey.

Messrs. WHITLEY and KEMP changed their vote from "yea" to "nay." So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 32: Page 32, line 15, strike out "and design," and insert: "design and construction of facilities."

MOTION OFFERED BY MR. SLACK

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

The Clerk read as follows:

Mr. SLACK moves that the House recede from its disagreement to the amendment of the Senate numbered 32 and concur therein.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 1 hour.

Mr. ASHBROOK. Mr. Speaker, will the gentleman from West Virginia yield?

Mr. SLACK. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Speaker, I thank the gentleman for yielding. I am generally speaking somewhat out of order, if someone on the floor can give us some indication of what the plans are for the remainder of the day; but pending that, I am interested in amendments 32 and 33. It seems like a rather substantial sum.

Mr. SLACK. Mr. Speaker, will the gentleman please repeat his statement?

Mr. ASHBROOK. Mr. Speaker, reserving the right to object, as I was saying when I guess no one heard, first, I think there is some particular interest in what the schedule for today is, inasmuch as it is about 20 minutes after 5; but if there is no one on the floor that can respond to that, I am interested in amendments 32 and 33, particularly as it seems to jump from design and construction, \$1 million to almost \$31 million. Could my friend and colleague, the gentleman from West Virginia, give me some light on that particular pair of amendments that will be together?

Mr. SLACK. Mr. Speaker, if the gentleman will yield, the House did place \$1 million in the bill for planning and design, however, the Senate, the other body,

doubled the budget request for a total of \$30,800,000. We agreed on a compromise of the budget figure for design and construction of the project.

Mr. ASHBROOK. Did the gentleman say double?

Mr. SLACK. The other body had doubled the budget request and we compromised at the budget figure.

Mr. ASHBROOK. Our figure was \$1 million?

Mr. SLACK. That is right. The budget request was \$15,500,000 and the other body doubled the figure and made it \$30,800,000.

Mr. ASHBROOK. Mr. Speaker, this is another instance, if the gentleman will permit, of an individual Member of the other body making his demands on us as we go along and we have to withdraw.

Mr. SLACK. Well, of course, we all know this is a very controversial project; but when we go into conference with the other body, we have to compromise to get a bill, and we thought this was a fair compromise.

Mr. ASHBROOK. Mr. Speaker, I withdraw my reservation to amendment No. 32.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. SLACK).

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 33: Page 32, line 17, strike out: "\$1,000,000" and insert: "\$30,800,000".

MOTION OFFERED BY MR. SLACK

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

The Clerk read as follows:

Mr. SLACK moves that the House recede from its disagreement to the amendment of the Senate numbered 33 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "\$15,500,000".

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 1 hour.

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

Mr. SLACK. I yield to the gentleman from Washington.

Mr. CUNNINGHAM. Mr. Speaker, I wanted to ask a couple questions on amendment No. 33.

Could the gentleman tell me specifically what those capital funds are to be used for?

Mr. SLACK. Mr. Speaker, I am sorry. I did not hear the gentleman.

The SPEAKER pro tempore. Will the gentleman restate his question.

Mr. CUNNINGHAM. Mr. Speaker, could the gentleman tell me what the capital funds in that amendment will be used for?

Mr. SLACK. They will be used to begin construction of the Sand Point facility.

Mr. CUNNINGHAM. Mr. Speaker, having just come back from that area, I would like to know, who wants that?

Mr. SLACK. A budget request was sent up by the administration in the amount of \$15.5 million for design and construction of the Sand Point facility.

Mr. CUNNINGHAM. Well, I do not think I have understood the answer. I would like to specifically ask who there is asking for that facility to be built there?

Mr. SLACK. Where?

Mr. CUNNINGHAM. The gentleman said at Sand Point. That is in the State of Washington.

Mr. SLACK. It is a Federal facility and the budget estimate was sent up by the President of the United States. It is a budgeted item. We held hearings on it.

Mr. CUNNINGHAM. Mr. Speaker, with all due respect, and appreciating my newness, I was not really advised that this was going to be before us today. In trying to ask some of my associates, I was being given some rather vague answers. I am trying to find out who wants us to spend \$15 million in the State of Washington building a facility that I cannot find the people saying that they want.

Mr. SLACK. The only thing I can say is that it was a budget estimate sent up by the President of the United States. There were hearings held on the request. It is a budgeted item, and it comes under the National Oceanographic and Atmospheric Administration in the Department of Commerce.

Mr. CUNNINGHAM. Could I ask one more question?

Mr. SLACK. Certainly.

Mr. CUNNINGHAM. I do not mean to be difficult. As I would assume the gentleman knows, the specific lake that this is built on is virtually a recreational and residential lake. This facility will allow them to bring into that lake boats up to 350 feet. A lot of people are slightly upset about it. I am trying to find out why. This has not been voted on in the State of Washington and not voted on in the city of Seattle. I am trying to find out why someone feels that this has to be built where I do not think the people want it.

Mr. SLACK. It will be built on the former site of the naval air station.

Mr. CUNNINGHAM. Which I am sure the gentleman is aware has been given to the city, very generously, and will be used as a multiuse facility.

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

Mr. SLACK. I yield to the gentleman from Washington.

Mr. DICKS. I think the gentleman will recall—and I am sure he does, since he is an astute student of politics in the city of Seattle—that there was a vote by the people of the city of Seattle 2 years ago in which they fairly overwhelmingly voted for a park, NOAA at Sand Point, and voted against aviation. Part of the plan at that time was to include NOAA, with NOAA's ships being home posted at the facility.

So, I do not think it comes as a surprise to anyone that this is going forward as a budget request. The National Oceanographic and Atmospheric Administration has been part of the administration's budget request. So, I think there has been no mystery about who is for it. President Ford requested funds in the fiscal year 1977 budget; his Office of Management and Budget sent it up,

and now President Carter sent it up in his fiscal year 1978 budget request, so that it is part of the regular budget process.

Mr. CUNNINGHAM. If the gentleman will yield further, I will say that I am aware of what the gentleman from Washington said. The people did vote on the park facility, but I am unaware—I am from Seattle, and the gentleman is from Tacoma—I am unaware that the people in Seattle voted to have the NOAA facilities consolidated on Lake Washington and take some of the most beautiful, private waterfront in the State of Washington.

Could the gentleman answer that for me?

Mr. DICKS. Well, the point is that I think the people of Seattle knew what they were voting on, and that was the use of the facilities there for park and for a NOAA facility. This project has been in the planning stages for almost 4 years. It has been no mystery to the people of Seattle as to what was going to go on. If the gentleman looks at the history, I think he will find that there are 4 years of history behind it. Two Presidents and two Offices of Management and Budget, two Secretaries of Commerce, have favored it. I think it is a little late in the process on the floor today, in the conference committee setting, to raise this issue.

Mr. CUNNINGHAM. If the gentleman from West Virginia will yield further, I would apologize to the body for taking this time at this late hour. It has been a busy day.

Frankly, I would hope that there would have been notice, and I probably did not get that notice because of my newness. I sincerely would have attempted to get my personal questions concerning this answered prior to this time.

Mr. SLACK. I would like for the record to show that the conference report was filed and printed in the RECORD of June 30, 1977. It was printed House Report 95-476.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. SLACK).

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 52: Page 46, line 12, insert:

INTERNATIONAL TRADE COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, \$12,187,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the International Trade Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative: *Provided further*, That no part of the foregoing appropriation shall be used for making any special study, investigation, or report at the request of any other agency of the executive branch of the Government unless reimbursement is made for the cost thereof.

MOTION OFFERED BY MR. SLACK

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

The Clerk read as follows:

Mr. SLACK moves that the House recede from its disagreement to the amendment of the Senate numbered 52 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

INTERNATIONAL TRADE COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, \$11,500,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the International Trade Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative: *Provided further*, That no part of the foregoing appropriation shall be used for making any special study, investigation, or report at the request of any other agency of the executive branch of the Government unless reimbursement is made for the cost thereof.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 61: Page 54, line 9, insert:

TITLE VI—SUPPLEMENTAL APPROPRIATIONS,
1977

For additional amounts for the fiscal year 1977 for increased pay costs authorized or pursuant to law, and other purposes to be immediately available, as follows:

Mr. SLACK. Mr. Speaker, inasmuch as amendments Nos. 61 through 67 and 69 through 81 all deal with appropriations for fiscal year 1977, and are brought back in disagreement solely for technical reasons, I ask unanimous consent that they be considered as read, printed in the RECORD, and that they be considered en bloc.

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

There was no objection.

The Senate amendments considered en bloc are as follows:

Senate amendment No. 62: Page 54, line 14, insert:

DEPARTMENT OF STATE

Senate amendment No. 63: Page 54, line 15, insert:

INTERNATIONAL ORGANIZATIONS
AND CONFERENCES

"Missions to international organizations," \$145,000;

Senate amendment No. 64: Page 54, line 17, insert:

INTERNATIONAL COMMISSION

"American sections, international commissions," \$20,000;

Senate amendment No. 65: Page 54, line 20, insert:

DEPARTMENT OF JUSTICE

Senate amendment No. 66: Page 54, line 21, insert:

GENERAL ADMINISTRATION
SALARIES AND EXPENSES, GENERAL
ADMINISTRATION

For an additional amount for "Salaries and

expenses, general administration," \$147,000, to be derived by transfer from "Salaries and expenses, Community Relations Service".

Senate amendment No. 67: Page 55, line 1, insert:

LEGAL ACTIVITIES
ANTITRUST DIVISION

For salaries and expenses to provide anti-trust enforcement grants to the States authorized by section 309 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, \$1,000,000.

Senate amendment No. 69: Page 55, line 9, insert:

THE JUDICIARY

Senate amendment No. 70: Page 55, line 10, insert:

COURT OF CUSTOMS AND PATENT APPEALS

"Salaries and expenses," \$41,000.

Senate amendment No. 71: Page 55, line 12, insert:

CUSTOMS COURT

"Salaries and expenses," \$73,000;

Senate amendment No. 72: Page 55, line 14, insert:

COURT OF CLAIMS

"Salaries and expenses," \$159,000;

Senate amendment No. 73: Page 55, line 16, insert:

COURTS OF APPEALS, DISTRICT COURTS, AND
OTHER JUDICIAL SERVICES

"Salaries of judges," \$4,300,000;

"Salaries of supporting personnel," \$249,000;

"Salaries and expenses of United States Magistrates," \$450,000;

"Salaries and expenses of referees," \$1,435,000;

Senate amendment No. 73: Page 55, line 23, insert:

ADMINISTRATIVE OFFICE OF THE UNITED STATES
COURTS

"Salaries and expenses," \$53,000;

Senate amendment No. 75: Page 56, line 1, insert:

FEDERAL JUDICIAL CENTER

"Salaries and expenses," \$20,000;

Senate amendment No. 76: Page 56, line 3, insert:

RELATED AGENCIES

Senate amendment No. 77: Page 56, line 4, insert:

ARMS CONTROL AND DISARMAMENT AGENCY

"Arms control and disarmament activities," \$220,000.

Senate amendment No. 78: Page 56, line 6, insert:

BOARD FOR INTERNATIONAL BROADCASTING

"Grants and Expenses", \$3,350,000, to remain available until expended, which shall be available only for fluctuations in foreign currency exchange rates in accordance with the provisions of section 8 of the Board for International Broadcasting Act of 1973, as amended.

Senate amendment No. 79: Page 56, line 12, insert:

SMALL BUSINESS ADMINISTRATION

Senate amendment No. 80: Page 56, line 13, insert:

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" \$500,000 to be transferred from the Disaster Loan Fund.

Senate amendment No. 81: Page 56, line 16, insert:

DISASTER LOAN FUND

For additional capital for the "Disaster Loan Fund", authorized by the Small Business Act, as amended, \$200,000,000 to remain available without fiscal year limitation.

MOTION OFFERED BY MR. SLACK

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

The Clerk read as follows:

Mr. SLACK moves that the House recede from its disagreement to the amendments of the Senate numbered 61 through 67 and 69 through 81 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the last amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 90: Page 58, line 21, insert:

SEC. 708. No part of any appropriation contained in this Act shall be used for the purpose of negotiating a settlement of United States claims against private property confiscated by the Cuban Government at less than the principal value, giving full consideration to the amounts certified by the United States Foreign Claims Settlement Commission on July 6, 1972.

MOTION OFFERED BY MR. SLACK

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

The Clerk read as follows:

Mr. SLACK moves that the House recede from its disagreement to the amendment of the Senate numbered 90 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE

Mr. SLACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report and the motions just agreed to.

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

There was no objection.

PERSONAL EXPLANATION

Mr. SKUBITZ. Mr. Speaker, I was unavoidably absent earlier today when there was a succession of rollcalls on matters called under suspension of the rules. For the record, had I been present, I would have voted "aye" on roll No. 424, amending the Federal Election Campaign Act; "aye" on roll No. 425, to establish National Family Week; "aye" on roll No. 426, to reduce paperwork in the agricultural census; I would have voted "no" on roll No. 427, to increase the salary of the Director of OMB and his deputy; "no" on roll No. 428, to increase the number of supergrade employees in the Federal Court Administration; "no" on roll No. 429, to add 100 hearing examiners in the Court Administration; and "aye" on roll No. 430 to adopt H.R. 4319.

REQUEST FOR CONSIDERATION OF
CONFERENCE REPORT ON H.R.
6138, YOUTH EMPLOYMENT AND
DEMONSTRATION PROJECTS

Mr. PERKINS. Mr. Speaker, I call up the conference report on the bill (H.R. 6138) to provide employment and training opportunities for youth, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. BAUMAN. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read the conference report.

The Clerk proceeded to read the conference report.

Mr. PERKINS (during the reading). Mr. Speaker, I again ask unanimous consent that the statement of the managers be read in lieu of the report.

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

Mr. BAUMAN. Mr. Speaker, reserving the right to object, it is after 5:30.

Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read the conference report.

Mr. PERKINS (during the reading). Mr. Speaker, I withdraw the conference report at this time.

HELSINKI'S UNFULFILLED PROMISE

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

Mr. WAXMAN. Mr. Speaker, I am pleased to join my colleagues in marking "Helsinki's Unfulfilled Promise," a campaign of recognition and tribute to the thousands of political, social, and religious activists in the Soviet Union who have been systematically denied enjoyment of basic human rights. By signing the Helsinki Final Act in 1975, the Soviet Union for the first time allowed itself to become publicly accountable for its commitment to the protection of freedom and dignity of the Soviet people.

The Soviet Government has reacted to the increased scrutiny of its compliance with the Helsinki accords by repudiating all such efforts to ascertain the status of dissidents and by questioning the motives of those who express concern. Using the activists' ties with outside organizations against them, the Soviet Government has recently contemplated bringing treason charges against some of those who question the regime, express a desire to leave, or monitor compliance with the Helsinki accords.

In the end, the debate over human rights and its effect on détente devolves on the Soviet citizens themselves: The quality of their lives and the frustrations and horrors they have to live with because they have chosen to speak out.

In the past several months, it has become clear that the Soviet Government intends to tolerate no opposition to its human rights policies from either its citizens or the outside world. A decision has been made in the Kremlin, in anticipation of the 60th Congress of the Communist Party in October, to utterly destroy organized protest against the government.

What is being tested, therefore, is not only the courage and resourcefulness of

those whose rights have been removed, but the dedication of those outside the Soviet Union to work for human dignity inside that country. It is for this reason that our daily evocation of Helsinki's unfulfilled promise is so important.

On July 11, another Soviet citizen, Viniamin Levich, one of the most brilliant and respected physical chemists in the world, decided to speak out. He applied to emigrate to Israel in 1972. In 1975, his two sons, Yevgeny, a physicist, and Alexander, an engineer, were permitted to leave. At that time, he was informally advised that he, too, would emigrate within a few months.

The Soviet authorities have repeatedly broken their promise to Dr. Levich. Instead, he has been systematically isolated and harassed. He was dismissed from his post as professor at Moscow University, and his chair was abolished. He was refused permission to lecture, and denied access to his laboratory. His colleagues shunned him.

In utter despair, he has appealed to his peers outside the Soviet Union. In a message to a conference in his honor in Oxford, he said:

Apart from the right of separated families to be reunited, the right to emigrate is the most modest of all universally accepted human freedoms. Nevertheless, my wife and I have been indefinitely separated from our children despite assurances given us three years ago . . .

I appeal to you. Do not lessen your noble efforts. While contacting Soviet representatives, you Western intellectuals can and ought to openly raise a question of Soviet scientist-refuseniks and their fate, to clearly show their profound concern with this humanitarian problem. Again and again with insistence and persistence.

It is the least that we can do to call attention to peoples everywhere of the fate of all the Leviches in the Soviet Union. Let no one be allowed to plead ignorance of what is occurring inside that country.

SPECIAL PROSECUTOR NEEDED TO CLEAR THE AIR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. COHEN) is recognized for 5 minutes.

Mr. COHEN. Mr. Speaker, the sudden resignation Friday of the Ethics Committee's special counsel has rekindled public doubt about the effectiveness of the House probe of alleged South Korean influence peddling on Capitol Hill.

The integrity of Congress as an institution has been badly compromised by reports in the press that the Government of South Korea and its agents in this country have, during the past 7 years, systematically attempted to influence Members of Congress. If Watergate has taught us anything, it is that charges of corruption within our Government must be answered promptly and truthfully. Anything less than a complete airing of the Korean activities can only add to public distrust of Congress, and distract the House from its pressing legislative duties.

I do not wish to prejudge the facts of the alleged Korean efforts to curry favor

on Capitol Hill. Nor do I wish to suggest that the Justice Department and the House Ethics Committee are incapable of conducting fair and complete investigations of the matter.

But I do feel that the charges that have been lodged are extremely serious. And unless action is taken soon to resolve the matter, I fear that "Korea-gate," as it has been dubbed in Washington, could become a major national crisis. Those who dismiss calls for a special prosecutor out of hand ignore the strong desire of the public for assurances that partisan political decisions will not interfere with the search for the truth.

To try to speed resolution of this problem, Congressman JOHN B. ANDERSON of Illinois and I have jointly introduced legislation to establish an orderly, nonpartisan procedure for appointment of a special prosecutor to investigate the relationship of Members of Congress and other high-ranking government officials to the South Korean government.

The Anderson-Cohen bill amends title 28 of the United States code. It calls upon the Attorney General to conduct a preliminary investigation, not to exceed 90 days, of any improper or illegal activity by Members of Congress or top-ranking executive branch employees, in connection with efforts by foreign governments to influence legislation or other Government activities.

If, after conducting such an investigation, the Attorney General finds evidence of any wrongdoing, he is required to present his findings to a special court-appointed panel and apply to the panel for appointment of a special prosecutor to pursue the case.

Our bill provides that the Judiciary Committee of either the House or Senate may request the Attorney General to apply for appointment of a special prosecutor. The prosecutor can be appointed only by the special court-appointed panel which is also the only body with authority to remove him from office.

The bill provides that, after completing his duties, the special prosecutor must make a complete report to the special court panel. The panel would be empowered to make public whatever findings it deems to be appropriate.

The bill also instructs the special prosecutor to provide the chairman and ranking minority member of the House Judiciary Committee with any substantial information which may constitute grounds for impeachment or expulsion. The special prosecutor's office would expire upon completion of its assigned duties or 5 years, whichever comes first.

I believe that the Anderson-Cohen bill provides a nonpartisan framework for effective action in the Korea problem, and I hope the House leadership will give this proposal the serious consideration it deserves.

THIRTY-FOUR CONGRESSMEN CALL FOR LOCAL NIGHTTIME RADIO SERVICE ACROSS THE NATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, I am today introducing a resolution with 33 of my colleagues as cosponsors calling upon the Federal Communications Commission to maximize local meaningful primary nighttime radio broadcast service in the small towns and rural areas of our country. The resolution also urges the FCC not to permit existing radio stations to increase their power beyond the 50,000 watts presently permitted by the Commission.

This resolution has broad bipartisan support, Mr. Speaker, because this is an

issue that affects all areas of the country and all kinds of people. Millions of Americans located in thousands of communities across the Nation have no local radio service after the Sun goes down each evening. That is when their local station must leave the air in order to comply with FCC regulations that were written a half century ago to deal with an entirely different situation. These regulations desperately need revision. Until they are changed, over 40 million Americans will continue to be adversely affected. If a snowstorm or a flood strikes

a small town after the Sun sets, if schools close or other community activities are rescheduled, these Americans may have no way to know of the extent of the danger or whether they should change their plans. Distant stations will not cover such localized occurrences.

In fact, Mr. Speaker, I would like to insert in the CONGRESSIONAL RECORD at this point a chart showing the enormous number of people adversely affected by the present FCC regulations which unduly restrict nighttime radio broadcasting.

NUMBER AND POPULATION OF SMALL MARKETS IN EACH STATE WITH NO LOCAL NIGHT-TIME "AM" BROADCAST SERVICE

State	Small markets served by daytime stations		State's total population (1970 Census)	Rural and small town population	Population of city of license of daytime stations	State	Small markets served by daytime stations		State's total population (1970 Census)	Rural and small town population	Population of city of license of daytime stations
	Total	AM only (no FM)					Total	AM only (no FM)			
Alabama.....	54	29	3,373,006	1,043,914	270,587	Nevada.....	2	1	481,893	91,883	26,845
Arizona.....	9	5	1,752,122	444,086	92,206	New Hampshire.....	7	2	722,753	112,167	38,417
Arkansas.....	44	22	1,886,210	1,186,210	318,270	New Jersey.....	17	11	7,092,597	455,056	340,758
California.....	43	23	19,715,490	3,189,983	886,879	New Mexico.....	10	5	1,014,979	565,660	60,978
Colorado.....	14	10	2,178,176	1,443,883	154,666	New York.....	54	29	18,018,615	679,100	523,743
Connecticut.....	15	10	2,987,950	660,255	482,941	North Carolina.....	80	47	4,961,832	795,734	402,743
Delaware.....	4	1	542,979	128,600	33,940	North Dakota.....	5	4	617,761	339,872	10,636
Florida.....	47	29	6,671,162	1,776,648	661,878	Ohio.....	44	8	10,542,030	1,291,253	831,106
Georgia.....	74	59	4,492,038	2,317,742	450,832	Oklahoma.....	24	14	2,498,378	448,739	188,891
Idaho.....	5	4	712,567	393,792	23,274	Oregon.....	12	11	2,056,171	148,591	86,672
Illinois.....	62	8	10,977,908	3,528,039	1,057,608	Pennsylvania.....	68	38	11,669,565	1,551,245	672,099
Indiana.....	34	5	5,143,422	1,720,534	377,134	Rhode Island.....	3	3	922,461	205,596	151,360
Iowa.....	32	2	2,789,893	1,412,757	399,778	South Carolina.....	49	26	2,522,881	827,944	294,771
Kansas.....	24	8	2,222,173	1,055,049	277,157	South Dakota.....	17	3	661,406	425,557	53,666
Kentucky.....	65	22	3,160,555	1,662,167	315,014	Tennessee.....	62	30	3,838,777	527,294	315,790
Louisiana.....	39	18	3,564,310	783,140	278,633	Texas.....	104	62	10,989,123	1,522,809	942,525
Maine.....	9	1	892,048	446,025	97,581	Utah.....	8	4	1,060,631	142,137	48,878
Maryland.....	15	6	3,874,642	679,328	126,677	Vermont.....	5	1	444,330	60,128	26,358
Massachusetts.....	21	10	5,630,224	1,069,228	871,670	Virginia.....	57	28	4,543,249	617,178	299,102
Michigan.....	40	16	8,778,187	3,447,500	485,818	Washington.....	18	12	3,352,892	454,505	159,388
Minnesota.....	32	12	3,767,975	1,589,660	210,820	West Virginia.....	21	15	1,707,913	278,863	108,688
Mississippi.....	38	17	2,158,872	1,178,830	154,211	Wisconsin.....	44	7	4,366,766	579,961	463,249
Missouri.....	51	24	4,636,247	1,461,528	401,426	Wyoming.....	1	1	532,416	198,361	2,292
Montana.....	5	2	694,409	353,029	16,291						
Nebraska.....	18	10	1,468,101	646,142	103,615						
						Total.....	1,498	713	203,702,602	46,138,702	14,597,958

Note: The data and statistics in this table excludes the States of Alaska and Hawaii.

As the chart clearly shows, over 46 million people in almost 1,500 separate listening areas of the country lose a major source of public information and entertainment each evening when the Sun goes down. Worse yet, more than 700 of these listening areas comprising thousands of towns have no other source of local FM stations, no television stations, nothing. The millions of people who live in these small communities are literally cut off from the rest of the world each evening. They have no way to know what is happening around them, although ironically they can usually tune into a distant station and learn about a snowstorm in Chicago or a traffic jam on the George Washington Bridge in New York City. Their own local weather had traffic conditions will remain a mystery to them until the next morning when their radio station is permitted to return to the air.

The Nation's airwaves belong to all Americans, but a significant minority of us are not permitted fair use of them. Instead, for millions of Americans local airwaves lie silent each night, unused by anyone. That is an unconscionable waste of a precious national resource.

Mr. Speaker, I am most assuredly not an engineer. But I am convinced that a nation that can bounce radio signals off distant stars and send messages millions of light-years to galaxies where other life forms might be listening ought to be able to find some way to let the local radio station in Highland, Ill. send its

signal a few miles out into the Montgomery County countryside each evening. Those who are cosponsoring this resolution are convinced it can be done. I for one cannot understand why it has taken so long to do it, but I am hopeful that there will be no more delay and hesitation on the part of the Federal Communications Commission. Now is the time for them to act forthrightly to assure all Americans equal access to local meaningful nighttime radio service.

Text of House Resolution 637 follows:

H. Res. 637

Resolved, That it is the sense of the House of Representatives that the Federal Communications Commission—

(1) in any proceeding respecting the provision of class I-A and I-B radio service, should maximize local meaningful primary nighttime radio broadcast service, particularly in this Nation's vast rural areas, and

(2) notwithstanding H. Res. 714, Eighty-seventh Congress, second session, adopted on July 2, 1962, should not permit operation of a standard broadcast station with power in excess of fifty thousand watts.

CONFERENCE ON TAX POLICY AND ECONOMIC GROWTH

THE SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. CONABLE) is recognized for 5 minutes.

Mr. CONABLE. Mr. Speaker, on last Friday I announced that I would cosponsor with the weekly magazine, Na-

tional Journal, a national leadership conference on tax policy and economic growth to be held on November 14 and 15. I believe this conference, which will take place after the President has submitted his tax reform proposals this fall, will be an important event in the development of a rational tax policy to deal with the issues of capital formation and economic growth that face our society. Anyone who has studied the problems of our economic system cannot help but be aware of our needs to forge new directions in tax policy if our society is to be productive, our people are to have jobs and our competitiveness in world markets is to be sustained.

