and Price Stability, and S. 1724, to establish a Neighborhood Reinvestment Corporation.
5302 Dirksen Building

AUGUST 5

9:00 a.m.
Human Resources
Labor Subcommittee
To continue hearings on S. 1871, to increase the Federal minimum wage.
4232 Dirksen Building

AUGUST 23

10:00 a.m.
Banking, Housing, and Urban Affairs
International Finance Subcommittee
To hold hearings on the dimension of national debts and payments deficits, and the outlook for the future.
5302 Dirksen Building

AUGUST 24

10:00 a.m.
Banking, Housing, and Urban Affairs
International Finance Subcommittee
To continue hearings on the dimension of national debt and payments deficits, and the outlook for the future.
5302 Dirksen Building

SEPTEMBER 8

9:00 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on automatic auto crash protection devices.
5110 Dirksen Building

SEPTEMBER 9

9:00 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on automatic auto crash protection devices.
5110 Dirksen Building

SEPTEMBER 12

9:30 a.m.
Banking, Housing, and Urban Affairs
To hold hearings on S. 1710, proposed Federal Insurance Act of 1977.
5302 Dirksen Building

SEPTEMBER 13

9:30 a.m.
Banking, Housing, and Urban Affairs
To continue hearings on S. 1710, proposed Federal Insurance Act of 1977.
5302 Dirksen Building

10:00 a.m.
Commerce, Science, and Transportation
To hold hearings on the nomination of Donald L. Tucker, of Florida, to be a Member of the Civil Aeronautics Board.
5110 Dirksen Building

SEPTEMBER 14

9:30 a.m.
Banking, Housing, and Urban Affairs
To continue hearings on S. 1710, proposed Federal Insurance Act of 1977.
5302 Dirksen Building

SEPTEMBER 21

9:30 a.m.
Veterans' Affairs
To hold hearings on S. 364, Veterans' Administration Administrative Procedure and Judicial Review Act.
Until 1 p.m. Room to be announced

SEPTEMBER 28

10:00 a.m.
Veterans' Affairs
To receive legislative recommendations from representatives of the American Legion.
412 Russell Building

CANCELLATIONS

JULY 20

10:00 a.m.
Banking, Housing, and Urban Affairs
To continue hearings on S. 1542, to extend to September 30, 1979, the Council on Wage and Price Stability.
5302 Dirksen Building

JULY 21

10:00 a.m.
Foreign Relations
To continue hearings on proposed Threshold Test Ban and Peaceful Nuclear Explosions Treaties with the U.S.S.R. (Exec. N., 94th Cong., 2d sess.).
4221 Dirksen Building

HOUSE OF REPRESENTATIVES—*Tuesday, July 19, 1977*

The House met at 12 o'clock noon.

Rev. Mervin S. Eyler, St. Paul's Evangelical Lutheran Church, the Bronx, N.Y., offered the following prayer:

Gracious Lord, we pray for ourselves and for all people.

Deal with us as we reflect on and contemplate the world as we find it, and on those things we can do to improve the lot of all about us. With Your help and the mutual support of contemporaries, may this Nation be provided with understanding, knowledge, and strength for the living of each day.

Fill us with concern for the welfare of all Your people, with compassion for those suffering from whatever hurt, with love shared as we know and share Your love.

Lord, "Let us not grow weary in well doing, for in due season we shall reap, if we do not lose heart."

We pray in His name. 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.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Chirdon, one of his secretaries.

MESSAGE FROM THE SENATE

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

H. Con. Res. 248. Concurrent resolution requiring an investigation by the Joint Economic Committee of certain economic changes.