The President has announced that he will send to the Congress early in the fall major new proposals dealing not only with the individual tax areas but with capital formation and investment incentives that are needed to spur the economy of America and insure expanded productivity and job creation. The concepts that are being discussed for this proposal as well as others which are being considered in the Congress will require a broad scale national debate. While hearings in the Committee on Ways and Means and the Senate Finance Committee will provide an extended opportunity for individuals, organizations and corporations to present their views on the President's proposals as well as others submitted, it seemed to me that it was important to bring

together in one place informed experts from various segments of our society who could discuss the directions that should be taken and the initiatives that might be considered on the vital issues that will be highlighted by the President's program. Thus I am pleased that *National Journal*, a respected and thoughtful publication, was willing to join with me in the sponsorship of a conference on tax policy and economic growth which will call together the national leaders in the public as well as the private sectors to discuss the vital concerns which Congress will ultimately have to legislate on. I take this time to announce to my colleagues that this conference will take place and to urge them to encourage the people in their communities—business and labor, consumer interests and academicians—to participate in this conference.

I insert the press release announcing this conference in the *RECORD* at this point:

PRESS RELEASE

WASHINGTON, July 15.—Congressman Barber Conable announced today he will co-sponsor "Tax Policy and Economic Growth: A National Leadership Conference" with the weekly magazine *National Journal*.

The Conference, which will take place November 14 and 15, 1977, at the Mayflower Hotel in Washington, D.C., will focus on issues associated with the formulation of a new national tax policy. Scheduled to take place two months after the Carter Administration proposes its new tax package to Congress, the conference will address not only the specifics of the Carter program but also the fundamental issues of tax policy such as economic growth, employment, capital formation, inflation, equity and income distribution.

Speakers in addition to Mr. Conable will include Senator Russell Long (D-La.), Chairman of the Senate Finance Committee; Congressman Al Ullman (D-Ore.), Chairman of the House Ways and Means Committee; Assistant Secretary of the Treasury Laurence N. Woodworth; and Bernard Shapiro, Staff Director of the Joint Committee on Taxation.

Additional speakers and panelists will be drawn from the business and financial communities, consumerists, labor and academia. The two-day conference will consist of general sessions as well as individual workshops.

Conable, ranking minority member of the House Ways and Means Committee, stated: "Our tax policy must not only make sense in current terms, but must also meet the future challenges of our economic system, providing for orderly and balanced growth and contributing to the meeting of our system's capital needs. This conference will provide a broadbased opportunity to discuss these issues, hopefully providing new initiatives in addition to its review of Administration proposals."

John Fox Sullivan, Publisher of *National Journal*, said: "Sponsoring a national conference fits well with our continuing coverage of economic and tax policy issues, an area that *National Journal* has concentrated on as part of its weekly coverage and analysis of federal policy making."

For additional information, please call or write: Tax Policy and Economic Growth, 1730 M Street, N.W., Washington, D.C. 20036, (202) 857-1400.

In the coming weeks I will be presenting a series of speeches and documents dealing with some of the subjects which will be discussed at the November con-

ference. I will do this not in a spirit of partisanship but with the notion that the national debate that must take place on tax policy and economic growth here in the Congress should be as informed and enlightened as possible. I hope others of my colleagues will join in this effort for it is important to the future stability of our economic system that we make the right choices in this area:

CONGRESSIONAL INACTION ON KOREAN BRIBERY SCANDAL SUBJECT OF RADIO PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma (Mr. EDWARDS) is recognized for 15 minutes.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I have recently returned from a weekend in my district. One of the main concerns of my constituents was the Korean bribery scandal and the apparent inaction on the part of the Congress in seriously pursuing this incident.

My freshman colleagues, both Republican and Democrat, have told me their constituents are also cynical about our motives in this matter and doubt congressional leaders will attempt to get to the bottom of the case.

Recently two of my colleagues, Congressmen BOB WALKER and PETER KOSTMAYER, discussed this problem on a radio program. The following transcript of that show reflects the mood of many of the freshman class, including myself:

TRANSCRIPTS

JEFFREY ST. JOHN. On Wednesday, June 22, the former head of the Korean Central Intelligence Agency testified before a Congressional committee that members of the U.S. House of Representatives were the targets of alleged bribery schemes of the Korean government. It was further alleged that such bribery attempts were for the specific purpose of influencing U.S. policy toward Korea.

With us on this edition of Reporters' Roundup are two Congressmen to discuss the implications of what has been termed a Democratic Watergate scandal, since attempts by Koreans to influence members of Congress allegedly involve many Democrats; but also some Republicans.

With us is Congressman Robert S. Walker, Republican from Pennsylvania and Congressman Peter H. Kostmayer, a Democrat also from Pennsylvania.

Let me begin, Gentlemen, with this question:

Does this alleged scandal really deserve to be compared with Watergate?

Congressman ROBERT WALKER. I don't think we know at this point. I think what we have are a lot of indications that it could be a very big scandal. And, therefore, the comparisons with Watergate naturally come to mind, because Watergate is so close. But what we do know if all of the allegations are true is there has been a massive subversion of the governmental processes by outside interests, primarily foreign interests.

St. JOHN. Congressman Kostmayer.

KOSTMAYER. I think that Bob is right that we don't know yet whether it is as extensive as that; it may have gone back to 1970, it may have started as early as then. But I think the tragedy of Watergate was the coverup and I think this if what we have to avoid in this situation is another coverup.

MAYER. Congressman Walker, do you fear a stonewall job involving the alleged Korean bribes? And if so, who is doing the stonewalling?

WALKER. Well, I think there have been some indications that a stonewalling effort could be made and that's one reason why I reacted, and I know Congressman Kostmayer organized some people on his side of the aisle to react. Here several weeks ago, when we felt the House Ethics Committee was not moving, the action I took, I put together a group of freshmen Republicans and we introduced a resolution telling the Ethics Committee to get to work fast. Now that resolution was primarily a talking piece. But what we were able to do with that, I think, was to get a little on track. And I am encouraged that the Ethics Committee is beginning to move. The stonewalling is not as obvious as it was a few weeks ago. But I still think there are some indications that some of the leadership around here is less than enthusiastic about having a full exposure of everything with regard to the Korean scandal exposed.

MAYER. Mr. Kostmayer, how do you feel about the possibility of a stonewall job already done, or in the making, on the Korean situation?

KOSTMAYER. Well, I think it is a possibility and I also feel that the leadership has not been as enthusiastic as it should be about getting to the source of the problem. About two weeks before Congressman Walker and his colleagues on the Republican side got together, fifty-one of my colleagues, including some Republicans in fact, got together and wrote to Congressman Flynt of Georgia, who is chairman of the Ethics Committee, urging him to speed up his investigation. As a result of our letter we got back a status report earlier this month.

We have also written the Attorney General, as a result of his remarks, in which he said the investigation should be winding up. We don't think it should be winding up. We think it should just be beginning and really picking up some steam.

St. JOHN. I would like to ask both of you this question: It seems to me that there is a kind of generational thing going on here. Congressman Kostmayer, you are basically a young Congressman; it seems that the older Democratic Congressmen are, if they are stonewalling, are in engaging in all kinds of delaying tactics. Is it a generational thing?

KOSTMAYER. Well, I suppose it may be a simple thing of whether you were here when these things were going on—they did begin apparently, the bribes, in 1970. Both Bob and I came here just last January. So I think there is a distinction between those who were here when this was going on and those who came here since then.

St. JOHN. So, Congressman Walker, it's really the freshmen of both the Democratic and Republican Parties who are pushing the older leadership. You on the Republican side, Kostmayer on the Democratic side.

WALKER. I would say freshmen, and some second termers; in other words, I think it's the young group, not just exclusively just freshmen, but certainly the last two classes of Congressmen around here seem to be in the forefront.

MAYER. Why would the leadership want to do some footdragging on this, Congressman?

WALKER. Well, the indications are, of course we're in a position of talking about this strictly from the outside. So any comments I make are as an outsider who has been interested in the investigation and, therefore, has had information come my way. And I don't have information, or proof where I can make allegations, based on any evidence. But I can simply say the kinds of things that have disturbed me, and has led me to have some intense interest in seeing that this whole thing gets public attention.

One of the reasons why I feel there may be some foot dragging is because we keep hearing leadership people mentioned as possible sources of the problem. There has been talk . . . well, we know for instance, that the

Democratic Whip in the House, John Brademas, is one who admitted taking some money from the Koreans. Now the basis on which he took the money is said to be that he didn't know it came from a foreign government.

But the thing that General Kim had to say here, recently, that Tongsun Park is an agent, or that Tongsun Park was an agent of the Korean government, you see makes that a very serious kind of allegation that has been made against the Whip. We've also heard stories of very close relationship between Tongsun Park and the Speaker of the House. And so, when you begin to get names like this, you begin to realize that, perhaps, the leadership doesn't want all of that kind of thing focussed in the public eye.

ST. JOHN. Congressman Kostmayer, you remember, although you were not here in Congress—everybody remembers that nobody really understood why Watergate took place, what was the purpose of the breakin? So, very early on, if this does develop into another Watergate, let me ask both of you, and perhaps you might answer first, Congressman Kostmayer: What, if all this took place, what was the purpose? What did the Koreans want from U.S. Congressmen?

KOSTMAYER. Well, back in 1970 there was a meeting held in Seoul, South Korea, at the so-called Blue House, which is the government palace. And at that meeting, it was decided that one of the basic policies of the South Korean government, would be bribery—that they would attempt to influence American policy by paying hard cold cash, not only to members of Congress, but also to other important policy-makers in the administration.

About two weeks ago, Donald Renard (sp?)—who during the Nixon and Ford administrations headed the Department of Korean Affairs, in the Department of State, said this, and let me quote:

"It seems to me that we know enough to move this administration" (and he is talking about the Republican administration), "seems to me we know enough to have moved this administration toward an investigation far earlier than it began. We knew this, beginning in 1970, we knew it in 1971, we knew it in 1972—I was talking to the Justice Department in '73, I was discussing the matter with the FBI in '74 as well. But for reasons which I still have some difficulty in grasping, it was an administrative decision" (and we're talking about the Ford and Nixon administrations here), "I believe, not to move ahead with it."

He said a short time later, quote "Because the money was being passed, being passed on both sides, I think, of the aisle—I think the administration was in no position to open an investigation against the Korean CIA."

These bribes began passing hands in 1970! I think an investigation is long overdue, I think that one should have begun as soon as these sort of things came to light. If this high official in the State Department knew about these sort of things in 1971, I wonder why we are only beginning an investigation in 1977!

MAYER. Jeffrey, I'll use a Watergate analogy also in my next question to Congressman Walker. Would you like to see a special prosecutor office like the one that handled the Watergate case start looking into this Koreagate, as it's been called, affair?

WALKER. I think it would be valuable. I think it would be valuable, for instance, that we form a Select Committee on Capitol Hill. The first resolution I put in, a few days after I arrived on Capitol Hill, was for a Select Committee to be formed and a Special Prosecutor. The reason being, that focuses the attention properly. I attended the hearings held by the International Relations Committee with General Kim. Now there you had a committee looking into one aspect of it, but you could tell that they

weren't following through on some of the problems that involve House members; that's not their jurisdiction. And, yet, General Kim had some very interesting things to say about Tongsun Park's relationship with these House members that were involved.

If you had a Select Committee focussing on all aspects of the Korean problem, you would get it more in focus, so the public attention would be directed toward the right things. The same thing is true of a Special Prosecutor; if you have a Special Prosecutor, who is concentrating on all of the various aspects of this thing and prosecuting based not just on what took place in the House of Representatives, but also if there were administrative officials involved . . . And I happen to believe that there is a very good chance that there were some high officials in the administrations who could have been bribed. I think that those kinds of things should be looked into and maybe a Special Prosecutor is needed to do that.

ST. JOHN. Congressman Kostmayer, what do you think of the President, who is literally the head of your party, rejecting a Special Prosecutor for this alleged scandal?

KOSTMAYER. Well, I differ with the President, strongly on that. I don't think that Congress is able to investigate itself. I think we should have a Special Prosecutor—I think it's essential. I don't favor setting up another committee. I think the last thing we need in Congress is another committee, more staff, more personnel. I think we need special prosecutors who are entirely objective to look into this situation.

MAYER. Congressman Kostmayer, how do you feel the whole episode has affected our national security, especially in that part of the world in the Far East?

KOSTMAYER. I'm not sure that it's had any influence on our national security. As a result of all this money which has been spent in 1970, it's possible that the President is now about to do exactly what the South Koreans did not want him to do: and that is to initiate a phased withdrawal of American forces from South Korea.

ST. JOHN. Congressman Walker, it seems to me that you have four on-going investigations, or at least three. You've got the Justice Department, you've got two committees here on the Hill. Isn't that basically going to diffuse the problem? Everyone is going to be falling over everybody else, looking for headlines?

WALKER. I guess that's what I see as part of the problem on all of this, unless you focus the attention properly, and get all aspects into one focussed kind of spectrum, you will really not get the kind of information on the record that we need to get there.

If you have the International Relations Committee looking at one aspect of it, and the Ethics Committee looking at another aspect of it, I think there are a couple of other committees around the Hill that are now beginning to look into the peripheries of it—and then you get a Justice Department investigation and maybe, down the pike, we will get to a Special Prosecutor. You get all of these kinds of things happening and I think the thrust of it is being lost.

And what's very important right now if this thing is going to be exposed for what it is, is to get public attention in a way that the public begins to bring pressure on the House of Representatives and on the Justice Department. Because I don't think we are going to get the kind of action we want unless the public gets aroused, unless the public demands the kind of action that needs to be taken.

MAYER. Congressman Walker, you mentioned the Special Prosecutor as part of that measure, I believe, you have introduced. How independent would he be of Congress?

WALKER. Well, I think that you would have

to make him very independent of Congress. Because if you don't make the Special Prosecutor independent of the Congress, he is going to lose the impact that he has to have to prosecute people here who may have problems. Evidently, the bulk of the problems, that we now know, as we turn over the rocks, the bulk of the problem seems to rest here on Capitol Hill.

ST. JOHN. Congressman Kostmayer, what did you think of the testimony of the former Korean intelligence agency chief up here on Capitol Hill on June 22?

KOSTMAYER. Well, I thought it was worthwhile and it brought some things to light. I was sorry he was not able to recall the names apparently that he had seen on a number of lists, members of Congress and even administration officials beginning back in 1970 who had been involved in the bribes. But I think it's a beginning and he is, really, the first king pin to begin talking.

ST. JOHN. How, Congressman Walker, would the Democratic leadership be able to stone-wall? What would be the procedures that they could use?

WALKER. Well, there have been a couple of things that have been talked about. One of the things that I have heard mentioned is that along the line somewhere there will be a grandstand play by the leadership to, say, that the Ethics Committee is not moving fast enough. And so, therefore, we're going to take it out of the hands of the Ethics Committee and throw it over to the Select Ethics Committee that has been formed. That way you delay the investigation considerably, at least you move down toward the next political year and that way you have the leadership appearing to want to move the investigation ahead, while really taking an action that will delay the investigation.

That's one of the rumors . . . that's one of the things that I was hearing at the time that we took the stand on the resolution to ask for action, to begin being taken, because I felt if that happened—mid-summer—this could be a disaster to the whole investigation.

KOSTMAYER. I don't think the Democrats in the House will tolerate that if it's suggested.

MAYER. Mr. Walker, what does it say for the international image of our Congress that a nation like Korea, little ol' Korea, thought it could buy influence on the Hill?

WALKER. You know I really am disturbed by the implications of that. That was one of the most disturbing things as I listened to General Kim that struck me—was that here were people who thought they could really buy off the United States Congress. And that says something, perhaps, more disturbing than all those polls that show Congress rating low in the opinion of the people.

KOSTMAYER. The amount of money and the size of the country have nothing to do with each other. So it's a small country spending a lot of money. But in a sense they have been successful, I am sorry to say.

ST. JOHN. Briefly, a response from each of you. If all that has been said, thus far not just in this program but in terms of the media, that this potentially involves a wide-ranging scandal—Watergate, basically, delusioned an enormous segment of the society, with respect to our political institutions. What do you both think if all of this comes true? What's going to be the impact on public opinion? What, for example, has been the reaction of constituencies?

WALKER. There is a grave risk, as far as I am concerned. But I think my constituents, and I think Americans as a whole, feel strongly that we are in the process of making some changes in the society, we are becoming a more open society. Certainly we have a new breed of Congressmen arriving on Capitol Hill; they're far more open in their relationships with people.

St. JOHN. Congressman Kostmayer, Congress rates lower than the Presidency, doesn't it?

KOSTMAYER. I think it's a kinda of one-two punch. I can understand people who wouldn't want to become involved in politics. . . . I think it's difficult to be optimistic, frankly. St. JOHN. Can Congress investigate itself? It hasn't in the past, has it?

WALKER. Congress has the capability of doing it; whether it has the willingness to do it is another question.

KOSTMAYER. I think Congress can do it, and I think there are people here who want to do it. But I am not sure we can rely on that, frankly.

CASE FOR SUPERIORITY IN MILITARY STRENGTH ELOQUENTLY STATED BY CONSTITUENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. CLEVELAND) is recognized for 5 minutes.

Mr. CLEVELAND. Mr. Speaker, a great deal of discussion is in the air these days about whether we can be satisfied with our current military preparedness, and indeed whether it is necessary for our country to remain strong in order to remain free.

President Carter's decision to terminate production of the B-1 bomber can only intensify attention to this issue.

Recently I received a letter from a constituent that eloquently states the case for superiority in military strength in order to assure our freedom.

This letter is especially striking, because its author was born in the Netherlands and literally had World War I fought at his doorstep. But the more telling lesson for him occurred when his homeland was invaded in World War II, and regained its freedom only because the United States and our allies were willing to fight the battle of freedom.

My constituent, Henk Bartelink, shared with me a copy of a letter he has written to President Carter stating these concerns. I wish to insert in the RECORD the text of that letter, stating so well the concerns of millions of Americans that as a nation we cannot be satisfied to be second best, or even equal to the Soviet Union. We must remember that it is governed by a communist dictatorship.

As Henk Bartelink says so well, the price of remaining strong is the price we must be willing to pay to remain free.

His letter to the President follows:

MAY 2, 1977.

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

DEAR MR. PRESIDENT: It appears that during the past Administrations every international encounter and every diplomatic negotiation has resulted in the U.S. giving more ground to the communists, as has been the case in the SALT talks. In spite of the fact that the Russian missiles are claimed to have far more lift-off power and can thus carry more MIRV warheads, the U.S. has agreed to be limited to about a thousand ICBM against Russia's 1590. Besides this we have agreed not to install any significant amount of ABM systems and we are neglecting civil defense while Russia is building hers.

It seems that the previous Presidents have permitted the U.S. to slip to the position of a second rate power. On that basis, you must

know that our freedom and our independence are not going to last long. Neither will our hard won social gains if we should lose our freedom. Furthermore, our Executive Branch is not briefing the people on the seriousness of our military situation, and by doing so it is not instilling the will to defend our independence in our population. This military inferiority must be serious or Russia would not have dared start the action in Angola.

It seems that our technology may currently give us a chance to recapture superiority or at least parity in military strength, particularly through the Cruise Missile, the B1 Bomber and the Trident submarine. However, I am thoroughly afraid that in its present frame of mind the U.S. Government may negotiate the U.S. into a position where we promise either to refrain from building any of these or promise to restrict them to performance specifications which render them ineffective. Once the U.S. has made such promises and agreements it will stick to them, both because this country is basically honest and because we have an "open" society. History shows, however, that Russia will break or circumvent any agreement as soon as this becomes advantageous to them.

If you should at any time permit the U.S. to conclude such a pact or agreement, you would, in effect, sell the people of the U.S. into bondage. The Government might then proceed to represent this as a great achievement and many people, particularly those who are not thoroughly informed, might believe this. However, even those people will eventually—maybe years later—find out what has really happened and they will be justly furious. Many of us are gravely concerned about this whole situation. These concerns have been increased by the fact that you appointed Mr. Paul Warnke as your Chief negotiator and these fears are reinforced by his recent actions in Moscow as described in the attached Boston Globe article.

Mr. President, I would like to know what valid and convincing reassurances you can give us to the effect that you can and will put the U.S. in a position where it will have the military power and the popular will to defend itself and to maintain its independence. I think that your popular appeal and your skill in communicating with people are such that you could put these principles across if you really believe in them. I realize that the U.S. has other serious international problems, but if we lose this encounter with Russia you don't have to worry about solving them because their solutions will ultimately be dictated in Moscow.

By way of personal background, I was born in the Netherlands, (Holland) and hold degrees in both engineering and physics. After I emigrated to the U.S. I saw my former home country conquered by the Germans during World War II. Holland was resurrected because the U.S. rescued freedom and democracy in Europe as in Asia. I would hate to see the U.S.A., our present home country, and the birthplace of our children and grandchildren, go down the same way as Holland did. If that happens there won't be a U.S. left to come and rescue freedom and democracy, in fact there won't be anyone left who is powerful enough to reestablish these principles.

Yours Very truly,

E. H. B. BARTELINK.

LEGISLATION TO AID THE DEAF

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GOLDWATER) is recognized for 10 minutes.

Mr. GOLDWATER. Mr. Speaker, I have a longstanding association with the Center on Deafness program at California State University at Northridge,

CSNU, and I have come to appreciate the uniqueness of their program. CSNU, to the maximum extent possible, integrates hearing, speech, and visually impaired students with the rest of the student body and they receive their education and training in real life situations. I believe that the CSNU approach will become standard for the Nation.

As a result of this involvement, I have become convinced that in order to help the deaf and hearing impaired succeed, we must help them communicate more effectively with society as a whole. Consequently, today I have introduced a bill to provide a tax deduction for the purchase of telecommunication devices for the deaf and hearing-impaired.

The device is called a TTD, and although they are a recent development, their use has opened new perspectives for the deaf. Using a converted teletypewriter and a special coupler, these machines allow the deaf and hearing impaired to converse over the telephone.

Specifically, my bill allows a tax deduction, not to exceed \$200, of an amount equal to 50 percent of the qualified teletypewriter expenses incurred by the purchaser during the taxable year.

I am introducing this legislation for several reasons. It has always been one of my objectives to help the deaf and hearing impaired lead full and productive lives and TTD's would provide opportunities for these individuals to become routinely involved in the daily life of their communities. Importantly, they would also help the hearing impaired and the deaf more effectively communicate in emergency situations.

Let me again emphasize to my colleagues that I believe it is essential to help the deaf and hearing impaired function in society as routinely as possible. The use of the telephone via TTD's would be an important step forward.

PROTECTION FROM DEBT COLLECTION ABUSE IN FLORIDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, a recent article in the Fort Lauderdale News, Fort Lauderdale, Fla., recounts debt collection complaints raised in a State suit and by citizen complaints that a Florida debt collection agency has engaged in a variety of unethical practices.

This article makes clear the need for protection from debt collection harassment and that citizens when armed with a law banning unethical practices and providing civil liability can and will take steps to stop debt collection abuse.

Acting after an investigation which followed a "raft" of citizen complaints, the State of Florida has gone into court to revoke this collection agency's operating license. The State suit alone cites six times when the collection agency has violated the State statutes that apply to its debt collection activity.

Among the charges are that the collection agency contacted two consumers for months on end with such frequency

as to harass them. Another had his employer contacted—prior to final judgment on the debt in question. This practice is prohibited by the Florida law. The collection agency was also charged with attempting to collect a debt it knew as not legitimate.

Independent of the State action, three consumers have brought successful private actions in the last 3 years against the collection agency as a result of harassment. In one case, the consumer claimed the collection agency had falsely threatened that a warrant would be issued for his arrest.

Florida has adopted a strong debt collection law that prohibits specified unethical practices and provides for civil liability and revocation of licenses. Florida officials and citizens are to be highly praised for utilizing Florida's law to stop the apparent abusive practices of this in-State debt collection agency.

Unfortunately, in Florida, neither public officials nor citizens can today protect themselves from an unscrupulous interstate debt collector. This is because there is no Federal debt collection law and State law has no effect on a debt collector harassing a consumer by phone or mail from out of State.

Some consumers are worse off than those in Florida. Consumers in 13 States with a combined population of over 40 million, have no protection at all, since their States lack a debt collection law.

Yet, interstate debt collection is a thriving business. Much debt collection is done across State lines.

Congress is now moving to bring to the citizens of Florida and other States protection from the interstate debt collectors whose practices are unscrupulous.

The House has passed and the Senate is now considering a Federal debt collection law. Like the Florida statute, the Federal legislation specifies prohibited practices and provides for civil liability.

Florida officials have been quite cooperative in supplying me with information for the debt collection investigation conducted by the House Banking Subcommittee on Consumer Affairs, which I chair. A letter from the Florida Attorney General's office indicated the office receives each year hundreds of telephone calls from consumers about debt collection harassment. While strong State debt collection laws, like Florida's provide protection from in-State debt collection harassment, the pending Federal debt collection legislation is urgently needed to provide consumers from Florida and other States with the means to protect themselves from abusive interstate debt collectors.

Following is the text of this news article.

[From the Fort Lauderdale News, June 23, 1977]

STATE CLAIMS COLLECTION COMPANY IS UNETHICAL, TAKES ACTION
(By Dan Hatfield)

For the first time in Broward County, the state has taken a Fort Lauderdale collection agency to court in an effort to revoke the agency's operating license for what the state claims are unethical practices.

American Collection Agency Inc. has been

in civil court at least four times in the past three years facing various charges of harassing people in an effort to collect alleged debts. The collection agency has lost three of the suits, according to official court records.

One case was dismissed without any settlement and another was settled out of court for a payment by the firm of \$1,000. A third case was a default judgment against the firm in the amount of \$829.50 and the last was an \$11,852 jury award against the firm.

A raft of citizen complaints against American Collection and its president, Homer L. "Glen" Wade, prompted an intensive investigation by the state Division of General Regulation, the licensing agency for collection firms.

That investigation caused the collection firm's latest court battle when the state filed civil charges in Broward County Circuit Court in February against the firm in an effort to revoke its state operating license.

State investigators said the suit was filed because of citizen complaints and because Wade reportedly lied to the state when he applied for the license in September, 1972.

In the suit, the state cites six occasions in the past three years in which the company has allegedly violated the specific statutes that govern it. The cited violations are different from the four cases in which the firm has gone to court.

The suit also claims Wade failed to completely answer questions required in his application for his certificate of qualification. According to the suit, Wade "misrepresented that he had received a full pardon for the felony conviction against him in the state of Alabama."

Sources in Tallahassee and Montgomery, Ala., said Wade was convicted of obtaining money under false pretenses in 1961. Records indicate that he was released from Kilby Prison in Montgomery on June 15, 1962, after serving 13 months on the charge. The records indicate his conviction centered on his writing of a \$25 bogus check.

Wade's rights were restored, according to the records, in April, 1968. Neither Alabama nor Florida records indicate that any pardon was issued to Wade.

Police records indicate that Wade was arrested three times in Jacksonville in 1965 for failing to register as a felon. He was never convicted. The state charges in its suit that Wade had an obligation to inform them of the three Jacksonville arrests when he applied for the license.

The suit maintains that Wade's felony in Alabama is of the nature "so as to demonstrate his unfitness to direct business activities of a collection agency and is therefore disqualified from holding any license under . . . Florida Statutes."

"Basically the charges are general harassment in violation of the statute that governs collection agencies," said William Hatch, the attorney handling the case for the State. "Things like calling people at their place of employment before a final judgment in a case is entered and threatening to take someone to court or simulating the legal process."

The suit charges that American Collection Services has:

From Jan. 21, 1976, to the present communicated with debtor David Gottlieb or his family with such frequency as to harass him.

From July 14, 1976, to the present willfully communicated with debtor Jack Lippman "with such frequency as could reasonably be expected to harass him."

From July 26, 1976, to the present communicated or threatened to communicate with debtor Donald Terry's employer prior to obtaining final judgment against Terry.

From fall of 1974 to the present refused to

pay creditor Rolando Jorge all proceeds collected by American Collection on his behalf and have refused to return valuable papers to him.

From May 10, 1976, to the present threatened to communicate with debtor James T. Redington's employer prior to obtaining final judgment against him.

From Aug. 24, 1976, to present attempted or threatened to enforce a consumer claim against debtor Patricia M. Tracy, when American Collections know the claim was not legitimate.

Circuit Court records indicate that in December, 1975, Roberta Rubin filed harassment charges against the firm claiming that agents of the company wrote a letter to her employer. On Feb. 2, 1976, American Collection filed a counter claim against Mrs. Rubin. But on Sept. 20, 1976, both sides stipulated to a dismissal of the case after American Collection paid Mrs. Rubin \$1,000 for "full and complete settlement of the claims."

Records also indicated a suit was filed against the collection firm Feb. 24, 1975, charging that the firm threatened Donald M. White with jail after he stopped payment on a check for an automobile repair bill.

White claimed an agent of American Collection called his roofing firm and told one of his employees White had five minutes to call him back or a warrant would be issued for his arrest. Judge George Richardson entered a default judgment against the collection firm April 21, 1975, in the amount of \$829.50.

In January, 1975, Mr. and Mrs. David E. Eberwein filed a damage suit against American Collection claiming they had been harassed by incessant phone calls over the collection of a \$5 check, which had been returned because of an improper endorsement. The case went to trial July 16, 1976, and the jury awarded the Eberweins a judgment of \$7,500. The judge added on an award of \$4,352 for court costs and attorneys' fees. That case is currently on appeal to the Fourth District Court of Appeals.

On Oct. 8, 1975, Geraldine Bunch filed a suit claiming she had been harassed about a \$55 debt to a doctor. That case was dismissed by the court in August, 1976.

Asst. State Atty. H. Dohn Williams, who is in charge of the special investigations division, said he could not comment on whether his office is currently investigating Wade or American Collection.

COMPLIMENTING THE ADMINISTRATION FOR NOMINATING HONORABLE ALLARD K. LOWENSTEIN AS AMBASSADOR FOR SPECIAL POLITICAL AFFAIRS AT THE UNITED NATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. JACOBS) is recognized for 60 minutes.

Mr. JACOBS. Mr. Speaker, I take a special order on this occasion to compliment the administration on its nomination of an immense and tireless talent to be an Ambassador to the United Nations. He is a former Member of this body, the Honorable Allard K. Lowenstein, who has lately represented this country at the Human Rights Conference where he distinguished himself and his country through outstanding accomplishment in terms of the image of the United States of America on the question of human rights.

Mr. Speaker, Mr. Lowenstein has been nominated by the President to be Ambassador for Special Political Affairs at the United Nations. Some Members of the House may recall Mr. Lowenstein's

particular talent for cooling controversy. It was first noted before he was a Member of this body in the early days of controversies surrounding the participation of the United States in the war in Vietnam.

That controversy was a flaming controversy particularly on the campuses across the country. Mr. Lowenstein was known in those days as a person who was resolutely opposed to our unfortunate and unhappy intervention in that war, but who, nevertheless, had a capacity to cool the crowds meeting in protest and to speak in terms of reason to them.

I remember well when Mr. Lowenstein took his seat in the Congress. I do not think it was a week later that he made his maiden speech to this body. He did it at a time in the day that portrayed little knowledge of the procedures of the House of Representatives. He did it at the end of the day when a final vote had not yet been taken on the Defense appropriations bill. Those of us who respected Mr. Lowenstein were concerned and embarrassed that he did not understand the intention of the House was probably not one of reception for any speaker at that time, let alone a freshman Congressman. So he began to speak and somebody in the House began to listen and then somebody else and you could hear the Chamber quiet down. An unusual phenomenon, not unprecedented, but unusual.

In the 2 years that Mr. Lowenstein served as a Member of the House of Representatives, he made warm personal friends, and some of the most unlikely ones considering his political position on the issues, as I say, they were some of the most unlikely Members one could imagine. One of his closest friends, who proved to be a very close friend of his, was the Honorable Mendel Rivers, chairman of the Committee on Armed Services. Mr. Rivers, I believe his memory would not be served badly to say, was a hawk and I think it is reasonable to say that Mr. Lowenstein was not. But Mr. Lowenstein's faculty for sweetening over differences, disagreeing agreeably, played a large part, I think, in engendering this friendship. And I believe that Members on both sides of the aisle and in various political persuasions who served with Mr. Lowenstein, recognized his capacity to do that. He exhibited the same capacity in the recent Conference on Human Rights when people of entirely different ideological views, people who see the world entirely differently from the way we as Americans see the world, were brought together at the same table and the United States was treated with respect largely I am told because of the performance and because of the ability of Mr. Lowenstein.

So I believe it is fitting, Mr. Speaker, that on the occasion of his nomination to be an Ambassador to the United Nations that we in the House of Representatives who respect and admire Mr. Lowenstein say so for the record.

Mr. Speaker, I now yield to the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Speaker, I want to commend the gentleman from Indiana (Mr. JACOBS), upon his leadership in heading up this special order.

I too had the privilege of serving with Allard Lowenstein when he entered the House. It is hard to believe that he was here only for one term because the impact of the imprimatur that he put on this institution is something that will benefit this institution as long as it lasts. He had the qualification that the gentleman from Indiana has suggested, the capacity to call forth some of the best portions of the legislative process, to bring out in the debates the difference in ideals, the difference in approaches and yet that commonality that holds us together as one country.

I, too, was impressed and amazed at the way Al Lowenstein could quiet the House when he had something to say. I, too, was amazed with the odd-couplings that Al Lowenstein developed while he was in the House. All those qualities are the kinds of qualities that we want in our United Nations representation. I think that the President deserves high praise for recognizing the talent for Al and using him as a spokesman for the United States throughout the world. I am certain that the efforts of Al Lowenstein as a member of that delegation will bear the same kind of fruit that his efforts in the House of Representatives bore and that is good for the country.

Mr. JACOBS. Mr. Speaker, I thank the gentleman from Illinois (Mr. MIKVA) for his comments.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. ASPIN).

Mr. ASPIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I wish to associate myself with the comments made by the gentleman from Indiana and the gentleman from Illinois.

Al Lowenstein has enormous talent and he should be an asset to this organization. He will be in a position where his talents can be put to very good use for the country.

Mr. JACOBS. Mr. Speaker, I thank the gentleman from Wisconsin for his comments.

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

Mr. HARKIN. Mr. Speaker, I thank the gentleman from Indiana for yielding.

I, too, join my friends in commending the President for his appointment of Al Lowenstein as our United Nations representative.

I was one of those who kind of got my feet wet in one of the many Al Lowenstein campaigns. I always found Al Lowenstein to be one of the most thoughtful and considerate human beings I have ever known. His intellectual grasp of the problems of our society in this country and indeed of the world problems has no equal. He has always been able to kind of cut through the haze and maze of arguments surrounding issues that tend to fog them and tend to lessen their importance and to always see right to the nub of the problem.

I think it is that kind of quality that he has and that he exemplifies so well that will enable him to be one of our most eloquent spokesmen and eloquent representatives at the United Nations.

Allard Lowenstein has never been a parochial individual. His view has al-

ways been that of the broad view, taking into account the different philosophies and the different aspects of our involvement in the world community.

There is one little anecdote I remember. When Allard Lowenstein represented a very urban district here in the House of Representatives he was placed on the Agriculture Committee. As a result of his service in the committee and because I represent one of the most rural districts in the United States I have had numerous occasions to talk with him about agricultural problems, and even though he represented an urban district he came to see the problems that farmers had and he continually supported those programs that would help the small and average-sized family farmers in this country.

I think that is an indication of the type of person Allard Lowenstein is. He is not narrow, he is not parochial, but certainly he has the broad view of the world community.

Again I commend the President for nominating Al Lowenstein. I am not only hopeful but I am also confident that Allard Lowenstein will be confirmed and will go on to serve his country well in the United Nations just as he served his country well in this House of Representatives.

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

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

Mr. HARKIN. Mr. Speaker, let me add one thing to what I said previously; that is, to the issue of human rights. In all the years I have known Al Lowenstein his commitment to human rights has been unequalled. I think at this time when President Carter, this Congress and, indeed, this whole Nation, is beginning to re-impact itself, ourselves, to our philosophic heritage and that kind of commitment to basic human rights, not only in this country, but in our dealings with other countries, I think it is fitting at this point in time that Al Lowenstein does assume this position and responsibility.

I can think of no finer individual to carry forward in the United Nations our concepts of human rights than Al Lowenstein. This, if for no other reason, would commend him to our colleagues for his confirmation in this position.

Mr. JACOBS. Mr. Speaker, I thank the gentleman from Iowa for his contribution.

I yield to the gentleman from Pennsylvania (Mr. WALGREN).

Mr. WALGREN. Mr. Speaker, I would like to add my thoughts to the complimenting of the administration on the nomination of Al Lowenstein as an Ambassador at the United Nations. These are the first words I have ever spoken on the floor of the House. They have great meaning for me and, therefore, I could not be more proud than to say I am in support of Al Lowenstein. He has the recognized almost superhuman breadth of mind that gives him the ability to bring together the people whose representatives have spoken here and have seen him bring them together with almost great astonishment.

In his last campaign for Congress, one of the people you would never expect to be supporting someone definitely known as a liberal, William F. Buckley, said it was a national disgrace that Al Lowenstein was not a Member of the U.S. Congress.

I think that is an example of the respect that the political spectrum across the board has for this man's mind. He couples that breadth of mind with a moral fiber that goes deeper in him than in anyone I have ever known.

He first came to Washington as an aide to Senator Frank Graham, who was one of the first, as I understand history, to recognize the importance of desegregation and of equality in our movement in this country toward civil rights.

He was, of course, extremely close to Robert Kennedy.

There is not a better nominee who could represent the young people who have become active and involved in the legitimate politics of our country.

I first heard of Al Lowenstein when I went to Stanford in 1966 about a year after he left that school. There was even in his absence a tremendous wake, like a wake of a ship that was no longer there; but the student body was literally inspired by the moral commitment of this man. He has a history for doing the undoable politically.

I can think of no greater opportunity that is necessary to bring to the United Nations than the task the United Nations has to play in our world than a person who has done the undoable politically, who has spanned the attitudes totally unreconcilable in our political life and who has inspired new generations to bring what they have to contribute to the political process.

I am so, so pleased, that the administration has nominated that kind of a person to represent us at the United Nations in the role of an Ambassador.

Mr. JACOBS. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I thank the gentleman for yielding. I would like to associate myself with the gentleman's remarks and ask a question of the gentleman. Is the appointment of Mr. Lowenstein made with the idea that he will be our Ambassador to the Human Rights Division of the United Nations?

Mr. JACOBS. The precise responsibility of his ambassadorship is Special Ambassador for Political Affairs. Mr. Lowenstein has represented the United States at the Human Rights Conference, the recent Human Rights Conference. He is now moving over to a more general responsibility, as I see it.

Mr. BONIOR. I see. I would just like to commend the gentleman again and express my sentiments concerning Mr. Lowenstein. They would be quite similar. I believe he has been an outstanding American. He has added values that I think are important and strengthened those values in the time that he has served his country in and out of public office. I commend the President also for appointing him.

I would hope while we are discussing the U.N. and we are discussing Mr.

Lowenstein that at some point the administration, whether through Mr. Lowenstein or through Mr. Young, could reactivate that arm, that division of the United Nations, which is responsible for investigation, if you will, of violations of human rights in the nations throughout the world. That particular branch of the U.N. has floundered in recent years. I think it is time that a move forward, as Mr. Lowenstein being one of our ambassadors like Mr. Young and our other ambassadors, can help in that respect. I think it will go a long way toward implementing the work of the Conference.

Mr. BRADEMAS. Mr. Speaker, I am glad to have this opportunity to pay special tribute to our former colleague and my good friend—Allard K. Lowenstein.

Al Lowenstein has recently been appointed Alternate U.S. Representative for Special Political Affairs to the United Nations, a position which carries the rank of Ambassador. He will also continue to represent the United States on the United Nations Commission on Human Rights in Geneva.

Although most of us remember Al Lowenstein for his early and outspoken efforts in opposition to the war in Vietnam, he has been involved for many years, dating back to the 1950's, in a continuous struggle for human rights around the world.

Al Lowenstein has also had a very special relationship with an important group of my constituents: the students of the University of Notre Dame. In 1970, the university's senior class bestowed upon him its Senior Fellow award for his outstanding contributions to American society.

He annually visits the students at Notre Dame for whom he has high regard and, in return, Notre Dame students have since 1960 repeatedly made the trek from South Bend to Long Island to assist him in his election campaigns.

Allard Lowenstein's appointment will be applauded by the many Americans who know and love him.

I know that he will represent the United States at the United Nations with the same courage and integrity he has brought to every past endeavor.

Mrs. BOGGS. Mr. Speaker, I rise today to salute my friend and former member of this House, Al Lowenstein, who has been appointed U.N. Ambassador for Special Political Affairs.

Al is a longtime close personal friend of mine and my family. I have been associated with him personally in mutual interests at the Democratic National Committee during several national campaigns.

I especially admire Al's facility to span generations and relate to the needs and feelings of all kinds of people. He had the respect and affection of my own grandmother with whom he exchanged ideas, letters, and reading materials. At the same time, he inspired college students and youth into effective action.

Extensively traveled, Al Lowenstein is the author of the first definitive interpretation for Americans of the emerging nationalism of the continent of Africa. Al's

genuine love of people and his particular knowledge of the peoples of the world suit him especially well for service at the UN.

I wish to publicly congratulate Al Lowenstein on this important appointment and express my best wishes for an effective and successful ambassadorship.

Mr. EDWARDS of California. Mr. Speaker, it was with particular pleasure that I learned of Mr. Allard Lowenstein's appointment as Ambassador to the United Nations by President Carter. I have known Mr. Lowenstein personally for a number of years and have always had the highest regard for the depth of his conviction to human rights, his courage and his forthrightness. Mr. Lowenstein has had a number of involvements in human rights issues that predate the current popularity of the issue now.

He has been active in United Nations affairs all of his adult life. He served as the first student field representative of the United Nations Association and worked closely with Mrs. Eleanor Roosevelt who, at that time, was the first U.S. delegate to the Human Rights Commission.

Al was one of the first outspoken critics of the Vietnam war and was responsible for rallying much of the student opposition to the war which eventually was so crucial to the cessation of the fighting.

Most recently, and earlier this year, he was U.S. Representative on Human Rights of the United States Mission to the United Nations, during which he was responsible for the precedent-setting discussion of human rights violations in the Soviet Union.

Al is a former colleague; he was a Member of Congress during the 91st Congress. He was a special assistant to former Senator Frank Graham of North Carolina, and a foreign policy assistant to HUBERT HUMPHREY in 1959.

I am confident that Allard Lowenstein will be a real asset to our United Nations delegation and applaud President Carter's choice.

The appointment is especially pleasing to me because Al is a close personal friend and a national and world leader I have always admired and had great respect for.

Mr. JACOBS. Finally, Mr. Speaker, I think the RECORD should show that in the opinion of quite a number of Members of this body, and also citizens of the United States generally, Mr. Lowenstein has represented in his political career what we choose generally to call the best in American political life; the fundamental belief that in the battle between force and reason, there is still hope that reason will triumph. It happens that Mr. Lowenstein is an outstanding athlete, a champion wrestler in his college days, but he is a person who understands the fundamental difference between strength and brutality.

He is in every sense a gentleman. I think we sometimes forget what the word "gentleman" really means. A gentleman is a man who is gentle, and that is what Al Lowenstein is. That is the image that I think all Americans would want carried before the world, that the United States does know the difference between strength and brutal-

ity, and that we shall always strive to better ourselves through national and self-discipline, to be the strongest nation in the world, while at the same time trying to distinguish ourselves as the least brutal nation on the face of the Earth.

In the words of Roosevelt, the value of love will always be greater than the value of hate, which in essence is what is meant when we say the forces which unite are greater than those which divide.

GENERAL LEAVE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that all Members might have 5 legislative days in which to revise and extend their remarks on the subject of this special order.

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

There was no objection.

ELECTRONIC FUND TRANSFER SYSTEMS, EFTS, BILL INTRODUCED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. OAKAR) is recognized for 5 minutes.

Ms. OAKAR. Mr. Speaker, today I am introducing a bill which shall begin the process of congressional debate on the issue of electronic fund transfer systems, EFTS.

For nearly 20 years, the banking industry has become increasingly involved in computer use for the delivery of customer services as well as the internal operations of the depository institution. Today, we stand at the crossroads where currency and check will slowly give away to increased fund transfer by electronic impulse. The result, say some, is a checkless, cashless economic system. In any case, the electronic age has come to banking services, and the Congress must begin to devise law that will bring stability to this transition as well as protection to the consumer.

Presently, the National Commission on Electronic Fund Transfer, NCEFT, is preparing to issue a final report of its 2-year study into this complex issue. This bill is in no way an effort to preempt the work of this fine Commission. In fact, this bill incorporates the legislative recommendations of the Commission's interim report—February 1977—in its provisions.

This legislation addresses the basic questions that surround EFT use. Moreover, it provides for the regulation of EFTS by Federal regulatory agencies—for example, the Comptroller of the Currency will oversee EFTS for national banks, the Federal Home Loan Bank Board will oversee the savings and loans associations, and the Federal Deposit Insurance Corporation, the Federal Reserve, and the National Credit Union Administration will oversee their member institutions with regard to EFT operations.

Specifically, there are provisions for advance notice and approval by the regulatory agencies, before EFT operations could be initiated. The bill calls EFT

availability to all depository institutions on a nondiscriminatory basis, thereby addressing some of the questions of monopoly that have arisen. There is a section that provides for EFT rate schedules that reflect the cost of service to the particular customer; that is, there will be no inequitable fee distribution.

The problems of confidentiality have been addressed, so that no records of the customer's account are to be made available to persons not authorized by law or by the customer to review such records. Another important point in the EFT debate has been liability, and this bill limits customer liability to a maximum of \$50 where unauthorized access to the customer's account has been gained.

Other consumer protections devices in this bill include requirements for the depository institution to make periodic statements to the customer on the transaction, fees, and balance of the EFT account; a "chargeback" option that allows the customer to reverse a fund transfer of more than \$50 within 3 business days; and, advertising restrictions on EFT promotion by the depository institution.

The bill, in sum, is intended as a proposal to my colleagues, and it is offered as a framework on which to build other measures of EFT legislation. I ask now that we begin dialog on this issue, so that soon we can provide our bankers with the stability that they will need to bring safeguarded and efficient electronic fund transfer to the American public. The advent of a cheaper and speedier system of fund transfer brings with it many advantages to the banker and the consumer alike. However, it also brings many pitfalls. Let us forge legislation that will provide the American consumer with this electronic banking system and all its advantages and, at the same time, protect the public from the inevitable machine failings and human error that accompany all technological advances.

ROMANIA CHARGED WITH DISCRIMINATION AGAINST HUNGARIAN MINORITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KOCH) is recognized for 5 minutes.

Mr. KOCH. Mr. Speaker, I have been concerned for some time about the charges that the Government of Romania is attempting to suppress the language and culture of ethnic minorities in Romania, in particular the Hungarian minority. I have testified on a number of occasions about these charges of discrimination, but I would like to bring to my colleagues' attention the superb summary of these charges that appeared in an advertisement in yesterday's New York Times. This advertisement was placed by the Committee for Human Rights in Romania, an organization with which I am personally familiar. I have discussed the situation of Hungarians in Romania with two outstanding leaders of the Committee for Human Rights in Romania with two outstanding leaders Veress. These two gentlemen are outstanding Americans of Hungarian descent, and their thoughtful and persua-

sive arguments for their cause will surely prove effective in the long run as they work for better treatment for the ethnic minorities in Romania.

I commend their advertisement to my colleagues as an excellent summary of their charges against the Government of Romania.

[From the New York Times, July 17, 1977]

RUMANIA: MAVERICK . . . OR MONSTER?

The Rumanian government wants you to believe that it is the maverick of the Soviet bloc. For years, it has conducted a clever public relations campaign to create the image of an independent-minded, liberal regime struggling against Soviet domination.

A Columbia University scholar, Vladimir Socor, recently described the Rumanian government's technique:

In lieu of substantiation by actual policies, the nationalistic rhetoric, along with leaks and "confidences" elaborately disseminated by Bucharest to the Western press, officials and ranking visitors, have been accepted as evidence of an independent foreign policy. . . . As a result the West has afforded Bucharest, through exchanges of official visits and favorable publicity, an international respectability unprecedented for a Communist government. ("The Limits of National Independence in the Soviet Bloc: Rumania's Foreign Policy Reconsidered", *Orbis*, Fall 1976, p. 729.)

Eager to find chinks in the Iron Curtain, the American media has embraced the myth of progressive Rumania. And Washington has given Rumania vital commercial credits and loans and "most-favored-nation" status.

IS THE UNITED STATES FAVORING A MAVERICK OR A MONSTER?

"The population of 'independent Rumania' enjoys the least degree of political liberalization or economic reform, and remains subject to the tightest controls, in the Soviet bloc." (Socor, p. 729.) Last October 23rd, Tad Szulc wrote in *The New Republic*, "Children between the ages of four and seven . . . are being organized as 'the Homeland's Falcons' as part of a sweeping nursery-to-grave program designed to regiment Rumania under the twin banners of harsh Communist ideology and extreme nationalism." In fact, the Bucharest regime is the only Eastern bloc government to have retained Stalinism in its pure form.

The pressure of Rumanian tyranny is most strongly felt by the country's 3.5 million minority citizens, who are subject not only to the Communist terror, but also to an increasingly brazen campaign of forced assimilation.

After World War I, as a reward for her timely switch to the side of the victors, Rumania was awarded the multinational region of Transylvania, previously under Hungarian sovereignty for one thousand years. As a result, Rumania today is a multinational state: Its citizenry includes 2.5 million Hungarians (the largest national minority in Europe), 400,000 Germans, 80,000 Jews, and Ukrainians, Armenians, Serbs, Greeks, Bulgarians, Turks and others.

Instead of taking advantage of this rich cultural diversity, the Rumanian government looks upon it as a threat. According to a recent article in the *London Sunday Times* ("Rumania's Oppressed Minority", April 17, 1977), "Rumania's unstated but unmistakable aim is to become a state without any minorities. The evidence . . . is of a campaign to eliminate the Hungarian intelligentsia and skilled working class, which has a strong national consciousness and cultural traditions, and to break up the cohesion of Hungarian districts."

FAIR TREATMENT OF MINORITIES IS MORE THAN A MORAL OBLIGATION

Rumania has ratified the United Nations Covenant on Civil and Political Rights which,

in Section 27, provides for the rights of ethnic, religious and linguistic minorities. Rumania is also a signatory of the Helsinki Final Act, which recognizes the rights of national minorities.

Yet the Rumanian government consistently and systematically violates the rights of minority citizens:

1. Discrimination in the educational system. The Rumanian government has eliminated many Hungarian schools and has set discriminatory quotas to strictly limit the number of minority language classes (Decree-Law 278/May 11, 1973).

2. Elimination of Hungarian universities. In 1959, the 378 year-old Hungarian university at Kolozsvár was arbitrarily merged with the Rumanian Babes University, and 2.5 million Hungarians, heirs to a long traditions of scholarship, were denied the right to an independent university.

3. Dissolution of ethnic communities. Skillfully manipulating its monopoly on the labor and housing markets, Bucharest systematically disperses minority professionals and workers to jobs in disparate regions of the country.

4. Suppression of bilingualism. Although Rumania is clearly a multinational state, Rumanian is the only language used in the government bureaucracy and the courts—in open violations of Section 22 of Rumania's own constitution.

5. Curtailment of cultural opportunities. The Rumanian government has gradually curtailed or eliminated thriving Hungarian theaters, museums, libraries, cultural institutions and associations.

6. Falsification of census data. The Rumanian authorities manipulate census data so as to statistically annihilate at least 30% of the minority population.

7. Confiscation of minority archives. In an effort to eradicate the history of minority cultures, the historic archives of minority churches and institutions have been summarily confiscated and removed to state warehouses (Decree-Law 206/1974, amending Decree-Law 472/1971, and Act No. 63/November 2, 1974).

8. Harassment of minority churches. The Rumanian government deliberately interferes in ecclesiastical matters to undermine minority churches—the last bastions of ethnic heritage.

9. Obstruction of contacts with non-Rumanians. The Bucharest regime prohibits the accommodation in private homes of any non-Rumanian citizen, except members of the immediate family, so as to isolate minority citizens from their non-Rumanian friends and relatives (Decree-Laws 225/1975 and 372/1976).

10. Distortion of minority history. The Rumanian Communist Party produces and disseminates its own version of history, in order to suppress, distort or expropriate the heritage and indigenous culture of minorities.

IN EFFECT, THE COMMUNIST RUMANIAN GOVERNMENT IS ENGAGING IN CULTURAL GENOCIDE AGAINST ITS 3.5 MILLION MINORITY CITIZENS

The United States has granted trade benefits to Rumania. Those benefits are supposed to be subject to the Jackson-Vanik Amendment to the Trade Act of 1974. Jackson-Vanik assures "the continued dedication of the United States to fundamental human rights." But as evidenced by the yearly Congressional re-examination of Rumania's performance under the Act's provisions, the only human right that really interests Congress is the right of free emigration.

Most of Rumania's 3.5 million minority citizens do not want to emigrate. For Rumanian Jews, emigration means the right to return to their ancient homeland. But for the rest of the minorities, emigration would be tantamount to expulsion. They are in their ancient homeland. Their human rights have to be protected there.