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

H.R. 7932. An act making appropriations for the legislative branch for the fiscal year ending September 30, 1978, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 7932) entitled "An act making appropriations for the legislative branch for the fiscal year ending September 30, 1978, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HUDDLESTON, Mr. MCCLELLAN, Mr. SASSER, Mr. PROXMIRE, Mr. SCHWEIKER, Mr. WEICKER, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 717) entitled "An act to promote safety and health in the mining industry, to prevent recurring disasters in the mining industry, and for other purposes," agrees to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WILLIAMS, Mr. RANDOLPH, Mr. PELL, Mr. NELSON, Mr. RIEGLE, Mr. JAVITS, Mr. SCHWEIKER, and Mr. STAFFORD to be the conferees on the part of the Senate.

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

S. 9. An act to establish a policy for the management of oil and natural gas in the Outer Continental Shelf; to protect the marine and coastal environment; to amend the Outer Continental Shelf Lands Act; and for other purposes;

S. 1496. An act to amend title 18, United States Code, to make a crime the willful destruction or attempts to destroy the trans-Alaska pipeline system;

S. 1502. An act to amend title 18, United States Code, to make a crime the willful destruction of any interstate pipeline system; and

S. 1522. An act to increase the appropriations authorization for fiscal years 1977 and 1978 and to authorize appropriations for fiscal year 1978 to carry out the Marine Mammal Protection Act of 1972, and for other purposes.

REV. MERVIN S. EYLER

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

Mr. BIAGGI. Mr. Speaker, the opening prayer this morning was delivered by Rev. Mervin Eyler, pastor of St. Paul's Evangelical Lutheran Church which is located in my home district of the Bronx, New York, N.Y. It is my pleasure to welcome Reverend Eyler and Mrs. Eyler, Virginia Levy, and Josephine Adams to the U.S. House of Representatives.

Reverend Eyler has been in dedicated service to our Lord for more than three decades. He was schooled at the Lutheran Theological Seminary in Gettysburg, Pa. For some 28 years, Reverend Eyler served as an Army chaplain. In this capacity, Reverend Eyler provided needed spiritual guidance and assistance to thousands of servicemen including many on the front lines of battle. He

retired from the Army in 1970 with his last assignment in Frankfurt, Germany.

For almost 8 years, Reverend Eyler has served as pastor for the 500-member St. Paul's Evangelical Lutheran Church, located in the Parkchester section of the Bronx. Under Reverend Eyler's leadership, St. Paul's has become one of the city's most outstanding congregations. Reverend Eyler is a widely respected member of the New York City theological community. It is a personal honor for me to welcome Reverend Eyler, a spiritual leader of exemplary stature. I extend to him the thanks and best wishes of all my colleagues.

APPOINTMENT OF CONFEREES ON H.R. 7932, LEGISLATIVE BRANCH APPROPRIATION ACT, 1978

Mr. SHIPLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7932) making appropriations for the legislative branch 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. Is there objection to the request of the gentleman from Illinois. The Chair hears none, and appoints the following conferees: Messrs. SHIPLEY, BENJAMIN, GIAIMO, MCFALL, MURTHA, TRAXLER, MAHON, ARMSTRONG, COUGHLIN, and CEDERBERG.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

JENNET JUANITA MILLER

The Clerk called the bill (H.R. 1405) for the relief of Jennet Juanita Miller.

Mr. WYLIE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

PATRICIA R. TULLY

The Clerk called the bill (H.R. 2661) for the relief of Patricia R. Tully.

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

H.R. 2661

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 212(a)(23) of the Immigration and Nationality Act (8 U.S.C. 1182 (a)(23)), Patricia R. Tully may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act.

SEC. 2. The exemption granted by the first section of this Act shall apply only to grounds for denial of a visa and exclusion from admission into the United States of which the Secretary of State or the Attorney General of the United States had knowledge before the date of the enactment of this Act.

With the following committee amendment:

On page 1, beginning on line 7, strike out the word "Act." and the remainder of the bill through page 2 and substitute in lieu thereof the following: "Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to 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, and a motion to reconsider was laid on the table.

CHRISTOPHER ROBERT WEST

The Clerk called the bill (H.R. 2662) for the relief of Christopher Robert West.