The Carter Administration has now declared that the attitude of the United States toward another country is greatly influenced by that country's performance in the entire spectrum of fundamental human rights. This policy applies particularly to countries which benefit from American aid or commercial favors, and Congress has endorsed it on several occasions.

Under President Carter's human rights policy, the United States has acknowledged the problem of minorities in Rumania and has begun to take diplomatic initiatives in their interest. But the Rumanian government has intensified its effective lobbying efforts—trying to buttress the myth that it is a maverick in the Soviet bloc. And Rumania continues to depend on commercial credits and favors from the United States, while arrogantly ignoring our country's efforts to promote human rights.

WHAT YOU CAN DO TO HELP

Write your representatives in Congress and let them know that you support President Carter's human rights initiative. Tell them that you want it applied to Rumania.

Send a contribution—whatever you can—to help us continue the struggle for human rights in Rumania.

FOR EXAMPLE

I want to join the fight for human rights in Rumania. I am enclosing a check, made payable to Committee for Human Rights in Rumania, in the amount of \$—.

I would also like to be kept informed of further developments and steps you take in support of national minorities in Rumania.

Name; Address; and City/State/Zip Code. Please send your contribution to:

Eugene Brogyanyi, Coordinator, Committee for Human Rights in Rumania, Post Office Box "J", Gracie Station, New York, New York 10028.

Join the Committee for Human Rights in Rumania for a march and rally in Washington, D.C. on Monday, July 18th. The march begins at 12:30 PM at the Washington Monument, ending with a rally at the Capitol at 3:30 PM.

The Committee for Human Rights in Rumania is an organization supported by all of the major associations representing one million Hungarian-Americans. We will continue our struggle until the Rumanian government recognizes the rights of all its minority citizens.

MAKING THE FEDERAL RESERVE SYSTEM MORE ACCOUNTABLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, the House Committee on Banking, Finance and Urban Affairs is now engaged in hearings on H.R. 8094, a bill to promote the accountability of the Federal Reserve System. This is legislation which is long overdue.

Congress, under article I, section 8 of the Constitution, has the power "to coin Money, regulate the Value thereof".

After much experience with panic and depression, Congress under the Federal Reserve Act of 1913 delegated to the Federal Reserve System the day-to-day operations of its monetary power, with particular reference to the need for a "flexible currency."

When we speak of the independence of the Federal Reserve, we speak of its independence from the executive branch and not from the Congress. Congress could have delegated its monetary power to the Executive. It chose instead to dele-

gate it to the Federal Reserve, whose Board members 14-year terms effectively insulate them from executive manipulation. Though the Executive gained the ascendancy over the Federal Reserve during World War II and for half a decade thereafter, the 1951 accord between the Treasury and the Fed, negotiated by the Congress, reaffirmed and reinforced the independence of the Federal Reserve from the Executive.

For the first half century or so of its existence, the Federal Reserve can hardly be said to have been successful in its monetary policy. Until the late 1920s, there was no monetary policy worthy of the name. Thereafter, it was mostly wrong-headed. Excessively restrictive monetary policy helped bring on the depression of 1929 and snuff out the beginnings of recovery in 1937.

During the war years, and right up until the accord of 1951, Federal Reserve monetary policy was excessively dominated by the Executive, and excessively loose. During most of the 1950s, monetary policy was too restrictive, and contributed to the slow growth of the decade.

In the last 15 years, monetary policy has been too frequently characterized by stops and starts. Too much new money was created in the Vietnam years of 1967 and 1968, helping to cause inflation. Then policy reversed and became too restrictive. Overease revived again in 1972 and 1973, to be followed by the excessive restrictiveness of late 1974 and early 1975.

Then, in March 1975, Congress enacted House Concurrent Resolution 133. This resolution set up quarterly dialogs between the Federal Reserve and the House and Senate Banking Committees, and resulted in the Federal Reserve's stating its targets for the following 12 months for the money supply, principally M₁—the public's holdings of cash and checking accounts. By and large, this policy has worked very well in the ensuing 2 years.

There have been at least two exceptions, due to unfortunate relapses into stop-start policies. In June 1975, unnecessarily upset by the increase in the money supply caused by the Federal income tax rebate, the Fed put on the monetary brakes, and contributed to the slowdown in recovery in the summer of 1975. Again, in April 1977, the Fed created an exorbitant amount of new money, at an annual rate of almost 20 percent. Then, on some two-wrongs-can-make-a-right basis, it lowered the creation of new money to zero in May 1977, causing a wholly unnecessary increase in the bank prime rate.

But I hope these were monetary aberrations from a sensible new trend. I hope the Federal Reserve will be able to resist the temptation to join what Business Week calls the new Metternichs—the European central bankers—some of whom want to go back to the discredited operation of fighting inflation by so squeezing the money supply as to cause increased unemployment.

So far I have been discussing the major activity of the Federal Reserve System—monetary policy. But the Fed has two other very important functions—as prin-

central regulatory agency for State member banks of the Federal Reserve System, and as servicer of the banking system through check clearing operations and coin and currency transfers.

As I have suggested, the Federal Reserve is a more serviceable agency today than at any time in its history. Its Chairman, Dr. Arthur Burns, is an able and respected leader.

All the more reason, then, that the accountability to the public of the Fed needs to be sharpened. The five major provisions of H.R. 8094, on which the House Banking Committee is now holding hearings, would attempt to sharpen that accountability.

There follow the five provisions of H.R. 8094, and the reasons for them:

First. Make permanent the congressional-Federal Reserve dialog on monetary policy. House Concurrent Resolution 133, which authorizes the quarterly dialog, expired by its own terms at the end of 1976. Chairman Burns continues to appear quarterly before the House and Senate Banking Committees. But these appearances should be regularized and made businesslike by statute. A successor chairman, for example, could refuse to engage in the dialog, and Congress could point to no law which was being flouted.

In the course of making the dialog an ongoing procedure, two improvements are needed. That Federal Reserve monetary policy is meant to serve the Nation's goals contained in the Employment Act of 1946—for maximum employment, production, and price stability—needs to be explicitly stated.

Second, the Federal Reserve should be required to testify not only concerning its proposed monetary aggregates for the ensuing year, as House Concurrent Resolution 133 requires, but on three related matters—anticipated velocity, estimated interest rates, and portfolio composition.

First, the velocity with which money changes hands has a profound effect on the amount of new money that will be needed. The bill, therefore, includes "anticipated monetary velocity," as a subject on which the Fed should testify.

Second, as part of the overall annual economic program of both the administration and the Federal Reserve, it is necessary at least to make an estimate of the levels of interest rates—particularly on business loans and on long-term mortgages. It is not suggested that a target for interest rates be stated, but merely an estimate of expected rates.

Coordination of fiscal and monetary policy would be greatly enhanced if Government economists outside the Fed understood what the Fed's interest rate anticipations were. As the people's representatives, the Congress is also entitled to know the Fed's view of the course of interest rates for the ensuing year.

What about the fear that public revelation of anticipated interest rates would cause disruption in financial markets? This is hard to see. Making such information available to all simply removes the advantage that insiders in financial markets now enjoy, and reduces speculation based on rumors and misin-

formation that do cause instability in the markets. It is worth noting that the Fed's often-stated view that prompt disclosure of Federal Open Market Committee directives would cause disruption in the market has not proved true. The reduction from 90 to 30 days in the time FOMC decisions are kept secret has had no destabilizing effect, and in fact appears to have been beneficial.

Finally, the Federal Reserve can affect the structure of interest rates by the composition of its portfolio of securities, currently valued at close to \$100 billion, equal to one-fourth of the privately held national debt. For example, by increasing its holdings of longer term securities, the Fed can modestly bring down long-term interest rates relative to short-term interest rates. Proposed portfolio policy is, therefore, an important part of the Federal Reserve's quarterly presentation.

These broadened guidelines would avoid the present total concentration on the monetary aggregates alone.

Second. Broaden the economic interest of Federal Reserve bank directors. Under present law, the nine directors of each of the 12 Federal Reserve banks have unduly narrow backgrounds. Commercial banks elect six of the nine—three class A directors, always bankers, as their direct "representatives," and three class B directors from "commerce, agriculture, or some other industrial pursuit." The three class C directors are chosen by the Federal Reserve Board of Governors, with nothing said as to who they may be.

As the Banking Committee staff study—"Federal Reserve Directors: A Study of Corporate and Banking Influence," August 1976—disclosed, this has produced a representation grossly banker oriented at the expense of other groups. Furthermore, it has resulted in the virtual exclusion of women, blacks, and representatives of labor unions and consumer interest organizations.

H.R. 8094 would remedy the situation with respect to discrimination by requiring that all directors—A, B, and C—be chosen "without discrimination on the basis of race, creed, color, sex, or national origin."

As to economic representation, the three class A directors would be left as they are now—bankers.

Class B directors would be specifically designated "public" and broadened from the present "commerce, agriculture, or some other industrial pursuit" to "with due but not exclusive consideration to the interests of agriculture, commerce, industry, services, labor, and consumers." While class B directors are elected by the member banks, they should be chosen from a broader category than the ambiguous existing "commerce, agriculture, or some other industrial pursuit." It is archaic to concentrate, for example, on "industrial pursuit," when service industries are steadily becoming more prominent than the purely industrial pursuits which were in everyone's minds in 1913 when the Federal Reserve Act was written. "Services, labor, and consumers" are groups of our citizenry whose economic

interests entitle them to consideration for seats on the Federal Reserve Bank Boards.

Class C directors would be chosen, as now, by the Federal Reserve Board of Governors. But instead of no language as to qualification, they would have the same qualifications as class B directors: they must represent the public, and "with due but not exclusive consideration to the interests of agriculture, commerce, industry, services, labor, and consumers."

These first two provisions of H.R. 8094—the permanent congressional Federal Reserve dialog, and the broadening of the Federal Reserve Bank directors—are substantially similar to H.R. 12934, which passed the House by a vote of 279-85 on May 10, 1976. Because of the adjournment of the Senate in September, 1976, the bill did not reach action there.

Third. Require Senate confirmation of the Chairman of the Board of Governors. Under existing law, members of the Federal Reserve Board of Governors, who serve 14-year terms, are subject to Senate confirmation at the time of their appointment; one of the Board members is designated by the President to serve as Chairman for a 4-year term, but without Senate confirmation. Thus, the President can designate as Chairman someone who was confirmed by the Senate some 13 years previously, yet the Senate be powerless to confirm the appointee to what was recently called the Nation's No. 2 position. The bill would make the President's choice of Chairman subject to the advice and consent of the Senate. The Federal Reserve recently told this Committee that it has no objection to this provision.

Fourth. Prevent the Fed's using banks as its lobbyists. The Federal Reserve System has been using bankers—who are deeply beholden to the Fed because of the Fed's ability to give or withhold a discount window loan, or to give or withhold such privileges as approval for a merger, holding company acquisition, or an Edge Act office—to lobby on the Fed's behalf with legislators and other Government officials.

For example, as revealed by the minutes of the board of directors of the Federal Reserve of Chicago for May 23, 1974, Vice Chairman George W. Mitchell of the Federal Reserve Board of Governors commented on the lobbying efforts of the Fed to kill the bill requiring a GAO audit:

Governor Mitchell also noted that the GAO audit bill should come up for vote next week on the floor of the House. Reserve bank directors have been helpful in contacting Congressmen and hopefully the bill can be at least amended to restrict the type of audit if chances for outright elimination lessen.

Chicago Federal Reserve Bank President Robert P. Mayo at the same meeting called for continuing lobbying efforts:

Mr. Mayo commented further on the GAO audit bill, noting that it is House Bill numbered 10265 and should be up for consideration on May 29. He then requested each director to make whatever calls seem natural to him in order to encourage support for the Federal Reserve position.

The Philadelphia Federal Reserve Bank, in its minutes for May 4 and May 18, 1972, described its use of private commercial banks and the New Jersey Bankers Association against a New Jersey bill which might have attracted independent banks away from the Fed:

President Eastburn said there was a Bill in the New Jersey Assembly to permit nonmembers to keep up to 50 percent of their reserves in government securities. He indicated that this Bank had been in touch with New Jersey bankers, the New Jersey Bankers Association and key legislators to express the feeling that the Bill would be divisive, inequitable, and disruptive, and would have an adverse effect on membership. He reported that the Bill had recently been sent back to Committee.

Again, the Richmond Federal Reserve Bank has also been adept at using bankers as official unregistered lobbyists for the Fed. In October, 1975, Richmond Federal Reserve Bank Chairman Robert W. Lawson, in a speech to the American Bankers Association at Hot Springs, Va., congratulated the bankers for their great lobbying assist to the Fed. Chairman Lawson's remarks were the subject of a colloquy between myself and Chairman Arthur Burns of the Federal Reserve Board of Governors at a hearing before the Subcommittee on Financial Institutions Supervision, Regulation, and Insurance of the Committee on Banking, Currency and Housing on January 21, 1976:

Chairman REUSS. Let me now get into the area of politics, which you brought up several times this morning in connection with the audit bill for the Fed. On October 1, 1975, the American Banker carried an interesting story on your Reserve Bank chairman in Richmond, Robert L. Lawson.

The headlines was, "Federal Reserve Board Official Halls Bank Role in Killing GAO Audit of the Fed." And then it went on to describe his speech to a bankers group, in which he said:

"Banks played a key role in blocking a Congressional audit of the Federal Reserve Board. The bankers in our district and elsewhere did a tremendous job in helping to defeat the GAO bill. It shows what can be done when the bankers of the country get together."

My question is: If you get the support of the banks on an issue which is of great concern to you, whether Congress has the right to audit your books or not, are they not likely to expect in return kind treatment, from you as a regulator? They would not get it, of course, but are they not likely to expect it?

Dr. BURNS. As for Mr. Lawson's statement, let me merely remind you that, as I indicated in my testimony, we have in the System 269 directors, and neither I nor the Board can be responsible for what individual directors may or may not say.

Chairman REUSS. Did not the Federal Reserve people, to your knowledge, communicate with the banks about bank lobbying against the audit bill?

Dr. BURNS. I played no part in this activity at all, not because I would consider it wrong, but because I did not have the time.

Chairman REUSS. My question was, with respect to people at the Fed, was there not a little communication there?

Dr. BURNS. Yes. That is to say, there was some communication between our various directors, not with bankers as such, but with bankers, journalists, business people. I do not know whom they contacted. And that,

I think, is an entirely legitimate activity. After all, do not Members of Congress want to hear from their constituents?

It is just as improper for the Federal Reserve System to use a regulated industry as its lobbyist as it would be for, say, the Federal Power Commission to enlist executives of the oil and gas companies it regulates to lobby Congress on matters of concern to the FPC. Such activities by the Federal Power Commission, would, of course, be clearly illegal under the overall act forbidding lobbying by administrative agencies with money appropriated by the Congress (18 U.S.C. 1913). The Fed is technically exempt from this statute because its funds are not appropriated by Congress.

Such use of the banks for lobbying purposes should cease. Accordingly, section 4 of H.R. 8094 forbids directors or officers of the Federal Reserve from getting banks or other institutions regulated by the Fed to lobby for legislation at the Fed's behest.

Fifth. Prohibit Federal Reserve officers, employees, and director from acting where they have a conflict of interest.

Under existing law, employees and officers of the U.S. Government may not participate in any matter before the Government in which they or a member of their family or business have an interest, unless there is first a full disclosure of this interest and an official written determination by an official that this interest is not substantial. The Fed is not covered. H.R. 8094 extends this prohibition to Federal Reserve Bank officers, employees, and directors. The minutes of Federal Reserve Bank meetings previously referred to contain instances of Federal Reserve officials proceeding to exercise their authority despite a clear conflict of interest.

The proposal for an audit of the Federal Reserve System contained in an earlier version of the Federal Reserve Reform Act of 1977 has been dropped because the House Government Operations Committee on June 28 reported a bill providing for such an audit, H.R. 2176. That bill provides for an audit not only of the Fed but of the Comptroller of the Currency and the Federal Deposit Insurance Corporation.

Taken altogether, this legislation will make the Federal Reserve System more accountable. As Dean Jonathan Swift said:

Providence never intended to make the management of public affairs a mystery, to be comprehended only by a few persons of sublime genius.

A TRIBUTE TO AL LOWENSTEIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. DOWNEY) is recognized for 10 minutes.

Mr. DOWNEY. Mr. Speaker, I understand that Mr. Al Lowenstein has been named one of the five U.S. Ambassadors to the United Nations.

Mr. Lowenstein previously served as the U.S. Representative to the United Nations with the Human Rights Commission. He is a dedicated, well-qualified public figure whose whole career has

been marked by a commitment to human rights, civil liberties, and a fight against discrimination in all its ugly forms.

In addition, Al Lowenstein is known to his friends as a man whose high moral principles have not been compromised for the sake of political expediency. In view of the Carter administration's emphasis on these very same values, Mr. Lowenstein will be an able advocate of our new foreign policy initiatives.

Those of us who admire Mr. Lowenstein for his past work believe he will ably serve the interests of this country at the United Nations. We commend the President for his excellent nomination.

ORDER OF PROCEDURE ADOPTED BY MEMBERS OF AD HOC COMMITTEE ON ENERGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. ASHLEY) is recognized for 10 minutes.

Mr. ASHLEY. Mr. Speaker, for the benefit of my colleagues who have been involved with the many complex problems attendant on dealing with the President's national energy plan, I would like to submit for the Record the order of procedure that was agreed to by the members of the Ad Hoc Committee on Energy, and the opening statements that were made at the procedural meeting of our committee.

I would like to pay tribute to the minority members of the Ad Hoc Energy Committee for their cooperative attitude in agreeing to consider this bill on a subject-by-subject basis, and for sharing the majority members' commitment to prompt action on this critical legislation.

In just 2 weeks, the House of Representatives will be voting on the recommendations made by this committee and the standing committees. It is expected that the House will also be able to vote on the major national and regional issues that are treated in this legislation, irrespective of the recommendations of the ad hoc committee and the standing committees. By this agreed-upon procedure, Mr. Speaker, I am confident that the House will fashion a national energy policy that has been developed in the fairest possible fashion and within the time constraints that you have given us.

OPENING STATEMENT OF HON. THOMAS LUDLOW ASHLEY, CHAIRMAN, AD HOC COMMITTEE ON ENERGY, JULY 15, 1977

We are meeting this morning to discuss a proposed Order of Procedure to be followed by the Ad Hoc Committee on Energy as it considers the legislative components referred to it by the standing committees of jurisdiction, pursuant to H. Res. 508.

In a broader sense, we are meeting this morning to determine when a National Energy Plan—which the President proposed, which the people support and which the country urgently needs—will be enacted by this Congress.

The standing committees of the House have responded to the task. In particular, the Commerce Committee and the Committee on Ways and Means have completed action in record time on dozens of the most intricate, complex and controversial portions of the voluminous set of legislative proposals—some 113 in all—contained in the energy package.

It now remains for this Ad Hoc Committee to play its essential role, and to do so with the same dispatch and commitment.

What is the role of our Committee? When the Majority Leader, Jim Wright, offered H. Res. 508, he explained that its purpose would be "to draw together an interdisciplinary group from various Committees of regular jurisdiction in order to provide one general comprehensive overview" and to "facilitate an opportunity, hitherto lacking, for the House to work its will in achieving a comprehensive energy policy . . . but to do so without robbing or emasculating the jurisdiction of the Standing Committees of the House."

Our ranking Minority member, Mr. Anderson, said on this same occasion that "if the Ad Hoc Committee is to serve a useful purpose at all, it must not only be a coordinating mechanism which will seek to put back together into a single resolution or bill or piece of legislation the various recommendations and proposals, but also have the authority to offer recommendations and proposals of its own as a substitute, if necessary."

The Speaker himself, in a letter to members on April 20th, affirmed that this Committee "will not have the authority to change the recommendations reported by the standing committees (but) will have authority to recommend amendments for consideration on the floor."

Throughout the process, he went on to say, "it is my intention to protect the prerogatives of the standing committees, drawing on their experience and expertise. What the Ad Hoc Committee adds," he said, "is an opportunity for comprehensive consideration of our national energy policy. It can function as a conference committee of the House to facilitate resolution of competing claims (and thus) smooth matters on the floor."

Perhaps (and this is the view of the chair) it isn't wise to try to define too precisely the role of this Committee. I suggest this not only because I have an instinct for self-preservation but because ours is a new role and as such requires the ability to adjust and adapt.

I think it is most important, however, to be sensitive to the constraints and limitations that directly or by inference have been placed upon us. Our Committee is not a permanent committee nor does it have the responsibilities and prerogatives of a standing committee. We have legislative authority, as described, to be exercised with due regard for the lead role of the committees of jurisdiction which have sent us their recommendations.

Because the scope of the energy package is unusually broad, and because the focus of our standing committees by definition is limited, our Committee will be expected to review the major policy implications of the various components referred to us from the wider perspective of a comprehensive, integrated set of energy strategies and goals and to make recommendations accordingly.

If this is a fair and accurate assessment of this Committee's mandate, I submit that with the legislative competence here assembled, and with hard work, we can meet our responsibilities on a timetable that allows the National Energy Act to be voted upon by the House by the end of the first week in August, as prescribed by the Speaker. I should add that Senator Byrd, the Senate Majority Leader, has repeatedly emphasized the essentiality of the House meeting this timetable if the Senate is to be able to complete action prior to adjournment in October.

Our time is very limited. Because all of the reports from standing committees

won't be available until next Tuesday, our Committee won't be able to begin its work until the following day, Wednesday, July 20. This means that there will be six working days—including Saturday and Sunday—to complete action by this Committee on Monday, July 25. With the three-day reporting requirement, the Rules Committee will be able to act on Friday, July 29, and the legislation will then be ready for floor action during the week ending on August 5.

I acknowledge that in terms of schedule this is a full plate—but no more so than that which confronted Commerce and Ways and Means only a few weeks ago. It's manageable if we make it manageable.

The Order of Procedure which I'm recommending will allow us to consider the bill by seven major subject areas as set forth in the proposed Order which each of you has before you. This is of utmost importance because a number of strategies involve the interaction of both tax and regulatory treatment which must be considered in relation to each other in order to achieve a rational, integrated product.

I'm also recommending, on a necessary but limited basis, that certain provisions within the seven major subject areas be considered as read and open for amendment at any point. The membership can be assured that there will be a thorough explanation of these sections before the offering of amendments, as well as a thorough explanation of the major subject area in which the section is located.

The subject of hearings has been raised and I think it only proper that I respond. As indicated in my earlier comments, this is not a de novo proceeding. That was the role of the standing committees. Their recommendations—the product of lengthy hearings and voluminous testimony—are now before us. Respected members of those standing committees—Democrat and Republican alike—are members of this Committee. There will be no difficulty in framing the important policy issues in each of the seven major subject areas and there will be sufficient time for due deliberation of these policy issues and for such amendments as members may offer.

In conclusion, let me say that the Chair has no intention of being arbitrary or of presiding over a legislative stampede. The Order of Procedure which I am recommending will make more manageable the task before us. If the Order is not agreed to, then we will proceed under a more cumbersome and time-consuming procedure. But proceed we will, all day and into the evening if need be, Saturday and Sunday as well.

The members of this Committee, let me say, have been given a responsibility and a challenge that come to few legislators. I have absolute confidence that we will respond in the best traditions of this House. Our country needs a sound energy policy and it needs it now. The House must act now, not after the August recess, because the Congress must finish the job this year, not next. This is the reality that must motivate and guide us in the days ahead.

I'd like now to call on Mr. Anderson for any comments he may wish to make.

MR. ANDERSON. Thank you very much, Mr. Chairman. I share completely the feelings you have just expressed that the task before us is a very critical one, perhaps as critical and important as any task any of us on this committee have faced during our public service.

Mr. Chairman, the ad hoc committee is today beginning to exercise a legislative responsibility which I consider to be one of the most critical tasks that each of us will face during our tenure in this city doing the public's business. It is a proud day for me to be sitting on this highly select committee

and I look forward to the work of the coming weeks.

The nation is at a critical juncture in its history. We have reached the end of a long era of cheap energy, energy which has fueled this rise of our nation to its present position in the world but energy as well which has spoiled us with its availability, its versatility and its cost.

The roots of the public reaction to our energy crisis are a result of the cheap energy we have enjoyed. A clear separation does not exist in the public mind between the availability of supply and what that supply will cost. Such a distinction has not been important in the past but it is the key to successful energy policy-making now. I completely understand the nature of public opinion. Our people want to continue using energy as they have in the past and they think that someone can make that possible.

Such an illusion cannot be allowed to persist. The fact is that we have run out of cheap energy—we have not run out of energy nor will we in the foreseeable future. Additional supplies will only come with more work and higher cost whether they be solar, coal, nuclear or new discoveries of oil and gas. To begin the transition to a more normal relationship with our energy supplies, a message of reality must be brought to the American people. The President has endeavored to bring such a message publicly and in terms of the bill he has sent to the Congress. That message has and must continue to be cognizant of the fact that certain classes of Americans will be severely hurt by the transition to this new era and every effort must be made to alleviate those hardships which are appropriately dealt with by the government.

The procedures which we adopt today to mark up and report this bill are going to be critical to how the bill will be received in the whole House and by the American people. To date the House has performed yeoman service in reporting the bill as it now stands. In less than two months from the date the President addressed this body in joint session, the bill has been marked up and reported. I want to commend my colleagues on the standing committees for the dispatch with which they have worked and for the many long hours that they have invested in writing the latest of many pieces of our national energy policy.

The role of the ad hoc committee is an equally if not more important role. It is our job to examine those separate submissions from the standing committees and make certain that two essential criteria are met:

(1) That the pieces are consistent internally and between each other. For cases where policy conflicts exist between various committees those conflicts must be resolved by the ad hoc committee.

(2) That the bill represents a significant step towards achieving critical national energy goals. If what the standing committees report is insufficient to meet those goals, then we here in this room must adopt alternatives or additional plans to achieve those goals.

On January 24, 1977, I sent to the leadership of the House, including the chairman and ranking minority members of all of the energy committees and subcommittees, a letter recommending that key leaders from the standing committees having energy jurisdiction be drawn together to form a high-level policy committee to establish national energy goals and to work for legislation which would achieve those goals.

I am pleased that the structure I outlined in that letter is remarkably similar to the committee that meets here today. And I find it equally heartening to hear repeated statements by the Speaker and the chairman of this committee that what this committee is about is just what I envisioned—to set and meet important national energy goals.

What we have before us today are the outlines of a workable national energy policy. I am more pleased by what the administration has done and the Congress so far basically ratified than what I realize could have been done. The signals sent to the American people tend to look more like marketplace signals than regulatory signals and that is a good start. Energy costs in this bill will generally be set, albeit artificially through excessive reliance on taxes, at a replacement costs level. Taxes and other tax incentives will attempt to move our energy use from heavy reliance on oil and gas to coal and other long-term resources.

But in spite of the magnitude and ambition reflected in this bill, the biggest problem the bill faces is its inability to meet its own goals. We will be far from six million barrels of oil imports in 1985. We will be far from a 10 percent reduction in gasoline consumption. We will be far from a two percent growth in energy. We will be far from 1.1 billion tons of coal being used and we will fall short of the goals of putting insulation and solar energy in American homes.

And this is backed up by literally everyone of the expert analytic arms of the Congress—Office of Technology Assessment, General Accounting Office, Congressional Budget Office and the Congressional Research Service.

In the light of this advice from our own experts, it appears as though the leadership is bent upon pushing this bill out of this body at breakneck speed. The resolution before us today demands we finish seven very complex, major pieces of legislation in less than 24 hours each. There is no way that members of this committee who have not had prior exposure to the legislation can weigh all of the issues and vote responsibly on that section of the bill. Our job is to make sure that the plan will work. All we will be able to say if we succumb to this resolution of procedures, is that we barely worked on the bill. The pace that is being set is not in the best interests of this body nor of the nation. I never envisioned this committee to be a rubber-stamp committee and I do not intend to sit idly by to permit it to become that.

The second problem we have here today is also driven by the pace and timing set by the leadership. There will be no hearings before this committee. No witnesses will appear to tell us whether they think this plan as a whole is good, bad or indifferent. The members of this committee will operate in the dark. There is only sketchy information coming from the administration on what effect the bill will have. And when the bill goes to the floor, we on this committee will have to face the criticism.

Yesterday, I delivered a letter to the chairman, signed by 16 members of this committee, requesting that prudence and responsible consideration of the bill dictates that the committee seek advice from the American people on what the bill will do. I reiterate that there are parts of the bill that make sense. There are parts of the bill that I have strong reservations about. It is clear to me that because of the nature of this resolution, it will not be possible to fill in those gaps either for majority members of this committee or for members on my side of the aisle.

What we will take to the floor then, is a bill which few members will even try to understand and which members of this committee will not be able to defend. If the ad hoc committee stands mute on the floor, then the bill is going to fail. I do not want that to happen. And if the bill fails, the Congress will have missed a significant opportunity to make an important step towards resolving our energy problem. It is my opinion that if we fail this time around, it is going to be extremely difficult to restart the process.

I do not want to leave the members of this body with the impression that what I am recommending is a delay for the sake of delay. That is not my recommendation at all.

What I am recommending is for this committee to seek the opinion of the American people on what they think is good or bad about this bill. It may be that the criticisms are completely unjustified and we change not a single word from what has been reported by the standing committees. But we would be informed and we could defend our actions on the floor. We could say that we had heard the criticisms and we felt that in spite of them, the national interest dictated that we take the action we have. I would personally feel much more comfortable in that position and I think most of us here would as well.

Thank you, Mr. Chairman.

ORDER OF BUSINESS PROCEDURE AGREED TO BY THE AD HOC COMMITTEE ON ENERGY, JULY 15, 1977

Ordered, that on July 20, 1977, the Ad Hoc Committee on Energy shall proceed to the consideration of a clean bill referred to the Committee incorporating the recommendations, which have been referred to the Ad Hoc Committee, of the committees to which was initially referred the bill, H.R. 6831, to establish a comprehensive national energy policy. In the consideration of said bill, the Committee shall proceed as follows:

(a) The bill shall be considered by seven major subject areas in the following order, and only those parts of the clean bill which correspond to the following provisions within each subject area of H.R. 6831 as reported by the various committees shall be considered as read and open for amendment at any point:

(1) Residential and Commercial Conservation—

Title I:

Part A—Energy Conservation Programs for Existing Residential Buildings (including the provisions of H.R. 7893 as reported).

Part C—Energy Conservation Program for Schools and Hospitals.

Part G, Subpart 3—Demonstration of Solar Heating and Cooling in Federal Buildings.

Title II: Part I—Residential Energy Tax Credit.

(2) Transportation—

Title I:

Part B, Subpart 2—Disclosure of Automobile Fuel Inefficiency Tax and Disclosure of Automobile Fuel Efficiency Rebate.

Part G—Federal Energy Initiatives.

Part G, Subpart 1—Federal Vanpooling Programs.

Title II: Part II—Transportation.

(3) Crude Oil Equalization Taxes—

Title II: Part III—Crude Oil Tax.

(4) Natural Gas—

Title I: Part D—Natural Gas.

(5) Increased Coal Use and Oil and Gas Conservation—

Title I: Part F—Amendments to Energy Supply and Environment Coordination Act.

Title II:

Part IV—Excise Tax on Business Use of Oil and Natural Gas.

Part V—Credit Against Tax on Business Use of Oil and Gas.

Part VI—Changes in Business Investment Credit to Encourage Conservation of, or Conversion From, Oil and Gas or To Encourage New Energy Technology.

(6) Public Utility Regulatory Policies—

Title I:

Part E, Subpart 1—General Provisions.

Subpart 2—National Electric Rate Design Policies.

Subpart 3—Bulk Power Supply.

Subpart 4—Natural Gas Rate Design Policies.

(7) Miscellaneous—Findings—Goals—

Title I: Part B, Subpart 1—Energy Efficiency Standards for Consumer Products.

Title II:

Part VII—Miscellaneous Provisions.

Part VIII—Congressional Procedures for Either House Veto.

(b) As soon as possible after the reference to the Ad Hoc Committee of the clean bill, the staff shall prepare a schedule showing the sections thereof which correspond to the order of business indicated above.

(c) No section shall be in order before the Committee unless 24 hours in advance of the consideration of the relevant subject areas, (not including weekends or holidays) the staff has provided a copy of the pending text of the bill to each Member, and also has provided concise explanation of its contents.

(d) To the extent consistent with the fair but expeditious consideration of each subject area, the Committee shall conclude consideration of each of the subject areas within a reasonable period to be determined by the Chairman in consultation with the minority and shall make every concerted effort consistent with its responsibilities to weigh the overall intent of the plan, to conclude consideration of all sections as soon as possible.

(e) Members shall insofar as possible provide at least 50 copies of each amendment to the clerk at the convening of proceedings on the day on which the amendment will be offered.

(f) At the conclusion of the consideration of the seventh subject area, the bill shall be considered as having been read for amendment, and it shall be in order to offer a motion to instruct the Chairman of the Ad Hoc Committee to report the bill to the House with such perfecting amendments as may have been adopted by the Committee, including technical and conforming amendments.

WATERWAY USERS TAXES AND LOCK AND DAM 26

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 30 minutes.

Mr. ALEXANDER. Mr. Speaker, I want to take this opportunity to congratulate the chairman of the Ways and Means Committee, Mr. ULLMAN, for his forthright and decisive action in upholding the prerogatives of the House of Representatives regarding Senate action on H.R. 5885, the river basins authorization bill.

As many of my colleagues know by now, the Senate, on June 22, made an ill-considered move in adopting an amendment which would have ordered the Department of Transportation to impose a system of taxation on the users of America's inland waterways. I consider the linkage of this issue to the question of reconstruction of facilities at lock and dam 26 on the Mississippi River to be wholly inappropriate.

By this action the other body clearly acted in violation of article I, section 7 of the Constitution which reserves to the House all powers to initiate revenue raising measures. By postponing action on the Senate's request for a conference on H.R. 5885, the Speaker and Mr. ULLMAN have preserved the constitutional privileges of the House while providing Members with an opportunity to reflect

on the merits of the controversies surrounding the waterway users issue.

I want to speak briefly to a few of those issues. However, I contend that neither I nor any of the proponents of waterway users taxes fully understand the full effects or total impact potentially to be felt from such taxes if they were to become law.

I consider the attempt to impose waterway taxes at this time to be particularly unfortunate for two primary reasons.

First, our Nation faces severe energy shortages now and in the foreseeable future. We should encourage and facilitate the use of the most energy efficient systems, particularly transportation systems.

Second, we again face a crisis in American agriculture that threatens to crush the farmer between rising costs and falling prices. To raise transportation costs through taxation of one of the farmer's primary sources for movement of the supplies he needs and the commodities he produces will worsen the farm crisis.

Let me elaborate on each of these points, beginning with the energy efficiency of water transport.

The greater energy efficiency of the waterway transportation mode is achieved largely by the natural buoyancy of water itself. A man who can move a river barge loaded with 1,000 tons of freight by pushing it or pulling it with a rope could never budge a railroad car by hand, whether loaded or empty. The average of Btu's required in both upstream and downstream transport by barge has been shown by numerous studies to be less than the Btu's used to move the same freight between the points of origin and destination by rail.

Most studies comparing water to rail transport in recent years have been in agreement that water transportation requires less fuel to do the job, though it takes longer than rail transport generally. As it is becoming increasingly clear that we must maximize our energy supplies while achieving the greatest economies of scale in our transportation infrastructure, it makes no sense to me to adopt measures such as user taxes on this highly efficient, environmentally sound, and energy-saving transportation system.

One effect of proposed taxes would be to divert between 10 and 20 percent of present and future barge freight to the highly subsidized, less energy-efficient rail lines. This can hardly help us solve our Nation's energy crisis. It can only add a further obstacle to achieving that goal.

Second, the beneficiaries of the waterways are not limited to the barge lines themselves. All Americans benefit through lower prices and costs for the multitude of products transported by the water-borne carriers. Of special significance is the important role played by the waterways in American agriculture.

As we are considering the 1977 farm bill this week, it is especially appropriate to consider how dependent agriculture is on water transport. Basic supplies such as fertilizer are moved at reasonable costs and in large amounts on the water. But

farmers are even more dependent on barge transport for the movement of grain and other commodities from the agricultural heartland to the Nation's seaports for sale abroad.

The future of agriculture, the ability of our farmers to efficiently move their produce into world markets, and ultimately the soundness of the dollar are directly tied to the maintenance of a sound waterway transportation system.

To adopt taxes raising the costs of using America's waterways can only add to the inflation burdening the American farmer and consumer. The barge companies can pass the increased costs on to the farmer and consumer cannot.

Therefore, we undermine our efforts to aid and protect the farmer's income and the consumer's food supply when we act to unnecessarily inflate costs through taxation.

Finally, despite what I believe will clearly be harm done to our efforts to meet our energy needs and protect our agricultural system, there are certain to be other effects that would result from the adoption of a waterways taxation system that are presently unknown.

I urge that the appropriate committees in both the House and Senate give careful consideration to the costs and benefits from such proposals before recommending action. I certainly hope that we approach this complex and crucial issue with greater understanding, study, and preparation than was evidenced by the recent Senate action.

At the very least, we should maintain the separation of the broad question of user taxes on the inland waterways from narrow questions such as lock and dam 26. Each should be considered on its own merits.

NEUTRON WEAPONS STOCKPILE MODERNIZATION

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

Mr. PRICE. Mr. Speaker, some years ago Lynn Montross, who was an historian for the Marine Corps, wrote a book titled, "War Through the Ages." The book does a remarkable job detailing man's inhumanity to man from about day 1 of recorded history through Korea. From it I learned that the Quislings, those who sold out to the enemy, were known in the days of Genghis Khan. Montross relates how the Pope in the 11th century outlawed a new terror weapon which was wreaking havoc on the armored cavalry. The new weapon, the crossbow, would knock the knight off his horse. Flat on his back on the ground, he was an easy victim for the infantry if, in fact, the blow from the bow's projectile did not kill him. The crossbow was ineffective against buildings. Compared to previous bows, however, it had enhanced blast against knights in armor.

The current fuss about the so-called neutron bomb is without merit. The warhead should have been called the "reduced blast/thermal" warhead instead of the "enhanced radiation" warhead. This

would have brought forth kudos for the developers of this new humanitarian approach to saving the lives of innocent civilians, should nuclear war erupt in Europe.

George F. Will had an excellent article in the July 7, 1977, Washington Post. I recommend it to those who wish to understand why a weapon with high neutron output, but low blast and thermal output, was developed. Mr. Will very clearly points out why those who oppose this new weapon do so:

In other words, a weapon must be so indiscriminately destructive in blast and fire effects that we will be deterred from using it. Similarly, Hatfield objects to neutron weapons because, being precise, they "invite" use.

The article follows:

THOSE BLASTS AGAINST NEUTRON WEAPONS
(By George F. Will)

Sen. John Heinz (R-Pa.) says a neutron warhead for battlefield missiles or artillery is "dehumanizing" because it "singles out people for destruction, choosing to preserve buildings instead." Newspaper reports have said that neutron weapons destroy people "rather than" property, or "while sparing" property.

In fact, neutron weapons do not "preserve" or "spare" property. But this kind of rhetoric has stimulated intemperate and uninformed outcries against such weapons. So before the debate boils to an irrational climax, this should be noted:

The principal objection to neutron weapons is not that they destroy people. Rather, the objection, made in the name of moral sensitivity, is that they do not destroy people and property as indiscriminately as the less precise tactical nuclear weapons that neutron weapons would replace.

All nuclear explosions produce four lethal effects: blast, heat, radiation and fallout. Neutron weapons produce only about one-tenth of the blast, heat and fallout produced by regular nuclear weapons.

Radiation from neutron weapons is more intense, but more confined; it can be confined to a radius of 300 yards. And it is short-lived; an area hit by a neutron weapon can be occupied the next day.

One newspaper reports that neutron weapons are "more detrimental to humans than to buildings," a description that also applies to bullets. Sen. Mark Hatfield (R-Ore.) says neutron weapons are "in the realm of such devastation that it is difficult to comprehend."

Not really. Nuclear weapons that neutron weapons would replace would destroy civilians and homes far beyond the battlefield area to which the effects of neutron weapons would be confined.

Since industrial organization became the basis of military power, and especially since the development of air power, the theory and practice of war has blurred the distinction between combatants and noncombatants. Neutron battlefield weapons are a step back from the indiscriminateness of modern war technologies. They make possible reduced collateral damage to civilians.

And that is why they are opposed.

Paul Warnke, President Carter's arms-control adviser, once said, with characteristic excess, that new tactical nuclear weapons capable of more controlled devastation would be "an absolute disaster." Weapons "with lower yield and greater accuracy and presumably few collateral consequences" would undermine the self-deterrence of nations that possess them.

In other words, a weapon must be so indiscriminately destructive in blast and fire effects that we will be deterred from using

it. Similarly, Hatfield objects to neutron weapons because, being precise, they "invite" use.

Sen. Sam Nunn (D-Ga.) rightly notes that opponents of neutron weapons fear that the United States might not be sufficiently reluctant to use them. But as Nunn argues, a deterrent is credible only to the extent that it is usable:

"Those who oppose the warhead apparently believe in self-deterrence . . . that we should keep the weapons so destructive we would never use them or if we did use them, it would only be under the most desperate of conditions. . . . By deterring ourselves from using tactical nuclear weapons, except weapons which would destroy the territory we are pledged in NATO to protect, the advantages which the Soviets now maintain in conventional arms are greatly magnified. . . . I remind my colleagues that the purpose of deterrence in Europe is to deter Soviet aggression, not to deter ourselves from responding to that aggression."

Rejection of clean, precise neutron weapons would be destabilizing in two senses. On the one hand, the Soviets would be given reason for doubting that the United States would use existing tactical nuclear weapons, with their devastating collateral effects, while fighting on allies' soil. On the other hand, while NATO forces are equipped only with such imprecise weapons, NATO will be under pressure to use them early against attack, before superior Soviet conventional forces move the battlefield from the border into the heart of Western Europe.

The basic objection to neutron weapons constitutes an objection to tactical nuclear weapons in general. Neutron weapons do not involve a departure from established principles for defending Europe with tactical weapons.

Opponents should calculate the cost—in money and, in the event of war, in allied and civilian lives—of alternative means of coping with the Soviet advantage in conventional forces. They should, but they won't.

SOCIAL SECURITY REFORM

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, no program affects the financial well-being of our Nation's elderly to the extent that the social security system does. It is imperative that we in Congress act promptly to restore financial stability to the system. The President has submitted his proposals, and the Social Security Subcommittee of the Committee on Ways and Means has begun hearings on these proposals this week. I had the privilege to be the leadoff witness at these hearings and would like to share my comments to the subcommittee with all the Members:

TESTIMONY BEFORE THE SOCIAL SECURITY SUBCOMMITTEE OF THE COMMITTEE ON WAYS AND MEANS, JULY 18, 1977

Mr. Chairman and members of the subcommittee, I am very grateful to appear before you today and commend you for holding these hearings so promptly after your extremely heavy duties related to the President's energy proposal. I believe your desire to hold these hearings as soon as you were able indicates the importance you attach to this issue and your commitment to act on legislation to resolve the system's financial problems.

In submitting his proposals on the financing of social security on May 9, 1977, the

President responded promptly to his campaign promise to safeguard the financial integrity of the social security system. I applaud the President's promptness as well as the nature of his response.

Overall, I believe the President's proposal is a major first step in the updating of the social security system and one that should be acted on quickly in order to alleviate any anxiety created by the potential "bankruptcy" of the system. The proposal contains a number of important elements for both the short run and the long run deficit that I would like to comment on. The one element that seems to have gained the most attention initially is the limited use of general revenue funds.

The President's proposed use of general revenues is a very modest and extremely limited one—one that is far more conservative than that proposed by you, Mr. Chairman, last Congress and supported by some 130 co-sponsors, of which I am proud to be one. Mr. Carter would initiate a special countercyclical system through 1982 and retroactive to 1975 which would use general revenues to replace the social security taxes lost when the unemployment rate exceeds 6 percent. Such a program would provide \$14.1 billion of the \$83 billion needed to balance the old age and survivors insurance and disability insurance trust funds during the short term through 1982.

I am sure that it comes as no revelation to the members of this committee that the use of general revenues to finance benefits under the Social Security System, excluding needs-tested programs, is not new. In fact, in 1976, over \$4 billion from general revenues was paid to the trust funds for benefits to certain uninsured persons age 72 and over, for benefits related to military service for parts A and B of medicare, and for noncontributory wage credits for American citizens of Japanese ancestry interned during World War II. It seems clear to me that the present circumstances warrant the extension of this present practice, at least in the short run, to insure the financial stability of the system.

I am reminded by the National Council of Senior Citizens in its "Program for the 95th Congress" that from 1944 to 1950, title II of the Social Security Act contained a provision authorizing the appropriation to the trust funds such additional sums as might be required to finance benefits under the title. It is my understanding that this provision was later eliminated because there was never a need to use it and such a need was not foreseen. I believe that now is an excellent time to reaffirm in statutory language that Congress will guarantee the financial stability of the Social Security System.

In a 1973 survey of social security programs, 105 countries had a social insurance plan for old age, disability and survivors and over half used general revenues from the Government. For example, the government in Japan contributes 20% of the benefit costs; West Germany contributes an annual subsidy of 15%, the United Kingdom contributes about 25%, Ireland about one-third, the Netherlands guarantees against any deficit and pays the contribution for low-income workers. Clearly, the use of general revenues in a social insurance plan for old age, disability and survivors is not unique and not some new, untried practice.

The President's proposal also calls for a small increase in the wage base for individuals and the removal of the wage ceiling upon which employers pay social security taxes. I believe this approach is much more equitable than an increase in the tax rate for all. By implementing this change, we will make the financing of the system increasingly proportional and less regressive. Moreover, I was struck by Secretary Califano's testimony before your committee that this approach would actually cost employers almost \$4 bil-

lion less than if the traditional method of financing were used and the tax rate were increased 0.3% for both employers and employees.

What is now often called a "technical error" in the 1972 amendments needs to be corrected. The President's proposal does address this error which is more formally called "decoupling." Actually, I believe the problem has resulted from the unprecedented high rate of inflation at the same time as high unemployment. This combination would result in benefits rising much faster than wages, and in some future retirees becoming eligible for benefits exceeding any wages they have ever earned. We need to correct this situation so that benefits for future retirees will replace the same proportion of pre-retirement earnings as received by current retirees. At the same time, we should note that benefits at retirement should be determined by a wage-indexed formula which allows retirees to share in productivity increases in the economy. Certainly, the purchasing power of benefits should be maintained after retirement by automatic cost-of-living adjustments. In fact, I would support a semi-annual adjustment and a separate consumer price index for the elderly.

While I commend the President's proposal concerning social security in general, I do have some concern about the shift of revenues from the hospital insurance trust fund, especially if such a switch would prevent the improvements in the medicare program that our committee has proposed: For example, increases in home health care services, coverage for preventative check-ups and for medical appliances like eyeglasses, dentures and hearing aids. Perhaps a continued use of general revenue funds would be preferable to a switch of funds between trust funds.

As you know, Mr. Chairman, I have been a long time advocate of eliminating the retirement test under social security for those between 65 and 72. I realize that there are some important financial considerations involved in this matter, but I would hope that this issue will be addressed in any amendments that you might report out. Our committee has advocated the liberalization of the earnings test and I would favor its complete removal as contained in H.R. 1134.

There are, Mr. Chairman, a few additional items related to social security which I believe deserve consideration and which I would support:

Elimination of all of the Social security law which discriminate on the basis of sex;

Extension of the social security system to include mandatory coverage of all workers including State and local jurisdictions;

Elimination of the monthly aspect of the retirement test (if any test is to be kept) and retention of the annual limitation.

The social security system has become a major source of retirement income for millions of Americans. For this reason, the system must be maintained on a sound basis. I am sorry, however, that the present financial situation prohibits our discussing increases in the benefit levels. Today, over 2 million senior citizens—most of whom receive social security—are receiving additional income through the supplemental security income program. The Federal payment level for these persons is still well below the poverty level.

According to a social security survey of newly entitled beneficiaries, over 20 percent of married and 48 percent of the unmarried had only social security as their income and no income from a second pension or earnings. About 40 percent of the married and 65 percent of the unmarried mentioned above had a total income below the poverty level. This situation certainly needs to be corrected.

In concluding, Mr. Chairman, I would like to state that I am most pleased with the

quickness with which the President acted and the nature of his response. It represents a welcome first major step toward preserving the financial integrity of the social security system and I am hopeful that congress will act on this matter promptly and thoroughly.

I want to thank you, Mr. Chairman and members of the subcommittee, for this opportunity to appear before you this morning.

CURBING MANDATORY RETIREMENT

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

Mr. PEPPER. Mr. Speaker, on the last 2 days, the New York Times has printed two excellent articles on the subject of mandatory retirement and citing the work of the Select Committee on Aging and the Education and Labor Committee in the House on this important subject. Because legislation, H.R. 5383, curbing the practice of mandatory retirement will soon be before the House, I would like to share these articles with all the Members.

Ageism is as odious as racism or sexism. I urge prompt enactment of this critical legislation.

The articles follow:

[From the New York Times, July 17, 1977]

A RIGHT TO WORK FOR THE AGING CLASS

(By Philip Shabecoff)

WASHINGTON.—Hank Aaron, baseball's all-time home-run king, retired last October at 42, a relatively ancient age for a professional athlete. But John Wayne is still a movie tough guy at 70. George Meany, who will be 83 next month, continues to rule the American labor movement with an iron hand. And Artur Rubinstein gave a television piano concert on his 90th birthday.

What is the appropriate retirement age? For these and many other Americans, the answer has to do with skill and strength, with health, energy, intelligence and will—not a particular date on the calendar. But millions of workers are not free to choose when their careers end because their employers impose mandatory retirement at a specific age, usually 65. Now, however, Congress is moving toward legislation that would limit an employer's right to force a worker to retire solely for reasons of age. On Thursday, the House Education and Labor Committee agreed to a bill amending the Age Discrimination Act of 1967.

The bill, introduced by 76-year-old Representative Claude Pepper, Democrat of Florida, and Paul Findley, Republican of Illinois, would eliminate immediately the mandatory retirement age of 70 that now applies to Federal workers. It would also extend to 70 the age at which workers are protected by the discrimination law. Currently the law protects workers between 40 and 65 from age discrimination, including forced retirement. The amendments are aimed at eventually eliminating mandatory retirement entirely.

There are no precise or current statistics showing just how many workers are affected by compulsory retirement programs. A survey taken by the Labor Department in 1973 indicated that about half of employees in private, nonagricultural industries worked for companies that imposed such programs. A survey of new beneficiaries taken by the Social Security Administration in 1969 showed that 36 percent of men and 23 percent of women had a compulsory retirement age on their last job. All the surveys indicated, however, that 65 was the most common age for involuntary retirement. Ac-

cording to the Bureau of Labor Statistics, there were some 2.7 million workers age 65 or older holding jobs as of this May.

How did 65 get to be the magic number? Apparently it can be tracked back to the 19th century and Otto von Bismarck, when Germany's "Iron Chancellor" instituted the first social security system and picked 65 as the obligatory retirement age. When the United States adopted social security in 1935, 65 was arbitrarily chosen as the age when retirees could begin collecting benefits, according to Representative Charles Grassley of Iowa, a Republican member of the House Select Committee on the Aging.

Many businessmen and some economists insist that mandatory retirement is beneficial both to workers and to the economy generally. Older workers, they say, must retire in order to open job and promotion opportunities for younger people. They point to studies showing that most workers reach peak efficiency between 45 and 55 and after that begin to slow down. After 65, they argue, the productivity of workers declines and so, therefore, does their contribution to the gross national product.

It is frequently argued that mandatory retirement that applies equally to all employees removes the "stigma" of retirement. George B. Morris, Jr., vice president for industrial relations of the General Motors Corporation, testified before the Select Committee on Aging that with mandatory retirement, "You're not saying 'poor old Joe' no longer has the mental power or the physical power so he's got to go, somebody's forcing him out. Everyone knows that at age 68 [G.M.'s retirement age] people are going to be retired." It is sometimes argued that the right of older workers to retire at a later age conflicts with the goal of providing equal opportunity for women, blacks and others. Most workers over 50 in responsible high-paying jobs are white males, one government official pointed out. Finally, organized labor, while agreeing that mandatory retirement should not be a unilateral decision by an employer, insists that neither should it be forbidden, in collective bargaining arrangements. An A.F.L.-C.I.O. official said that mandatory retirement can be useful in combating inflation or assuring better pensions.

But foes of mandatory retirement reject these arguments. They point, for example, to a Labor Department survey which indicates that the abolition of mandatory retirement age would increase the size of the labor force by only about four-tenths of one percent. With the work force standing at about 97.6 million in June, this would be about 390,000 workers. Representative Pepper said that "I see no ethical, or social basis for arguing that a young worker has any more right to a job than an older worker." He also scoffed at the notion that compulsion is necessary to remove the "stigma" of retirement, saying that "competent, compassionate personnel managers" should be able to see that retirement is accompanied by as little trauma as possible.

As for the "insidious argument" that mandatory retirement helps women and minorities, "We must not advocate one form of discrimination in the name of abolishing another," Mr. Pepper said. In fact, the principal argument of those who advocate the elimination of mandatory retirement is that the practice violates civil rights. No American, they assert, should be denied equality of opportunity for any reason including age.