Mr. WYLIE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MRS. CHONG SUN YI RAUCH

The Clerk called the bill (H.R. 3081) for the relief of Mrs. Chong Sun Yi Rauch.

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

H.R. 3081

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212 (a)(23) of the Immigration and Nationality Act, Mrs. Chong Sun Yi Rauch may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissable under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

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.

MILOS FORMAN

The Clerk called the bill (H.R. 3085) for the relief of Milos Forman.

Mr. BAUMAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

FIDEL GROSSO-PADILLA

The Clerk called the bill (H.R. 3090) for the relief of Fidel Grosso-Padilla.

Mr. BAUMAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

CATHY GEE YUEN

The Clerk called the bill (H.R. 1777) for the relief of Cathy Gee Yuen.

Mr. WYLIE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

PAZ A. NORONA

The Clerk called the bill (H.R. 1787) for the relief of Paz A. Norona.

Mr. WYLIE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

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

RESOLUTION TO CREATE SPECIAL COMMISSION TO STUDY KOREAN INFLUENCE-BUYING.

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

Mr. MAZZOLI. Mr. Speaker, this House of Representatives, in order to operate efficiently and responsibly, must have the public trust of the American people. Without it, our work is meaningless. But public trust is a fragile thing, and in my judgment, it has been tested to its limits by the series of incidents and revelations known as "Koreagate."

Calls for a special prosecutor make little sense. The Justice Department is proceeding with its criminal investigation as it should. A special prosecutor would only duplicate the Justice Department's work. But we have more than a criminal problem here. We have an ethical problem. And as members of the House we must deal with this problem squarely.

Therefore, I have today entered for our consideration a resolution which would create a special commission to study the Korean influence-buying in the House. I have proposed that this commission have eight House members, four from each party, selected by the caucuses, and five "citizen" members, recommended to us by the American Bar Association.

This formula is not inviolate. Any similar formula would work. What is important is that we create a bipartisan commission, which will include House Members and non-House members alike, to get to the bottom of this situation immediately. This new commission would have the mandate to report back to us by January 15. It would take over the staff work done by the Standards and Operations Committee and would go from there.

It is my judgment that any investigative committee made up solely of House Members will be suspect in the public mind. Yet, because matters of ethics are so important to this House, it is critical that House Members be intimately involved in the investigation. Nothing short of a bipartisan commission along the lines I have suggested will, on the one hand, restore the confidence of the American people in this House, and on the other, allow us to aggressively clean our own House.

COMMENTARY ON THE PRESIDENT'S PROPOSAL TO AMEND TAFT-HARTLEY ACT

(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, yesterday the President transmitted to Congress his proposal to amend the Taft-Hartley Act.

He stated in his message that he is "pledged to make Federal regulatory agencies more responsible to the people they serve."

Unfortunately, President Carter has not examined the labor laws of this country with the public's interest foremost in mind. I say this because he has overlooked one of the most serious deficiencies of the Taft-Hartley Act by not establishing the machinery whereby a national emergency labor dispute can be brought to a settlement in an orderly and fair manner without having to resort to special legislation on an ad hoc basis.

Four times—in 1963, in 1967, and twice in 1970—the Congress was obligated at the 11th hour to enact special legislation dealing with an impending railroad strike. The Congress is a political body. For it to be called upon to legislate on a specific labor dispute can never be a satisfactory procedure, and particularly when the emergency pressures are more conducive to emotion than reasoned judgment.

The President has chosen to ignore one of the most serious deficiencies of the Taft-Hartley Act—those provisions with Presidential powers and national emergency labor disputes.

If there is a strike affecting all the people and imperiling the national health or safety, we need more than a board of inquiry by the President. We need to establish a procedure for obtaining a settlement of national emergency labor disputes.

We cannot wait for the next emergency with its devastating cost to millions of innocent bystanders and to the Nation itself. If we desire labor reform for the people, I urge that we not wait for the next emergency, but rather join together in acting upon it now before another crippling emergency arises.