An official of the Social Security System agreed that ending compulsory retirement would ease some of the intense pressure on the system both by deferring the age at which many workers start receiving benefits and lengthening the years in which those workers pay into the system.

The prospects for passage of the legislation are not clear. The Carter Administration is split. Secretary of Labor Ray Marshall re-

portedly favors the amendments. But Secretary of the Treasury M. Michael Blumenthal, who apparently had a bad experience with "deadwood" when he headed the Bendix Corporation, is said to oppose the bill.

However, the A.F.L.-C.I.O., despite its feeling that mandatory retirement should be a matter of collective bargaining, probably will not oppose the bill strongly. "George Meany is personally opposed to mandatory retirement at age 65," said a spokesman. "He has been for nearly 18 years," the spokesman added.

[From the New York Times, July 18, 1977]

RETIREMENT A HARSH REWARD FOR MANY AMERICANS

(By Marjorie Hunter)

WASHINGTON, July 17.—"What we have," says Max Serchuck, "is more than 800 million years of experience walking around. Surely, 800 million years of experience can still make a contribution to American life."

Max Serchuck is 76 years old, a retired New York jeweler whose doctor advised him to move to Miami Beach a decade or so ago and "go fishing."

"I'd never been fishing in my life," he says. And he had no intention of learning how.

Instead as president of the Dade County (Fla.) Council of Senior Citizens, Mr. Serchuck has become one of the nation's most vocal apostles of meaningful work and activity for America's 22.9 million men and women who are 65 or older—10.7 percent of the population.

1912 GENERATION RETIRING

The American worker born in 1912 reached 65 this year and, except in rare cases, will enter the growing ranks of the retired, either willingly or against his or her will.

For some, retirement will mean a blessed relief from alarm clocks and commuter traffic jams. It will mean time for fishing and hunting, for bridge parties and traveling, for quiet hours of reading or watching television.

Indeed, there has been a trend toward even earlier retirement—some as early as 45, many by age 55—in industries with reasonably liberal pension systems.

But Congressional investigations and surveys by retirement organizations have concluded that retirement is a hollow dream for millions of Americans who are unwilling to "go fishing." Indeed, the American Medical Association has said that the "sudden cessation of productive work and earning power often leads to physical and emotional deterioration and premature death."

Despite the fact that millions of older Americans are able and willing to work, both Government and private efforts to supply them with meaningful jobs have been extremely modest. Congressional hearings have shown that there is a bias against employment of persons 65 or over.

Only in recent years has the Federal Government recognized the severity of the problem that many sociologists consider one of the greatest now facing the nation.

The Federal response has been primarily one of increasing Social Security payments, providing Medicare and Medicaid to the ill and infirm and funding projects offering a variety of social services, such as meals-on-wheels, and homemakers aides.

Only a few hundred million dollars, a tiny percentage of the \$450 billion Federal budget, is set aside for jobs for older Americans who are mentally and physically capable of working.

Fewer than 300,000 persons are now employed in such jobs, some on a part-time basis, some as strictly nonpaid volunteers.

"It's a pretty sorry track record," says Representative Claude Pepper, a 76-year-old Florida Democrat who heads the House Select Committee on Aging.

Mr. Pepper places much of the blame for not using the talents of older Americans on

mandatory retirement policies of the Federal Government and most private companies. The Federal policy mandates retirement at 70; most private industries require retirement at 65.

That may be changing. Last Thursday, the House Education and Labor Committee approved legislation that would end age limits on mandatory retirements in Government service and prohibit mandatory retirement in the private sector before age 70.

On Friday, Mr. Pepper and his House Select Committee on Aging met with President Carter, who indicated that he would favor legislation to bar private companies from imposing mandatory retirement on workers before they reached 70. However, the President did not specifically endorse the Education and Labor Committee's bill.

Appearing today on NBC's "Meet the Press," Secretary of Labor Ray Marshall said that he supported the committee's bill. The bill would "not mean that somebody couldn't retire earlier than 70 if he wanted to do it," Mr. Marshall said, "but I think that discrimination against people who are still very productive is bad."

"It costs the country a lot," he continued; "it costs those people a lot, and we should make it possible for older people to continue their productive lives longer."

As a sponsor of bills seeking to end mandatory retirement in both the public and private sectors, Mr. Pepper recently observed:

"Who would tell Margaret Mead, who is 76, that her contributions to the study of sociology ended at 65? Who would tell Arthur Fiedler, who is 83, or Leopold Stokowski, who is 95, that those over 65 cannot contribute meaningfully to the appreciation of music? 'Who would fault 81-year-old George Burns' performance in 'The Sunshine Boys'?"

Congressional hearings have shown that many Americans forced to retire at 65 not only want to work but also need the money. An estimated 3.3 million older Americans now live below the poverty line.

"Inadequate income in retirement is the No. 1 problem affecting older Americans," according to the Senate Special Committee on Aging, headed by Senator Frank Church, Democrat of Idaho.

Where can an older American turn to find a job?

A few communities have set up free employment referral services for older persons. One of these, in Jackson, Miss., has placed a hundred or so persons in jobs in hospitals, stores and clerical positions.

Jim Smith, personnel director of Jackson's Day Detectives, says that he will hire as many older workers as the registry can provide.

"You really can't count on the young ones," he says. "But nine times out of 10, the older person will come through."

Some older Americans are employed in federally funded community service jobs and public works and economic development projects.

The New York City Department for the Aging placed 1,300 older persons in a variety of jobs. A Western Kentucky community has a federally funded project in which older persons are hired as homemakers and home repairers.

Mrs. Elizabeth Brooks, 74, and Mrs. Bessie Brown, 73, are Foster Grandparents, a program sponsored by ACTION, the Federal volunteer service agency. Five days a week, they spend four to six hours caring for children at St. Christopher's Hospital for Children in Philadelphia.

Both are widows. Both had limited incomes. And both love their jobs.

"Believe me, I'm needed," Mrs. Brooks said. "Besides, this keeps me out of mischief."

"If I didn't have this job, I'd be bored to death and climbing the walls," Mrs. Brown said.

The two women and 14,000 other Foster Grandparents serving in hospitals, orphanages, day care centers and correctional institutions across the nation receive only a small salary, \$32 a week—the same amount as when the program was begun more than a decade ago. They also receive carfare and one hot meal each working day.

There are about 2,600 senior companions in 46 localities in the nation, working in hospitals, nursing homes and private homes. They too, receive \$32 a week, plus travel expenses.

INTERNATIONAL SOCIAL SECURITY AGREEMENTS ACT OF 1977

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

Mr. MIKVA. Mr. Speaker, I am introducing today the International Social Security Agreements Act of 1977. A similar bill was introduced last year, and hearings before the Ways and Means Subcommittee on Social Security were held last summer. The subcommittee has begun today 2 weeks of hearings on a number of social security issues, including these totalization agreements.

This bill would authorize the President to enter into agreements with other nations providing for coordination between their systems and our social security system, and "totalizes" the periods of work in each country so that workers would qualify for benefits which they are now denied because the length of their employment in one country does not qualify them for benefits under the systems of either country. The worker would receive benefits from both countries in proportion to the length of employment completed in each. Thus, the work completed while covered by one country's system would be exempt from coverage by the other country.

This legislation simply insures that each nation would be required to pay benefits for the employment completed by an individual in that country if the individual's total number of years employed in both countries would qualify for social security coverage. Usually, the person would be covered by the country in which he has worked longer and is likely to remain after retirement.

This bill would implement the totalization agreements entered into by the United States already—with West Germany in 1976 and Italy in 1973, as well as future agreements with other countries. The measure would particularly benefit former German citizens, many of whom were victims of Nazi persecution, who could voluntarily make contributions to the West German social security system and qualify for benefits. In many cases, these U.S. citizens would be entitled to substantial payments from West Germany.

The International Social Security Agreements Act of 1977 differs from last year's bill in that it provides for a 60-day period during which Congress would have a chance to review proposed totalization agreements approved by the President. This section should resolve objections expressed last summer by some of my colleagues on the Social Security Subcommittee.

Mr. Speaker, this implementing legislation is long overdue. There are thousands of citizens in the United States who have worked many years, both here and in other countries, who are currently being denied social security benefits to which they would be entitled if they had not moved, or been forced to move, across international borders. I hope that my colleagues will support this action to guarantee old age and disability benefits for so many of our naturalized citizens.

H.R.—

A bill to amend the Social Security Act to authorize international agreements with respect to social security benefits

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 "International Social Security Agreements Act of 1977".

AUTHORIZATION FOR INTERNATIONAL AGREEMENTS WITH RESPECT TO SOCIAL SECURITY BENEFITS

SEC. 2. Title II of the Social Security Act is amended by adding at the end thereof the following new section:

"INTERNATIONAL AGREEMENTS

"Purpose of Agreement

"Sec. 233. (a) The President is authorized to enter into agreements establishing totalization arrangements between the social security system established by this title and the social security system of any foreign country, for the purposes of establishing entitlement to and the amount of old-age, survivors, disability, or derivative benefits based on a combination of an individual's periods of coverage under the social security system established by this title and the social security system of such foreign country.

"Definitions

"(b) For the purposes of this section—
 "(1) the term 'social security system' means, with respect to a foreign country, a social insurance or pension system which is of general application in the country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, death, or disability; and
 "(2) the term 'period of coverage' means a period of payment of contributions or a period of earnings based on wages for employment or on self-employment income, or any similar period recognized as equivalent thereto under this title or under the social security system of a country which is a party to an agreement entered into under this section.

"Crediting Periods of Coverage; Conditions of Payment of Benefits

"(c) (1) Any agreement establishing a totalization arrangement pursuant to this section shall provide—

"(A) that in the case of an individual who has at least 6 quarters of coverage as defined in section 213 of this Act and periods of coverage under the social security system of a foreign country which is a party to such agreement, periods of coverage of such individual under such social security system of such foreign country may be combined with periods of coverage under this title and otherwise considered for the purposes of establishing entitlement to and the amount of old-age, survivors, and disability insurance benefits under this title;

"(B) (i) that employment or self-employment, or any service which is recognized as equivalent to employment or self-employment under this title or the social security system of a foreign country which is a party to such agreement, shall, on or after the effective date of such agreement, result in a period of coverage under the system established under this title or under the system

established under the laws of such foreign country, but not under both, and (ii) the methods and conditions for determining under which system employment, self-employment, or other service shall result in a period of coverage; and

"(C) that where an individual's periods of coverage are combined, the benefit amount payable under this title shall be based on the proportion of such individual's periods of coverage which were completed under this title.

"(2) Any such agreement may provide that—

"(A) an individual who is entitled to cash benefits under this title pursuant to such agreement shall, notwithstanding the provisions of section 202(t), receive such benefits while he resides in a foreign country which is a party to such agreement; and

"(B) the benefit paid by the United States to an individual who legally resides in the United States shall be increased to an amount which, when added to the benefit paid by such foreign country, will be equal to the benefit amount which would be payable to an entitled individual based on the first figure in (or deemed to be in) column IV of the table in section 215(a).

"(3) Section 226 shall not apply in the case of any individual to whom it would not be applicable but for this section or any agreement or regulation under this section.

"(4) Any such agreement may contain such other provisions, not inconsistent with this section, as the President deems appropriate.

"Effective Date of Agreement

"(d) Any agreement proposed to be entered into by the President to establish a totalization arrangement pursuant to this section shall be transmitted by the President to the Congress, and shall not be formally concluded or become effective until a period of at least sixty calendar days (excluding any day on which either House of Congress is not in session because of an adjournment sine die or because of an adjournment of more than three calendar days to a day certain) has passed after such transmission. The agreement shall be transmitted to the Senate and the House of Representatives on the same day, and shall be delivered to the Secretary of the Senate if the Senate is not in session and to the Clerk of the House of Representatives if the House is not in session.

"Regulations

"(e) The Secretary of Health, Education, and Welfare shall make rules and regulations and establish procedures which are reasonable and necessary to implement and administer any agreement which has been entered into in accordance with this section."

RELIEF FROM TAXES

SEC. 3. (a) Section 1401 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(c) RELIEF FROM TAXES IN CASES COVERED BY CERTAIN INTERNATIONAL AGREEMENTS.—During any period in which there is in effect an agreement entered into pursuant to section 233 of the Social Security Act with any foreign country, the self-employment income of an individual shall be exempt from the taxes imposed by this section to the extent that such self-employment income is subject under such agreement to taxes or contributions for similar purposes under the social security system of such foreign country."

(b) Sections 3101 and 3111 of such Code are each amended by adding at the end thereof the following new subsection:

"(c) RELIEF FROM TAXES IN CASES COVERED BY CERTAIN INTERNATIONAL AGREEMENTS.—During any period in which there is in effect an agreement entered into pursuant to section 233 of the Social Security Act with any foreign country, wages received by

or paid to an individual shall be exempt from the taxes imposed by this section to the extent that such wages are subject under such agreement to taxes or contributions for similar purposes under the social security system of such foreign country."

(c) Notwithstanding any other provision of law, taxes paid by any individual to any foreign country with respect to any period of employment or self-employment which is covered under the social security system of such foreign country, in accordance with the terms of an agreement entered into pursuant to section 233 of the Social Security Act, shall not, under the laws of the United States, be deductible by, or creditable against the income tax of, any such individual.

RESTORE STABILITY TO SOCIAL SECURITY TRUST FUND

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

Mr. MIKVA. Mr. Speaker, as the Ways and Means Subcommittee on Social Security begins today receiving public testimony on President Carter's social security refinancing proposals, I recommend that my colleagues consider this thoughtful editorial from the New York Times.

As the Times points out, the administration's plan seems to have upset quite a diverse range of interests and interest groups, particularly over the concepts of eliminating the tax ceiling on the employee wage base and using general revenue moneys to shore up the trust funds in times of high unemployment. Understandably, there are some who are wary of a plan that, at first glance, may appear to deviate from the original principles behind social security financing.

With the two major trust funds facing exhaustion within the next 5 years, however, any attempt at restoring financial stability to the social security system will require certain major modifications in its structure. While the President's proposal does advance a number of significant departures from present policy, the alternatives would require even greater individual and employer tax obligations, continuous Federal contributions from general revenues or both.

Instead, the administration's plan would phase out the wage ceiling on which employers pay payroll taxes. Payroll tax rates would not increase, and, as Secretary Califano noted in his testimony before our subcommittee in May, employers would pay \$4 billion less than they would under more conventional payroll tax increase plans which would increase both rates and the wage base. As for general revenues, they would only be used in years of high unemployment—6 percent or more—and, as a result, could not be used to raise benefit levels.

Thus, President Carter's social security plan is not as painful as some early critics have suggested. Mr. Speaker, we have swept the social security financing problem under the rug for too long. I hope that we can move quickly to approve this most rational and restrained approach, insuring that the commitment made by the Federal Government over 40 years ago to provide American workers with old age and disability protection will not end up a hollow promise.

The New York Times editorial follows:

[From the New York Times, May 15, 1977]

PATCHING UP SOCIAL SECURITY

The Social Security system is well on its way to going broke. Payments to beneficiaries have exceeded revenues since 1975, and this year the deficit may reach \$5.6 billion. According to recent estimates, reserves set aside to pay disability claims will be exhausted in two years; reserves for old age retirement will be gone in six.

How can the system be saved? Many plans have been offered, their differences reflecting conflicting views on who really should pay for Social Security. President Carter's proposal last week is a hybrid, combining bits and pieces of other solutions. It is a compromise that evades fundamental ideological questions, and thus won't please purists very much. A careful look, however, suggests that the plan is workable and, on the whole, fair.

Social Security finance is complicated, and so are proposals for putting the system back in the black. Every scheme, however, draws on some combination of the following options:

Raise payroll tax rates. Employers and employees now each pay a 5.85 percent tax on covered wages. The rates could be raised—as they often have been—to meet rising benefit payments.

Raise the taxable wage base. Payroll taxes are currently collected on only the first \$16,500 earned; scheduled increases would put the taxable ceiling at \$23,400 in 1982. That limit could be raised still further, or faster, or eliminated altogether.

Use general tax revenues. The alternative to extracting more revenue from payrolls is to dip into general revenues. This would, in effect, mean the substitution of Federal income taxes for more payroll taxes.

Reduce benefits. A single modification of the formula by which benefits are calculated could cut the projected Social Security deficit by half, yet leave unaltered the fundamental rights of retirees. Under current law, potential benefits of those still working, as well as the actual benefits of pensioners, are keyed to the cost of living. Pensioners need this protection. But since workers' future benefits are, by law, already adjusted for inflationary increases in average wages, workers get an unintended bonanza. Inflation, perversely, actually increases their future purchasing power. Eliminating the extra cost-of-living provision of persons still on the job would equalize the rights of current and future pensioners, and save a lot of money besides.

The President's proposed reform draws on all these choices. A payroll tax increase now scheduled to take effect in 2011 would be imposed much earlier. The wage base on which employee taxes are computed would be raised by \$2,400 in small steps, and the ceiling would be eliminated entirely for employer contributions; employers would be taxed on total wages. General revenues would be used for the first time to supplement the Social Security fund, but payments from such revenues would be made only in recession years, when payroll tax collections lag behind obligations. Current benefit payments, but not future benefit rights, would be tied to the cost of living.

To judge from initial reactions, Mr. Carter's compromise has few strong supporters. Businessmen are alarmed by the proposed elimination of the ceiling on the employer's tax base. Congressional conservatives shudder at the prospect of tapping general revenues. Liberals are disappointed that the Administration is not more strongly committed to a shift from payroll taxes to income taxes.

The opposition is understandable; every method for financing Social Security has disadvantages. Payroll taxes are "regressive" in that they extract a higher percentage of total income from individuals who can least afford it. Increasing the taxable wage base is more "progressive," but corporate managers correctly point out that someone—workers,

shareholders or consumers—will have to foot the bill. Tapping income taxes is more progressive still—but every dollar shifted to the Social Security Trust Fund means a dollar less for other Government programs. The general revenue approach also damages the carefully constructed facade of Social Security as insurance rather than welfare. Actually, the system already redistributes benefits from middle- to lower-income families, but the device of funding through payroll contributions supports the general impression that benefits are earned, with important psychological and political effects.

When stripped of camouflaging detail, however, the Carter program seems well tailored to raise a lot of money in a way that does not unduly penalize lower-paid workers. General tax revenues will be used, but in a way that does least violence to the principle of Social Security as a self-supporting institution. Higher payroll taxes, collected largely through the increase in the base, could be somewhat inflationary, since employers will probably have to raise prices to make up for the higher tax. On balance, though, it is hard to see where else the funds could be raised in an equally fair fashion.

For all its problems, Social Security is worth preserving, and the President is offering a prudent way to keep the system intact into the next century.

COMPETITION AND THE TRANSPORTATION OF ALASKA NATURAL GAS

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, pursuant to an amendment which I authored to the Alaska Natural Gas Transportation Act of 1976, the Justice Department last Thursday issued its report on the competitive issues and problems associated with the production and transportation of Alaska natural gas to the Lower 48 States.

While the Justice Department concludes that the particular geographic route selected will make little difference on competition, its report emphasizes that the decision on who is permitted to be owners of the new transportation system will make a difference on competition and probably on prices. The Justice Department recommends a prohibition on any major natural gas producer being allowed to own or operate the Alaska natural gas transportation system.

Of the two groups vying for governmental approval of their overland route proposals, Alcan numbers no natural gas producers among its owners, while the owners of Arctic gas include several major gas producers. The third proposal is that of El Paso, the Nation's largest natural gas pipeline company and third largest in natural gas deliveries.

The problems associated with petroleum company ownership of pipelines are best summarized by the following paragraph from a recent letter from the Justice Department to the House OCS Committee:

On the other hand, current evidence points strongly to the existence of problems arising from pipeline ownership by integrated oil companies. Because pipelines are a natural monopoly, they must be regulated to prevent the owners from reaping monopoly profits by means of reduced transportation throughput. When the pipelines are owned by vertically integrated petroleum companies, however, such regulation is likely to be

ineffective. This is so because a vertically integrated company can restrict access to or capacity of its pipeline, thus forcing its competitors to transport their products by less efficient, higher cost alternatives. This will drive up the delivered price of crude or product downstream, since the marginal barrel of crude or product sets the price for all sales in the downstream market. The owner of the pipeline, shipping his product through that pipeline, will then be able to sell in the downstream market at the inflated price, and pocket the efficiency gains of pipeline transportation.

In the report, the Justice Department endorses for the first time the concept of "pipeline divestiture"; that is, prohibiting the integrated petroleum companies from transporting petroleum they own through pipelines they own. I have introduced legislation (H.R. 7784) to require such pipeline divestiture, because consumers are forced to pay tens—perhaps hundreds—of millions of dollars every year in unreasonably high petroleum product as a result of petroleum company ownership of pipelines.

I would like to take this opportunity to commend the Justice Department and particularly Acting Assistant Attorney General John Shenefield for preparing this excellent and thoughtful report, and also for recently challenging the unjustified rates requested by the Alyeska Pipeline Co., for the transportation of Alaskan crude oil. I hope that the Department will continue to respond in this manner to the efforts of Congress to take a more active role in antitrust law review of matters affecting energy, as required by a number of the laws originating in the House Interior Committee in recent years which require the Department to consider the antitrust implications of the development, production, transportation, and sale of Federal energy resources.

Mr. Speaker, because Congress will soon be called upon to consider the system to be selected for the transportation of Alaska natural gas, excerpts and the executive summary of the Justice Department's report follow these remarks.

REPORT OF THE ATTORNEY GENERAL PURSUANT TO SECTION 19 OF THE ALASKA NATURAL GAS TRANSPORTATION ACT OF 1976

EXCERPTS

Thus, by shifting pipeline profits upstream, the producer-owners can circumvent tariff regulation. The benefits of efficient pipeline transportation could be pocketed by the producer; resources would be misallocated—the supply of Alaskan natural gas would be artificially restricted and the relatively inefficient Gulf Coast supply chain would be excessively relied upon for satisfying Midwestern demand.

A nonintegrated owner cannot earn upstream profits—he has no upstream operations; he is motivated by pipeline profits only. Regulation forces him to expand throughout with the result that, absent market power in production, a properly designed Federal Power Commission tariff would eliminate all excess profits—upstream, downstream and in the pipeline. The clean solution to the vertical integration problem is to place all pipelines in the position of the nonintegrated owner—prohibit producer ownership in the pipeline.

The current regulatory system, whatever its other adverse effects, if effective, should prevent competitive abuses in the transportation of Alaskan gas. Relaxation of well-

head price regulation, however, combined with city gate pricing to clear the downstream market (a regulatory initiative that may be preferable to the current scheme) creates a situation in which pipeline ownership by Alaskan producers would entail an unacceptable danger of anticompetitive behavior. Under such a regulatory regime, vertically integrated producer-owners could circumvent pipeline tariff and city gate regulation by restricting pipeline capacity (and consequently access) while achieving monopoly profits in their upstream operations. Initial sizing of the pipe for large capacity does not necessarily solve this problem, since it will be in the interest of producer-owners to resist future expansion and thus discourage future entry into Alaskan gas production.

Therefore, companies which are significant producers of natural gas should be prohibited from participating in ownership of the proposed Alaskan natural gas transportation system. Among the three proposals, only Arctic Gas currently has a producer of substantial amounts of gas as a member. We would recommend, therefore, that if Arctic Gas is selected Exxon's subsidiary, Imperial (and Gulf Canada, Shell Canada and Union Gas, Limited, if they will be producers of significant amounts of gas delivered through the pipeline from Mackenzie Delta) be prohibited from participating in the transportation system.

Section 13(a) has been interpreted by the Federal Power Commission to impose common carrier obligations upon the pipeline, requiring equal access to its facilities. It is not clear to us, however, that the language of Section 13(a) clearly imposes common carrier obligations upon the pipeline. Thus, we would recommend that this ambiguity be clarified through additional legislation which would clearly indicate that the Alaskan natural gas transportation system is to operate as a common carrier.

Common carrier status is an important safeguard necessary for this transportation system. Arbitrary conditions for use of the line may disadvantage some users of the line. In our experience with common carrier oil pipelines, conditions relating to product specification, product cycles, batch size, tankage ownership and the like, may have acted to preclude use of the line to some shippers even with common carrier obligations imposed on the system. Without such common carrier obligations, nonowners shippers would be in a more disadvantageous position. The Alaskan transportation system should not be operated to accommodate the desires of the owners to the exclusion of others. Imposition of full common carrier obligations would help alleviate our concerns, although diligence would be required to make sure the transportation system was abiding by its obligations.

We do not advocate, however, that common carrier obligations be imposed on all natural gas pipelines. The Alaskan natural gas transportation system is unique in that it will be the only transportation system transporting gas from the North Slope. In addition, it will be one of the few joint ventures in the gas transmission segment of the industry. Its sponsors should not be given the opportunity to use their ownership position to their advantage in competing with nonowner pipelines in regional markets.

EXECUTIVE SUMMARY

This report is submitted to Congress in compliance with Section 19 of the Alaska Natural Gas Transportation Act of 1976. That provision requires the Attorney General to conduct a thorough study of the antitrust issues and problems relating to the production and transportation of Alaskan natural gas.

Based on our analysis of all information currently available, we find that antitrust

considerations do not militate against selection of any of the three proposed projects as the transportation system for moving Alaskan natural gas to the lower 48 states; nor do competitive considerations point to selection of one of the three projects in preference to the other two. Although we have identified several potential antitrust problem areas associated with the projects, these problems may impact on any project that is selected and thus do not make one project seem more desirable than the others.

This report has identified several potential competitive problem areas, which can be addressed through: (1) the imposition of conditions upon the license issued to whichever project is chosen; (2) the enactment of legislation; and (3) collateral action by the Federal Power Commission, or its successor agency. Since some of the identified problems are not directly associated with the transportation of natural gas but are associated with the sale of natural gas, these problems would have to be addressed in the context of the required examination of the gas purchase contracts.

The report first provides a general introduction to the three proposed projects, the methods of transportation and routes proposed and the participants in each proposed project. There are two overland pipeline projects proposed by Alcan and Arctic Gas, and a combination pipeline and liquefied natural gas tanker system proposed by El Paso.

(1) The Alcan route follows the Alaska oil pipeline route to Fairbanks and then follows the Alcan Highway through Canada. Alcan has proposed two different sized pipelines. Originally Alcan proposed a 42-inch pipeline but more recently has proposed a 48-inch pipeline similar to that of Arctic Gas.

(2) The Arctic Gas route proceeds east from the North Slope to the Mackenzie Delta of Canada, where it is expected additional gas reserves will be developed. The route then proceeds south through Canada to the United States border.

(3) The El Paso project calls for a pipeline to follow the Alaska oil pipeline to Point Gravina on Prince William Sound. There the gas would be converted to liquid natural gas and shipped by tanker to the coast of California.

The proponents of the three projects are as follows:

(a) Arctic Gas—
Alaska Arctic Gas Pipeline Company
Canadian Arctic Gas Pipeline Company, Ltd.

Alberta Natural Gas Company, Ltd.
Northern Border Pipeline Company
Pacific Gas Transmission Company
Pacific Gas and Electric Company

The first two above are shell companies, formed to construct and operate the pipeline in Alaska and Canada. Owners of the two companies are:

American Members—
Columbia Gas Transmission Corporation
Michigan Wisconsin Pipe Line Company
Natural Gas Pipe Line Company of America
Northern Natural Gas Company
Pacific Gas & Electric Company
Pacific Lighting of California
Panhandle Eastern Pipe Line Company
Texas Eastern Transmission Corporation
Canadian Members—
Alberta Natural Gas Company, Ltd.
The Consumers' Gas Company
Canada Development Corporation
Gulf of Canada, Ltd.
Imperial Oil, Ltd. (a 70 percent owned subsidiary of Exxon)
Northern and Central Gas Company, Ltd.
Shell Canada, Ltd.
TransCanada Pipelines, Ltd.
Union Gas, Ltd.

(b) Alcan—
Alcan Pipeline Company (a wholly-owned subsidiary of Northwest Pipeline Company)
Alberta Gas Trunk Line Company, Ltd.

Alberta Gas Trunk Line (Canada), Ltd.
Westcoast Transmission Company, Ltd.
Foothills Pipeline (Yukon), Ltd.
(c) El Paso—

The El Paso project is proposed by El Paso Alaska Company, a wholly owned subsidiary of El Paso Natural Gas Company.

The gas transportation and distribution industries are not highly concentrated on a national basis at this time. Although standard industry concentration measures are less meaningful in the natural gas industry because it is pervasively regulated and because pipelines are to a great extent natural monopolies; these ratios and individual company shares do give an indication of the relative industry positions of the prospective Alaskan natural gas participants.

The proponents of the El Paso project control 8.2 percent of gas supplies from all sources (as of 1974), the Alcan American proponent controls 4.3 percent and the Arctic Gas American proponents control 36 percent of gas supplies from all sources. Although there is some danger that the sponsors of the Arctic Gas project, if they were the only purchasers of Alaskan gas, could use their control of Alaskan gas in combination with their control of other gas supplies to manipulate displacement plans to their own advantage or to affect regional competition among pipelines, regulation by the Federal Power Commission minimizes this danger.

Present Federal Power Commission regulation of city gate prices also appears to preclude an opportunity for competitive abuse by the gas producers or transmission companies provided the price ceilings set by Federal Power Commission regulation are effective. However, if the regulation of the wellhead price of gas were relaxed and the Alaskan gas producing areas were workably competitive, producer ownership or control of the transportation system could circumvent Federal Power Commission regulation of the pipeline and monopoly profits could be taken by the integrated company by transferring some or all of the profits stemming from the transportation monopoly to unregulated upstream production operations through denial of access to non-owners and restricting downstream supply. If the regulation of the wellhead price of gas were relaxed and the Alaskan gas producing areas were not workably competitive, but were instead characterized by producer market dominance, gas supplies could be restricted at the production stage without any need to derive market power from the pipeline.

However, such market power is not necessarily permanent and could be reduced by discovery and development of new fields by other producers, creating a situation where an integrated producer/pipeline owner would seek to restrict access and throughput to take monopoly profits. Therefore, we recommend that an ownership interest, or participation in any form in the transportation system, by one or more gas producers of significant amounts of gas be prohibited. The license to be issued to the selected system should contain a condition that prevents participation in any manner by such gas producers.

Ownership of a transportation system by the buyers of gas will not result in any potential anticompetitive conduct as long as Federal Power Commission regulation of city gate prices continues in the present mode, which it appears likely to do. If the regulatory scheme changes, potential monopsony problems can be cured by appropriate regulatory action. Therefore, we do not oppose ownership of the transportation systems by the buyers of the gas.

During the period from 1971 to 1975 the major North Slope producers, Exxon, ARCO and BP/Sohio entered into agreements to negotiate for the sale of their natural gas with various transmission companies, all members of the Arctic Gas consortium. These agreements called for advance payments from the transmission companies to help the

producers develop the North Slope fields. In December, 1975, the Federal Power Commission struck down all advance payment contracts entered into after December 28, 1973, as not in the national interest. Thus, there is currently no plan for distribution of Alaskan gas.

Collateral to these advance payment agreements, the transmission companies entered into a variety of side arrangements with the producers. The side arrangements provided for renegotiation of existing gas sale contracts in the lower 48 states to raise prices or to permit revenue sharing between producer and pipeline with respect to existing production. These side arrangements are clear evidence of evasions of wellhead price regulation and demonstrate the extreme difficulty of holding down the price of a scarce resource. Some pipeline companies would be disadvantaged in seeking to gain access to North Slope gas if these arrangements were to continue, since not all pipeline companies have existing relationships that can be altered or other goods or services to barter in addition to paying the wellhead price. The competitive effects of this disadvantage, if any, are uncertain. It may well be that the Federal Power Commission should require disclosure of all collateral considerations in our gas purchase agreement. The Commission could then carefully examine each Alaskan gas purchase contract and disapprove or condition any such agreement that it finds not to be in the public interest.

With current Federal Power Commission regulation of well-head gas prices, competitive forces cannot operate to distribute gas in the most efficient manner. If a wide distribution of Alaskan natural gas is deemed important, it may be necessary to create a regulatory allocation mechanism.

Competition among pipelines for existing customers and new customers may exist in regional markets. Regional competition can be an important complement to regulation and its importance has been recognized by Congress, the courts and the natural gas industry. The potential for this competition should be preserved to the greatest extent practicable. Several problems associated with the operation of an Alaskan natural gas transportation system arise because of potential effects on this regional competition.

Equal access to the transportation system, as well as other competition rules, would be required if producers are permitted to participate in the Alaskan natural gas transportation system. Moreover, even where producers are not owners, equal access to a transportation system retains some importance as a means to preserve regional competition among pipeline companies by preventing owners of the transportation systems from denying or restricting access to other pipelines that might compete in regional markets.

Section 13(a) of the Alaska Natural Gas Transportation Act provides for equal access to a proposed transportation system. Although the Federal Power Commission interprets this provision to mean that an Alaskan natural gas transportation system must be operated as a common carrier, it is not clear this was the intention of Congress. Read literally, the statute merely provides that access cannot be denied based on ownership or the lack thereof. We believe that those facilities (pipelines, LNG facilities, etc.) constructed or utilized as an integral part of the system carrying gas to the lower 48 states should be operated as common carriers, with equal access thereto available to all purchasers and shippers of Alaskan natural gas. Congress ought to clarify the ambiguous language of existing Section 13(a) to clearly state that the Alaskan natural gas transportation system be operated as a common carrier.

Section 13(a) does not require the transportation system to implement a prorationing scheme in the event the system achieves

full capacity, nor does it permit or require any government agency to order such prorationing. Such prorationing during the period of construction of additional capacity is necessary to insure no shipper may be competitively disadvantaged. To insure the equal access provided for under Section 13 (a), we recommend that Congress consider granting the Federal Power Commission authority, where gas is available in excess of pipeline capacity, to order prorationing of pipeline capacity among shippers.

It has been argued that retaining Section 13(a) may prove to be an impediment to financing. We find that Section 13(a) will not be such an impediment, since pipeline companies will be willing to invest in order to insure the construction of such a system. In addition, the possibility of receiving the substantial cash flows from the system which would result from ownership is another incentive to invest in the system.

It is likely that much of the Alaskan gas will be delivered throughout the lower 48 states by displacement rather than by direct delivery. Displacement is a process that would allow Alaska gas to be supplied to conveniently located customers of other pipeline systems that, in turn, could use their "displaced" gas to serve customers of other pipelines. Such a displacement scheme provides considerable savings and ease of delivery but also creates two potential problems. First, a transmission company could thwart the displacement plan by refusing to cooperate and displace gas in its system. To remedy this problem we recommend that legislation be enacted to give the Federal Power Commission, or its successor agency, authority to order participation in displacement programs for Alaskan natural gas.

Displacement also presents potential for anticompetitive activity because implementation of a displacement program requires pipeline companies to meet to agree upon supply reallocation. Obviously, the potential for anticompetitive agreements in the implementation of such a process exists, and almost regardless of the actual risks of such agreements being made, the public perception that such possibilities exist requires some antitrust protection.

This is not an insuperable problem. If the companies do no more than is reasonably necessary to effect the displacements, no antitrust issues should be presented. A method of insuring that no anticompetitive discussions or acts take place is to have interested government agencies monitor such meetings, and to have proposed allocation plans subject to government review and approval.

An all-events cost-of-service tariff has been proposed that would guarantee to the owners full reimbursement of all costs associated with the operation of the transportation system. These costs would be passed on to the consumer. These guarantees extend to all unit transportation costs, even if underutilization of the pipeline makes the unit cost excessively high. Guaranteeing these costs would eliminate incentives for the transportation system owners to prudently determine pipeline size and propose the most efficient pipeline based upon expectations of deliverability.

The deliverability of the Prudhoe Bay reserves is unsettled and highly disputed. The forecasts vary substantially; however, 2.0 Bcf/d appears to be the most likely rate of deliverability. The producers have stated their opposition to any form of deliverability guarantee and, since gas and oil production are related, may in the future restrict or eliminate gas production in order to increase the production of higher-priced oil. With the best deliverability estimate being 2.0 Bcf/d and the possibility of less gas production, there is potential for underutilization of the transportation system. Underutilization will

mean higher unit costs of transportation and under the proposed tariff, this higher transportation cost will be borne by the consumer. Deliverability should be carefully evaluated before a system is selected, and the high cost of constructing a system is undertaken. Further, the sizing of the proposed pipelines should be carefully evaluated, since the proposed tariff guarantees may have diminished incentives on the part of the proponents to determine and propose the most efficient pipeline size.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows for:

Mr. MARRIOTT (at the request of Mr. RHODES), for personal reasons.

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. CORCORAN of Illinois) to revise and extend their remarks and include extraneous material:)

Mr. COHEN, for 5 minutes, today.
Mr. FINDLEY, for 5 minutes, today.
Mr. CONABLE, for 5 minutes, today.
Mr. EDWARDS of Oklahoma, for 15 minutes, today.

Mr. CLEVELAND, for 5 minutes, today.
Mr. GOLDWATER, for 10 minutes, today.
Mr. FISH, for 10 minutes, July 19, 1977.

(The following Members (at the request of Mr. RAHALL) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. JACOBS, for 60 minutes, today.
Ms. OAKAR, for 5 minutes, today.
Mr. WEISS, for 5 minutes, today.
Mr. KOCH, for 5 minutes, today.
Mr. REUSS, for 30 minutes, today.
Mr. THOMPSON, for 5 minutes, today.
Mr. DOWNEY, for 10 minutes, today.
Mr. ASHLEY, for 10 minutes, today.
Mr. ALEXANDER, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. CUNNINGHAM, to extend his remarks made during consideration of conference report on H.R. 7556, Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations Act, 1978, today.

(The following Members (at the request of Mr. CORCORAN of Illinois) and to include extraneous matter:)

Mr. YOUNG of Florida in five instances.
Mr. BROOMFIELD.
Mr. FINDLEY.
Mr. STEIGER in two instances.
Mr. VANDER JAGT.
Mr. DEL CLAWSON.
Mr. COLLINS of Texas in three instances.
Mr. BOB WILSON in two instances.
Mr. ABDNOR in two instances.
Mr. CONABLE.
Mr. WYLIE.

Mr. KINDNESS.
Mr. SHUSTER.
Mr. HAGEDORN.
Mr. DERWINSKI in two instances.
Mr. KEMP in two instances.
Mr. DORNAN.

(The following Members (at the request of Mr. RAHALL) and to include extraneous matter:)

Mr. MINISH.
Mr. ALEXANDER.
Mr. MCFALL.
Mr. BINGHAM in 10 instances.
Mr. EVANS of Colorado.
Mr. BLOUIN.
Mr. ANNUNZIO in six instances.
Mr. ANDERSON of California in three instances.

Mr. GONZALEZ in three instances.
Mr. BROWN of California in 10 instances.

Mr. RODINO.
Mr. FRASER.
Ms. OAKAR in three instances.
Mr. KREBS.
Mr. SOLARZ.
Mr. MAZZOLI.
Mrs. SCHROEDER.
Mr. LEDERER.
Mr. STRATTON.
Mr. PERKINS.
Mr. BONKER.
Mr. SIMON.
Mr. HAMILTON.
Mr. EDWARDS of California.
Mr. TEAGUE in two instances.
Mr. DICKS.
Mr. HANNAFORD.
Mr. OTTINGER.
Mr. CHAPPELL.
Mr. WEISS.
Mr. NEDZI.
Mr. RANGEL.
Mr. ENGLISH.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill 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. 1532. An act to authorize appropriations for the Federal Maritime Commission, to require the Commission to recodify its rules, and for other purposes; to the Committee on Merchant Marine and Fisheries; and

S. Con. Res. 25. Concurrent resolution providing for the acceptance of a statute of the late Senator Ernest Gruening presented by the State of Alaska for the National Statuary Hall collection, and for other purposes; to the Committee on House Administration.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMPSON, from the Committee on House Administration, reported that that committee did on July 15, 1977 present to the President, for his approval, bills and a joint resolution of the House of the following title:

H.R. 186. To implement the Convention on the International Regulations for Preventing Collisions at Sea, 1972;

H.R. 1551. Granting the consent of Congress to an amendment to the Sabine River Compact entered into by the States of Texas and Louisiana;

H.R. 5638. To amend the Fishery Conservation Zone Transition Act in order to give effect during 1977 to the Reciprocal Fisheries Agreement between the United States and Canada;

H.R. 6893. To amend title 4 of the United States Code to make it clear that Members of Congress may not, for purposes of State income tax laws, be treated as residents of any State other than the State from which they were elected;

H.R. 7636. Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1978, and for other purposes; and

H.J. Res. 24. To provide for the designation of a week as "National Lupus Week."

ADJOURNMENT

Mr. RAHALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 4 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 19, 1977, 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:

1951. A letter from the Chairman, Cost Accounting Standards Board, transmitting a proposed cost accounting standard entitled "Part 413—Adjustment and Allocation of Pension Cost," pursuant to section 719(h) (3) of the Defense Production Act, as amended; to the Committee on Banking, Finance and Urban Affairs.

1952. A letter from the Department of Agriculture, transmitting a draft of proposed legislation to change from a fiscal to a school year basis certain provisions of the National School Lunch Act, as amended, and the Child Nutrition Act of 1966, as amended; to the Committee on Education and Labor.

1953. A letter from the Director, Defense Security Assistance Agency, transmitting a quarterly report as of March 31, 1977, on foreign military sales letters of offer, pursuant to subsections 36(a) (1) and (2) of the Arms Export Control Act (I-7969); to the Committee on International Relations.

1954. A letter from the Director, Defense Security Assistance Agency, transmitting a quarterly report as of March 31, 1977, on foreign military sales letters of offer, pursuant to subsections 36(a) (1) and (2) of the Arms Export Control Act (I-7969); to the Committee on International Relations.

1955. A letter from the Secretary of Transportation, transmitting a report on the availability and use of abandoned railroad rights-of-way, pursuant to section 809(a) of Public Law 94-210; to the Committee on Interstate and Foreign Commerce.

1956. A letter from the Chairman, U.S. Regulatory Commission, transmitting the eighth report on abnormal occurrences at licensed nuclear facilities for the period January–March 1977, pursuant to section 208 of Public Law 93-438; jointly, to the Committees on Interior and Insular Affairs, and Interstate and Foreign Commerce.

1957. A letter from the Comptroller General of the United States, transmitting a report on the Labor Surplus Policy (PSAD-77-133, July 15, 1977); to the Committee on Government Operations.

1958. A letter from the Comptroller General of the United States, transmitting a report on the Clarence Cannon Dam and Reservoir project (PSAD-77-131, July 18, 1977); jointly, to the Committees on Government Operations, and Public Works and Transportation.

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. APPLEGATE:

H.R. 8374. A bill to amend the Appalachian Regional Development Act of 1965 to secure a continuation of child development programs while further research is conducted; jointly, to the Committees on Public Works and Transportation, and Interstate and Foreign Commerce.

By Mr. COLLINS of Texas:

H.R. 8375. A bill to prescribe the conditions with respect to affirmative action programs required of Federal grantees and contractors in complying with nondiscrimination programs, to prescribe the necessary requirements for a finding of discrimination in certain actions brought on the basis of discrimination in employment and to prescribe reasonable limits on the collection of data relating to race, color, religion, sex, or national origin, and for other purposes; jointly, to the Committees on the Judiciary, and Education and Labor.

By Mr. FREY:

H.R. 8376. A bill to amend the Public Health Service Act to provide assistance for Tay-Sachs disease screening, counseling, and research programs; to the Committee on Interstate and Foreign Commerce.

H.R. 8377. A bill to amend the Internal Revenue Code of 1954 to provide a basic \$5,000 exemption from income tax, in the case of an individual or a married couple, for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

H.R. 8378. A bill to amend title II of the Social Security Act to increase to \$750 in all cases the amount of the lump-sum death payment thereunder; to the Committee on Ways and Means.

H.R. 8379. A bill to amend title XVIII of the Social Security Act to include hearing aids and dentures among the items and services for which payment may be made under the supplementary medical insurance program; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. GOLDWATER:

H.R. 8380. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for the purchase and installation of certain teletypewriters for use by individuals whose sight, hearing, or speech is impaired; to the Committee on Ways and Means.

By Mr. JOHNSON of California (for himself, Mr. HOWARD, Mr. HARSHA, Mr. ANDERSON of California, Mr. CLEVELAND, Mr. McCORMACK, Mr. SNYDER, Mr. BREAUX, Mr. HAMMER-SCHMIDT, Mr. OBERSTAR, Mr. WALSW, Mr. NOWAK, Mr. COCHRAN of Mississippi, Mr. RISENHOVER, Mr. ABDNOR, Mr. HEFNER, Mr. GOLDWATER, Mr. YOUNG of Missouri, Mr. HAGEDORN, Mr. STUMP, Mr. STANGELAND, and Mr. APPLEGATE):

H.R. 8381. A bill authorizing certain public works on rivers for navigation, and for other purposes; jointly, to the Committees on Public Works and Transportation, and Ways and Means.

By Mr. McCORMACK:

H.R. 8382. A bill to amend the Internal Revenue Code of 1954 to allow certain spouses of military personnel to deduct payments into retirement savings to the extent that such payments do not exceed \$900 for a taxable year; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 8383. A bill to extend the benefits of Federal labor relations acts to public employees and their employers; to the Committee on Education and Labor.

By Mr. MILLER of Ohio:

H.R. 8384. A bill to amend the Internal Revenue Code of 1954 to provide a basic \$5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. MOAKLEY (for himself, Mr.

CHARLES WILSON of Texas, Mr. WINN, Mr. McCORMACK, Mr. FLOOD, Mr. WALKER, Mr. WALSH, Mr. EDGAR, Mr. KINDNESS, Mr. HUGHES, Mr. PANETTA, Mr. SANTINI, Mr. LAGOMARSINO, Mr. BINGHAM, Mr. MIKULSKI, Mrs. SPELLMAN, Mr. PATTERSON of California, Mr. JENNETTE, Mr. ROSE, Mr. MAZZOLI, Mr. MINETA, Mr. BONIOR, Mr. BENJAMIN, and Mr. GRASSLEY):

H.R. 8385. A bill to revise chapter 99 of title 18 of the United States Code to provide for the punishment of sexual assaults in the special jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. MOTT (for himself, Mr.

TEAGUE, Mr. ROBERTS, Mr. HAMMERSCHMIDT, Mr. HANNAFORD, Mr. ALLEN, Mr. APPLEGATE, Mr. HEFNER, and Mr. WALSH):

H.R. 8386. A bill to amend title 38, United States Code, to increase the rates of vocational rehabilitation, education assistance and special training allowance paid to eligible veterans and persons, to make improvements in the educational assistance programs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. OAKAR:

H.R. 8387. A bill to provide rules respecting the use by depository institutions of electronic fund transfers; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PATTEN:

H.R. 8388. A bill to require that rail and motor carriers provide timely notice to the chief executive of any State within which hazardous materials are scheduled to be transported or shipped; jointly, to the Committees on Interstate and Foreign Commerce, and Public Works and Transportation.

By Mr. PEPPER:

H.R. 8389. A bill authorizing the President of the United States to present a gold medal to the widow of Robert F. Kennedy; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PRICE (for himself and Mr.

BOB WILSON) (by request):

H.R. 8390. A bill to authorize appropriations during the fiscal year 1978 for procurement of aircraft and missiles, and research, development, test and evaluation for the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. REUSS (for himself and Mr.

MATTOX):

H.R. 8391. A bill to promote the accountability of the Federal Reserve System; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SIMON (for himself, Mr. MITCHELL of Maryland, Mr. BADILLO, Mr.

NIX, Mr. OTTINGER, Mr. EDWARDS of Oklahoma, Mr. RAHALL, Mr. VENTO, Mr. FINDLEY, Mr. BALDUS, Mr. BAUCUS, Mr. ANDREWS of North Dakota, Mr. HOLLAND, Mr. MINETA, Mr. GUDGER, Mr. MIKVA, and Mr. STARK):

H.R. 8392. A bill to amend the Federal Railroad Safety Act of 1970 to require the locomotive of all trains to be equipped with strobe lights; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS (for himself and Mr. ROONEY):

H.R. 8393. A bill to amend the Department of Transportation Act and the Regional Rail Reorganization Act of 1973 to extend the eligibility for financial assistance under the rail service assistance programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER (for himself and Mr. GINN):

H.R. 8394. A bill to provide for payments to local governments based upon the acreage of the National Wildlife Refuge System which is within their boundaries; to the Committee on Merchant Marine and Fisheries.

By Mr. TRAXLER (for himself, Mr. BYRON, Mr. MURPHY of Pennsylvania, Mr. KASTENMEIER, Mr. TRIBLE, Mr. WYDLER, Mr. NOLAN, Mr. JENNETTE, Mr. HAWKINS, Mr. GOODLING, Mr. PATTERSON of California, Mr. COUGHLIN, Mr. LUKEN, and Mr. HEFNER):

H.R. 8395. A bill to provide for the monthly publication of a Consumer Price Index for the Aged and Other Social Security Beneficiaries, which shall be used in the provision of the cost-of-living benefit increases authorized by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. TRAXLER (for himself, Mr. DICKS, Mr. BYRON, Mr. MURPHY of Pennsylvania, Mr. KASTENMEIER, Mr. TRIBLE, Mr. WYDLER, Mr. NOLAN, Mr. HAWKINS, Mr. GOODLING, Mr. PATTERSON of California, Mr. LUKEN, and Mr. HEFNER):

H.R. 8396. A bill to amend title II of the Social Security Act to provide that the automatic cost-of-living increases in benefits which are authorized thereunder may be made on a semiannual basis (rather than only on an annual basis as at present); to the Committee on Ways and Means.

By Mr. UDALL:

H.R. 8397. A bill to provide that a certain tract of land in Pinal County, Ariz., held in trust by the United States for the Papago Indian Tribe, be declared a part of the Papago Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of Florida (for himself and Mr. ERTLE):

H.R. 8398. A bill to amend the Internal Revenue Code of 1954 to allow individuals a credit against income tax for electrical energy fuel surcharges imposed by public utilities; to the Committee on Ways and Means.

By Mr. ZEPFERETTI:

H.R. 8399. A bill to amend title 28 of the United States Code, to provide for an exclusive remedy against the United States in suits based upon acts or omissions of U.S. officers and employees routinely assigned to perform investigative, inspection, or law enforcement functions, and for other purposes; to the Committee on the Judiciary.

By Mr. MIKVA:

H.R. 8400. A bill to amend the Social Security Act to authorize international agreements with respect to social security benefits; to the Committee on Ways and Means.

By Mr. MOSS (for himself, Mr. MAGUIRE, Mr. KREBS, Mr. PERKINS, Ms. HOLTZMAN, Mr. BEDELL, Mr. CORRADA, Mr. MOFFETT, Mr. MURPHY of Pennsylvania, Mr. HAWKINS, Mr. ROE, Mr. LENT, Mr. CARNEY, Ms. MIKULSKI, Mr. LUNDINE, Mr. NOLAN, Mr. MURPHY of New York, Mr. GEPHARDT, Mr. PATTERSON of California, Mr. PATTEN, Mr. BRODHEAD, Mr. DRINAN, Mr. WALGREN, Mr. CORNWELL, and Mr. GIBBONS):

H.R. 8401. A bill to amend title XIX of the Social Security Act to improve the early and periodic screening, diagnosis, and treatment program; to the Committee on Interstate and Foreign Commerce.

By Mr. ROONEY:

H.R. 8402. A bill to authorize the rehabilitation or reconstruction of locks and dam 26, to establish a system of user fees to finance the future costs of the inland waterways of the United States, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. RAHALL (for himself, Mr. BADILLO, Mr. CEDERBERG, Mr. COHEN, Mr. ERTLE, Mr. GUYER, Mr. LAGOMARSINO, Mrs. LLOYD of Tennessee, Mr. MARLENEE, Mr. MURPHY of Pennsyl-

vania, Mr. PANETTA, Mr. ROE, and Mr. WATKINS):

H.J. Res. 549. Joint resolution to authorize National Shut-In Day; to the Committee on Post Office and Civil Service.

By Mr. FREY:

H. Con. Res. 290. Concurrent resolution urging the telephone and hearing aid industries to provide full access to telephone communications for hearing aid users; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON:

H. Res. 687. Resolution providing for district office space for Members of the House of Representatives; to the Committee on House Administration.

By Mr. BROOKS:

H. Res. 688. Resolution to disapprove reorganization plan No. 1 of 1977; to the Committee on Government Operations.

By Mr. FINDLEY (for himself, Mr. MADIGAN, Mr. ALEXANDER, Mr. BAFALIS, Mr. BEDELL, Mr. BOWEN, Mr. CAVANAUGH, Mr. CEDERBERG, Mr. CORNWELL, Mr. DAVIS, Mr. DERRICK, Mr. DUNCAN of Tennessee, Mr. ERTLE, Mr. FLOOD, Mr. FOWLER, Mr. GIBBONS, Mr. GILMAN, Mr. GUYER, Mrs. HECKLER, Mr. KAZEN, Mr. KEMP, Mr. MILLER of Ohio, Mr. JOHN T. MYERS, Mr. NEAL, and Mr. NIX):

H. Res. 689. Resolution to maximize local nighttime radio service; to the Committee on Interstate and Foreign Commerce.

By Mr. FINDLEY (for himself, Mr. MAGUIRE, Mr. PATTERSON of California, Mr. RAILSBACK, Mr. ROE, Mr. RUNNELS, Mr. SEBELIUS, Mr. STANTON, Mr. TSONGAS, and Mr. WHITLEY):

H. Res. 690. Resolution to maximize local nighttime radio service; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODLING (for himself, Mr. WALKER, Mr. WINN, Mr. KINDNESS, Mr. CUNNINGHAM, Mr. PURSELL, Mr. BAFALIS, Mr. PATTERSON of California, Mr. KETCHUM, Mr. LUJAN, Mr. GRADISON, Mr. KEMP, Mr. COLLINS of Texas, Mr. RAHALL, Mr. RHODES, Mr. SIMON, Mr. EDWARDS of Oklahoma, Mr. KASTENMEIER, Mr. CORCORAN of Illinois, Mr. STOCKMAN, Mr. QUIE, Mr. KOSTMAYER, and Mr. PRESSLER):

H. Res. 691. Resolution expressing the sense of the House of Representatives that the Attorney General of the United States should appoint a special prosecutor to serve in the Department of Justice to investigate, and prepare prosecutions with respect to, acts by agents of foreign governments or by other individuals to obtain means contrary to the laws of the United States influence from officials of the United States; to the Committee on the Judiciary.

By Mr. PRITCHARD:

H. Res. 692. Resolution relating to the future of telecommunications policy of the Nation; to the Committee on Interstate and Foreign Commerce.

SUBSEQUENT ACTION ON BILLS INITIALLY REFERRED UNDER TIME LIMITATIONS

Under clause 5 of rule X, the following actions were taken by the Speaker:

The Committee on Interstate and Foreign Commerce consideration of referred portions of the bill (H.R. 6831 to establish a comprehensive national energy policy extended for a period ending not later than July 9, 1977.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

227. The SPEAKER presented a memorial of the Legislature of the State of California, relative to the construction of the Auburn Dam; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

By Mr. CONTE:

H.R. 8403. A bill for the relief of Luis Carlos Deabreu; to the Committee on the Judiciary.

By Mr. GLICKMAN:

H.R. 8404. A bill for the relief of tenants of Scully lands in Marion County, Kansas; 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:

The SPEAKER presented a petition of Bonifacio Aparicio Llanes, Rio Piedras, Puerto Rico, relative to proposed legislation on minimum wages; which was referred to the Committee on Education and Labor.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 5400

By Mr. BADHAM:

Page 28, strike out line 6 and all that follows down through line 15 and insert the following:

(B) submitting—

(i) a form of identification establishing the identity and place of residence of such individual and showing a photograph of such individual; and

(ii) a form of identification which corroborates the place of residence of such individual. The requirement of this subsection may be met by providing an item which was delivered to such an individual at the stated place of residence by the United States Postal Service or an affidavit attesting to the identity and place of residence of the individual desiring to register to vote under this section, which is executed by a person who is pre-registered to vote at the polling place involved and is present at such polling place with such individual. The requirement of the submission of such shall not be deemed to be a test or device within the meaning of the Voting Rights Act of 1965, as amended (42 U.S.C. 1973aa.).

Page 29, strike out line 6 and all that follows down through line 16.

Page 29, line 17, strike "(5)" and insert in lieu thereof "(4)".

Page 29, line 22, strike "(6)" and insert in lieu thereof "(5)".

Page 29, line 23, strike the dash following the word "who," and strike lines 24 and 25. Immediately following the word "who," add "has not executed another such affidavit on such date."

Page 30, strike out line 1 and all that follows down through line 6.

Page 30, line 7, strike "(7)" and insert in lieu thereof "(6)".

On page 20, line 12 strike the word "Universal" and insert in lieu thereof "Election Day".

On page 20, line 13 strike the word "Voter".

By Mr. PEASE:

Page 28, beginning on line 6, strike out "If additional identification is required by the State or unit of general local government involved."

Page 28, after line 15, insert the following: "An individual shall be in compliance with subparagraph (B) if he elects to make a submission under either clause (i) or clause (ii) of such subparagraph. Such election shall

be within the discretion of such individual, and the State or unit of general local government involved may not, by law or otherwise, restrict or impair the exercise of such discretion."

By Mr. SAWYER:

On page 43, strike out line 11 and all that follows down through line 17, insert the following new paragraphs, and redesignate the following paragraph of section 10(c) accordingly:

(2) Any program established and maintained by a State under paragraph (1) shall include a procedure through which—

(A) not less than 5 percent of the individuals who registered to vote in such State in any Federal election under section 6(a)(1) and section 6(b) shall be randomly selected after such election;

(B) information and materials relating to the registration of the individuals so selected shall be reviewed to verify the information described in paragraph (1); and

(C) not more than 60 days after the Federal election involved, the results of such review (together with a statement of the number of individuals who registered section 6(b), the number of individuals selected pursuant to subparagraph (A), and the number of individuals so selected for whom any item of information described in paragraph (1) was not verifiable) shall be transmitted to the Commission.

(3) (A) Not more than 90 days after the Federal election involved, the Commission shall compile and publish the results transmitted to the Commission under paragraph (2)(C).

(B) If, with respect to any such election which is a general election for Federal office, the number of individuals selected under paragraph (2)(A) for whom any item of information described in paragraph (1) was not verifiable exceeds 15 percent of the total number of such individuals in each of one-fourth of the States for which no waiver was granted by the Commission under section 6(a)(2)(B), this Act shall expire on the date of the publication by the Commission of the results transmitted under paragraph (2)(C) relating to such election.

(C) The expiration of this Act pursuant to subparagraph (B) shall not affect any administrative, civil, or criminal action or proceeding, whether or not pending on the date of expiration, based on any act committed or liability incurred on or before such date.

By Mr. ABDNOR:

Title V, section 501(b), page 15, line 12, after the words "by the Secretary," insert the words "oats and".

H.R. 7171

By Mr. BOWEN:

Page 157, immediately after line 15, insert the following:

"SUBTITLE III—REGIONAL SOLAR ENERGY RESEARCH AND DEVELOPMENT CENTERS

"REGIONAL CENTERS

"SEC. 1418. In order to provide for research and development projects having a national or regional application, the Secretary of Agriculture shall establish in existing federal facilities or in cooperation with State and local government agencies, including State departments of agriculture, colleges and universities, or other qualified persons and organizations, including local non-profit research groups, no less than three nor more than five regional solar energy research and development centers in the United States, to be variously located so as to reflect the unique solar characteristics of different latitudes and climatic regions within the United States. Funds used in the operation of such regional centers may be used for the rehabilitation of existing buildings or facilities to house such centers, but may not

be used for the construction or acquisition of new buildings.

"AUTHORIZATION FOR APPROPRIATIONS

"SEC. 1419. There are authorized to be appropriated such funds as are needed to carry out the provisions of this subtitle."

By Mr. BROWN of California:

On Page 7, line 23, after the word "crop," insert the following: "except that the target price shall be \$2.90 per bushel for the first 18,000 bushels of wheat for which each producer is determined to be eligible for payment under the provisions of this section,".

On Page 16, line 4, after the word "crop," insert the following: "except that the target price shall be \$2.00 per bushel for the first 36,000 bushels of corn for which each producer is determined to be eligible for payment under the provisions of this section."

By Mr. BURLISON of Missouri:

Page 50, line 15, insert after "such level" the following: ", not less than \$4 per bushel,".

By Mr. CONTE:

Page 53, strike out line 11 and all that follows through line 14 on page 58 and redesignate the subsequent sections accordingly.

Page 5, strike out lines 5 through 7 and insert in lieu thereof the following new section:

SEC. 205. Effective December 31, 1977, section 804 of the Agricultural Act of 1970 is repealed.

By Mr. ENGLISH:

Page 7, line 23, strike out "\$2.65" and insert in lieu thereof "\$2.90".

Page 7, line 18, insert after "(ii)" the following: "with respect to the 1977 crop, the acreage on the farm from which wheat is actually harvested and, with respect to the 1978 through 1981 crops,".

Page 7, strike out lines 10 through 16 and insert in lieu thereof the following: "multiplying (1) the amount by which the national weighted average market price received by farmers during the first five months of the marketing year for such crop, as determined by the Secretary,".

By Mr. FITHIAN:

Page 2, line 3, insert "SUGAR," immediately after "FEED GRAINS,".

Page 2, line 13, add a new paragraph as follows:

"(2) The total amount of payments which a person may receive under any program established under the Agricultural Act of 1949, as amended, for sugar shall not exceed \$50,000."

By Mr. HARKIN:

Line 25, page 17, after the words "disaster payments" insert the words "for prevented planting".

Line 3, page 18, strike out the period and insert the following: "and disaster payments for low-yield shall be made as provided in this section: *Provided*, That no disaster payments for low-yield for such crop shall be made under this section prior to October 1, 1977: *Provided further*, That in the event any producers have received disaster payments for low-yield for the 1977 crop under prior law, they may retain such payments and if such payments are less than the amounts to which they are entitled under this section, the Secretary is authorized and directed to pay to such producers such additional amounts as may be due them under this section."

By Mr. HARKIN:

Page 2, line 4, insert "(a)" after "Sec. 101." Page 2, after line 13, insert the following new subsection:

(b) Section 101 of such Act is amended—
(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;
(2) by inserting "or loans" after "payments" each place such term appears in paragraph (4), as redesignated in paragraph (1) of this subsection;

(3) by striking out "earned" each place such term appears in paragraph (4), as redesignated in (1) of this subsection and inserting in lieu thereof "obtained";

(4) by striking out "payment reduction" in paragraph (4), as redesignated in paragraph (1) of this subsection, and inserting in lieu thereof "payment or loan reduction";

(5) by inserting "and loans" after "payments" in paragraph (5), as redesignated in paragraph (1) of this subsection; and

(6) by inserting after paragraph (2) the following new paragraph:

"(3) The total amount of loans which a person obtains under one or more of the annual programs established under the Agricultural Act of 1949 with respect to the 1978 through 1981 crops of wheat, peanuts, feed grains, soybeans, rice, and cotton, respectively, shall not exceed \$100,000 with respect to each of the 1978 through 1981 crops of such commodities.

By Mrs. HECKLER:

Page 41, line 14 strike "such levels" and all that follows through page 42, line 2. Insert in lieu thereof: "the following levels per ton:

1978	-----	\$390
1979	-----	\$375
1980	-----	\$360
1981	-----	\$345"

By Mr. JEFFORDS:

In title XII, page 28, insert after line 8 the following new section:

"RECOVERY OF BENEFITS WHERE INDIVIDUAL'S ADJUSTED GROSS INCOME FOR YEAR EXCEEDS TWICE POVERTY LEVEL

"SEC. 9. (a)(1) If—

"(A) any individual receives food stamps during any calendar year, and

"(B) such individual's adjusted gross income for such calendar year exceeds the exempt amount,

then such individual shall be liable to pay the United States the amount determined under subsection (b) with respect to such individual for such calendar year. Such amount shall be due and payable on April 15 of the succeeding calendar year and shall be collected in accordance with the procedures prescribed pursuant to subsection (g).

"(2) If, at the time prescribed by paragraph (1) for the payment of any liability imposed by such paragraph on any individual, such individual is a member of a household receiving food stamps, the time for the payment of such liability to the extent that such liability exceeds any offset provided pursuant to subsection (g) shall be extended until such individual is no longer a member of a household receiving food stamps.

"(3) No interest or penalty shall be assessed or collected with respect to any liability imposed by paragraph (1).

"(4) Except in the case of a husband and wife who live apart at all times during the calendar year, in the case of a married individual—

"(A) this section shall be applied by treating both spouses as one individual, and

"(B) the liability imposed by paragraph (1) shall be apportioned among the spouses in accordance with regulations prescribed by the Secretary (after consultation with the Secretary of the Treasury).

"(b)(1) For purposes of this section, the amount determined under this subsection with respect to any individual for any calendar year is the lesser of—

"(A) the value of the food stamps received by such individual during such calendar year, or

"(B) the excess of (1) the adjusted gross income of such individual for such calendar year, over (2) the exempt amount.

"(2) For purposes of this section—

"(A) if an individual maintains a household for any calendar year, such individual shall be treated as receiving all of the food

stamps received by such household during such calendar year, or

"(B) if subparagraph (A) does not apply with respect to any household for any calendar year, each member of such household shall be treated as receiving a portion (determined under regulations prescribed by the Secretary) of the food stamps received by such household during the calendar year."

"(3) For purposes of this section, an individual shall be treated as maintaining a household for any calendar year if at least 80 percent of the cost of maintaining such household for such year is furnished by such individual."

"(c) If the Secretary determines that this section may apply with respect to any individual for any calendar year, not later than January 31 of the succeeding calendar year, he shall furnish such individual a written statement which—

"(1) sets forth the value of the food stamps received by such individual during such calendar year, and

"(2) contains an explanation that such amount may be recovered in accordance with the provision of this section."

"(d) The Secretary (after consultation with the Secretary of the Treasury) may waive any liability imposed by subsection (a) if he determines that such liability would result in an undue hardship."

"(e)(1) For purposes of this section—

"(A) The term 'exempt amount' means, with respect to any individual for any calendar year, an amount equal to twice the income poverty guidelines for a household which consists of such individual, his spouse, and any dependent of the individual with respect to whom the individual is entitled to a deduction under section 151(e) of the Internal Revenue Code of 1954 for such calendar year. For purposes of the preceding sentence, the term 'income poverty guidelines' means the guidelines as calculated in section 5(c) of this Act."

"(B) The terms 'taxable year', 'adjusted gross income' and 'dependent' have the same meaning as such terms have when used in chapter 1 of the Internal Revenue Code of 1954."

"(C) The determination of marital status shall be made under section 143 of such Code."

"(2) In the case of an individual whose taxable year is not a calendar year, this section shall be applied under regulations prescribed by the Secretary."

"(f) All funds recovered pursuant to the provisions of this section shall be deposited as miscellaneous receipts of the Treasury and shall be available to the Secretary of the Treasury to defray administrative costs incurred in carrying out the provisions of this section and shall be available to the Secretary of Agriculture to carry out the provisions of this Act in such amounts as may be specified in appropriation Acts."

"(g) The Secretary (after consultation with the Secretary of the Treasury) shall by regulations prescribe the procedures for collecting any liability imposed by this section. Such regulations shall provide that—

"(1) where feasible, any such liability shall be collected by the Secretary of the Treasury in coordination with his responsibilities under other Federal laws, and

"(2) any liability not collected by the Secretary of the Treasury shall be collected by the Secretary."

Such regulations may provide that any such liability may be offset by any overpayment of a Federal tax to which the individual is entitled and such an offset shall be treated as a refund of such overpayment."

Redesignate the succeeding sections, and any references thereto, accordingly."

By Mr. McHUGH:

Strike section 1320 (at p. 111, line 23 ff) and renumber the following sections appropriately.

By Mr. MADIGAN:

Title IV, section 401, is amended by striking the word "If" as it appears on page 8, line 15, and page 9, line 2, and insert in lieu thereof the following:

"Effective only with respect to the 1978 and 1979 crops of wheat, if";

Title V, section 501, is amended by striking the word "If" as it appears on page 16, line 23, and page 17, line 10, and insert in lieu thereof the following:

"Effective only with respect to the 1978 and 1979 crops of feed grains, if";

Title VI, section 602, is amended by striking the word "If" as it appears on page 26, line 20, and page 27, line 1, and insert in lieu thereof the following:

"Effective only with respect to the 1978 and 1979 crops of cotton, if"; and

Title VII, section 704, page 32, line 5, immediately after the semicolon, insert the following new paragraph (6) and redesignate existing paragraph (6) as paragraph (7):

"(6) striking the word 'If' in the third and fourth sentences in paragraph (4) and insert in lieu thereof 'Effective only with respect to the 1978 and 1979 rice crops, if'."

By Mr. MATHIS:

Add the following new title:

TITLE —CONGRESSIONAL REVIEW

"Sec. . (a) (1) Notwithstanding any other provision of this Act, simultaneously with promulgation or repromulgation of any rule or regulation, the agency promulgating or repromulgating the rule or regulation shall transmit a copy thereof to the Secretary of the Senate and the Clerk of the House of Representatives. Except as provided in paragraph (2), the rule or regulation shall not become effective, if—

"(A) within 90 calendar days of continuous session of Congress after the date of promulgation, both Houses of Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows: 'That Congress disapproves the rule or regulation promulgated by _____ dealing with the matter of _____, which rule or regulation was transmitted to Congress on _____, the blank spaces therein being appropriately filled; or

"(B) within 60 calendar days of continuous session of Congress after the date of promulgation, one House of Congress adopts such a concurrent resolution and transmits such resolution to the other House, and such resolution is not disapproved by such other House within 30 calendar days of continuous session of Congress after such transmittal."

"(2) If at the end of 60 calendar days of continuous session of Congress after the date of promulgation of a rule or regulation, no committee of either House of Congress has reported or been discharged from further consideration of a concurrent resolution disapproving the rule or regulation, and neither House has adopted such a resolution, the rule or regulation may go into effect immediately. If, within such 60 calendar days, such a committee has reported or been discharged from further consideration of such a resolution, or either House had adopted such a resolution, the rule or regulation may go into effect not sooner than 90 calendar days of continuous session of Congress after its promulgation unless disapproved as provided in paragraph (1)(A)."

"(b) (1) The agency may not promulgate a new rule or regulation identical to one disapproved pursuant to this section unless a statute is adopted affecting the agency's powers with respect to the subject matter of the rule or regulation."

"(2) If the agency proposes a new rule or regulation dealing with the same subject matter as a disapproved rule or regulation, the agency shall comply with the procedures required for the issuance of a new rule or regulation."

By Mr. NOLAN:

TITLE IV—WHEAT

Page 6, strike out line 24, and page 7, strike out lines 1 and 2 and insert in lieu thereof the following: "100 per centum of parity, except that—

"(1) if such minimum loan rate for a given year is less than 80 per centum of the average price received by farmers in the United States during the three-year period preceding the scheduled date for the announcement of the rate, then the loan rate for that year shall be not less than 80 nor more than 90 per centum of the three-year average farm price, as the Secretary determines appropriate to accomplish the purposes of this Act, unless the rate so determined exceeds 90 per centum of the then average price received by farmers in the United States, taken over the preceding ninety days, in which case

"(2) the loan rate shall be the higher of (i) 90 per centum of such current average price received by farmers in the United States, or (ii) the aforementioned minimum loan rate for that year."

TITLE V—FEED GRAINS

Page 14, strike out lines 19 through 22, and insert in lieu thereof the following: "per bushel for each of the 1978 through 1981 crops, except that

"(1) if such minimum loan rate for a given year is less than 80 per centum of the average price received by farmers in the United States during the three-year period preceding the scheduled date for the announcement of the rate, then the loan rate for that year shall be not less than 80 nor more than 90 per centum of the three-year average farm price, as the Secretary determines appropriate to accomplish the purposes of this Act, unless the rate so determined exceeds 90 per centum of the then average price received by farmers in the United States, taken over the preceding ninety days in which case

"(ii) The loan rate shall be the higher of (i) 90 per centum of such current average price received by farmers in the United States, or (ii) the aforementioned minimum loan rate for that year."

Page 2, insert the following immediately after line 13:

"Sec. 102. Section 101 (4) of the Agricultural Act of 1970, as amended, is renumbered as section 101 (5) and the new section 101 (4) is added as follows:

"(4) No payments shall be made under the annual programs established under the Agricultural Act of 1949, as amended, for the 1978 through 1981 crops of wheat, feed grains, upland cotton, and rice to;

"(a) a corporation, partnership, or other legal entity comprised of more than one person if a majority interest in such legal entity is held by stockholders, partners, or persons who themselves are not engaged in farming operations as a sole proprietorship;

"(b) a trust or similar arrangement established by a person who would not have been eligible for payment under this subsection;

"(c) The provisions of this subsection shall not prohibit program participation by:

"(i) Any farmer-owned and controlled cooperative, corporation, or association which meets the requirements of the Act entitled "An Act to authorize association of producers of agricultural products", approved February 18, 1922 (42 Stat. 388, 7 USC 291-292, the Capper-Volstead Act) or as defined in section 15(a) of the Agricultural Marketing Act of 1929 (49 Stat. 317; 12 USC 1141)."

"(ii) Any family farm corporation founded primarily for the purpose of earning income from agricultural production. A majority of the shares must be held by, and a majority of the shareholders must be, close relatives. To qualify, a farm must be lived on or actively operated by one of the related family member stockholders."

"(11) An organization described in section 501(c)(3) of the Internal Revenue Code of 1954 and exempt from tax under 501(a) of such Code."

By Mr. NOWAK:

Page 16, line 25, redesignate subsection "(h)" as "(h)(1)";

Page 17, following line 12, add the following:

"(2) The Secretary shall require each State to submit a plan of operation for providing food stamps for households that are victims of a disaster. Such plan shall include, but not be limited to, procedures for informing the public about the program and how to apply for benefits, coordination with Federal and private disaster relief agencies and local government officials, application procedures to reduce hardship and inconvenience and deter fraud, and instruction of caseworkers in procedures for implementing and operating the disaster program;

"(3) The Secretary shall establish a Food Stamp Disaster Task Force, to assist states in implementing and operating the disaster program. The task force shall be available to go into a disaster area and provide direct assistance to state and local officials after the Secretary has determined that a disaster exists."

By Mr. ROSE:

On page 5, line 8, insert the following:
Sec. 206. Sec. 203(c) of the Agricultural

Marketing Act of 1946 is amended by inserting immediately before the period at the end thereof the following semicolon (;): "Provided, That within 30 days of enactment of the Agriculture Act of 1977, the Secretary of Agriculture shall by regulation adopt a Standard of Quality for ice cream which shall provide that ice cream shall contain at least 1.6 pounds of total solids to the gallon, and weighs not less than 4.5 pounds to the gallon, and contains not less than 20 percent total milk solids, constituted of not less than 10 percent milkfat nor less than 10 percent Non Fat Milk Solids, of which whey shall not, by weight, be more than 25 percent. Only those products which meet the standard issued by the Secretary shall be entitled to be called "ice cream.""

On page 5, line 8, insert the following:

Sec. 206. Section 203(c) of the Agricultural Marketing Act of 1946 is amended by inserting immediately before the period at the end thereof, the following "Provided, That within 30 days of enactment of the Agriculture Act of 1977, the Secretary of Agriculture shall by regulation adopt a Standard of Quality for ice cream which shall provide that ice cream shall contain at least 1.6 pounds of total solids to the gallon, and weighs not less than 4.5 pounds to the gallon, and contains not less than 20 percent total milk solids, constituted of not less than

10 percent milkfat nor less than 10 percent Non Fat Milk Solids, of which they shall not, by weight, be more than 25 percent. Only those products which meet the standard issued by the Secretary shall be able to bear a symbol thereon indicating that it meets the USDA standard for 'ice cream.'"

Offered by Mr. WEAVER:

Page 77, line 8, after the semicolon, strike out "and".

Page 77, line 11, strike out the period and insert in lieu thereof "; and" and, after such line, insert the following new paragraph:

(13) establish a new program of research and extension concerning genetics, nutrition, reproduction, disease, and health care of dairy goats and concerning marketing of milk and milk products produced by dairy goats.

H. R. 7940

By Mr. JEFFORDS:

On page 42 of H. R. 7940, strike out lines 12 through 15 and insert in lieu thereof the following:

(k) Notwithstanding any other provision of law, the Secretary, in accordance with arrangements entered into with the Secretary of Health, Education, and Welfare, may pay (or upon the request of the highest officer of a State, shall, in such State, pay) qualifying households—

SENATE—Monday, July 18, 1977

(Legislative day of Wednesday, May 18, 1977)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Hear the words of the 42d Psalm, first verse:

"As the heart panteth after the water brooks, so panteth my soul after Thee, O God, My soul thirsteth for God, for the living God: . . ."

Let us pray:

O God who hast made us for Thyself so that our hearts are restless until they rest in Thee, we come to Thee thirsting for that life-giving water which comes from Thee, and from Thee alone. In the reverent silence of this moment may Thy Spirit find its way into our souls. However busy we become, however crowded the hours or stressful the day, help us to make time for contemplation and meditation—not apart from the world but in the midst of daily work. Created in Thy image, help us to live so as to reflect that divine birthright.

In Thy holy name we pray. Amen.

RECOGNITION OF LEADERSHIP

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is recognized.

THE JOURNAL

Mr. ROBERT C. BYRD, Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, July 15, 1977, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is ordered.

Mr. ROBERT C. BYRD, Mr. President, I have no further use for my time.

RECOGNITION OF LEADERSHIP

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized.

Mr. STEVENS, Mr. President, I ask unanimous consent that the time allocated to the minority leader be allocated to that already assigned to the Senator from Nebraska.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SPECIAL ORDERS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Nebraska (Mr. CURTIS) is recognized for not to exceed 30 minutes.

OPPOSITION TO ROBERT MENDELSON

Mr. CURTIS, Mr. President, I rise in opposition to the confirmation of Robert Mendelsohn as Assistant Secretary of the Interior for Policy, Budget, and Administration.

If confirmed, Mr. Mendelsohn will assume responsibility for the Interior Department's \$4.3 billion budget. He would be one of the five highest ranking Interior Department officials who, Secretary Cecil Andrus has said, will serve as the department's "high command." He would have direct authority over such matters as personnel management and audit operations and would be in charge of the personnel who review environmental impact statements.

I am sure my colleagues would agree that such an important position calls for someone who is adept at handling money

as well as accounting for it. In addition, I should expect this position to be filled by someone with an exceptional environmental record in view of the public standards announced by President Carter and Secretary Andrus.

It is my belief that Mr. Mendelsohn does not possess these qualities. Since his nomination serious questions have been raised which I wish to bring to the attention of my colleagues.

Some of these questions deal with large unpaid loans and bills for his unsuccessful 1974 race for State controller and contributions for other campaigns of his, as well as the circumstances under which the Mendelsohn campaigns received contributions and loans in the past.

Mr. Mendelsohn was elected to the San Francisco Board of Supervisors in 1967, then was reelected in 1971 and 1975. In 1974, he lost a race for the State Senate.

In November of 1971, he failed to report a \$12,000 interest-free loan he got from R. K. Miller, head of the Pacific Gas & Electric Co.'s San Francisco operation, for use during his successful reelection campaign. Failure to report this substantial loan was in all probability a violation of the State's campaign law.

In late October 1971, a CORO Foundation intern, working in the Mendelsohn campaign, picked up the \$12,000 personal check from Miller for the campaign. Mendelsohn said the check missed the procedure for logging in, because it had passed quickly to pay for advertising at the campaign's end. It may be of interest to my colleagues that Earl Rouda, Mendelsohn's campaign treasurer, told a San Francisco newspaper he knew nothing of the existence of the P.G. & E. check, or the loan.