H.R. 5400, ADMINISTRATION'S SO-CALLED UNIVERSAL VOTER REGISTRATION ACT

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

Mr. DEL CLAWSON. Mr. Speaker, on Thursday of this week the House will be asked to consider H.R. 5400, the administration's so-called Universal Voter Registration Act that has languished for weeks in limbo status waiting for support to be whipped into line. When that support lineup failed, "compromise-compromise" became the slogan. Optional election day registration is nothing more than subterfuge for the original proposal. All that is left is the better to leave the skeletal remains in the legislative desert for the political old carrot versus the stick gimmick—vultures to pick over.

The Justice Department has already warned that H.R. 5400 would provide a tremendous potential for fraud. It is widely believed, and rightly so, that this measure will set back the cause of honest elections many years. It is a self-serving vehicle for President Carter's reelection efforts. As noted in yesterday's Washington Post editorial:

> It doesn't help that the Federal largesse would go only to willing States. On the contrary, the States most cordial to Election Day registration are likely to be those with the fewest voting problems . . . and the least real need for Federal aid.

And further quoting:

> If the aim is to shore up State and local election boards, the greatest help should go to those that don't dare risk instant registration at all.

Obviously this legislation is not just unnecessary, it is costly and damaging to the election process. The Republican policy committee is on record strongly opposing H.R. 5400 and I urge my colleagues to do the same when it comes before us on Thursday of this week.

CONFERENCE REPORT ON H.R. 7554, HOUSING AND URBAN DEVELOPMENT-INDEPENDENT AGENCIES APPROPRIATION ACT, 1978

Mr. BOLAND. Mr. Speaker, I call up the conference report on the bill (H.R. 7554) making appropriations for the Department of Housing and Urban Development, and for sundry independent executive agencies, boards, bureaus, commissions, corporations, and offices 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. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 12, 1977.)

Mr. BOLAND (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

The SPEAKER. The gentleman from Massachusetts (Mr. BOLAND) is recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. COUGHLIN) is recognized for 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. BOLAND).

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

Mr. Speaker, each year when we bring back to the House a conference report on the HUD and independent agencies appropriation bill, I have always stressed that the foundation of the democratic process rests on the ability of its people and its institutions to make reasonable accommodations. Of course, reaching reasonable accommodations is simply another way of saying that we seek various shades of compromise with the other body—because the essence of a conference meeting is compromise.

I have also pointed out in past years that we always face difficult issues—and, generally, we resolve those issues in the spirit of compromise. In this bill, we resolved every issue save two—one, a highly charged emotional problem—and the other, dealing with a question that goes to the heart of what priorities the Congress will establish for our national space program.

Before I discuss those two exceptions, I want to take a moment to sum up what the bill contains.

The total amount of this conference report is $69,352,854,000.

The House passed this bill on June 15, with a total of $70,241,683,000.

The Senate passed the bill on June 24, and approved a total of $67,648,491,000.

The conferees have brought back a report that is $1,421,558,000 under the budget request. The total budget requests for the bill amounted to $70,774,412,000.

Turning to specifics, the conference agreement has approved $37,388,644,000 for the Department of Housing and Urban Development. We are recommending that $1,159,995,000 of new annual contract authority and $31,483,563,000 of new budget authority be made available for HUD's subsidized housing programs. Current estimates are that this bill be sufficient to reserve an additional 380,000 subsidized housing units in fiscal year 1978.

In other major program areas within HUD, the bill includes $3,600,000,000 for community development grants; $400,000,000 for urban development action grants; $57,000,000 for the section 701 comprehensive planning program; and $750,000 for the section 202 housing for the elderly and handicapped activity.

I am pleased to report that on the last item, the section 202 program, the House conferees prevailed, and the entire $750,000,000 has been placed back on budget where it can be weighed against other housing subsidy programs. In view of the other body's strong objections to this approach, I feel that we have scored an important victory for the underlying spirit of the Congress new budget procedures.

Mr. Speaker, for the past 2 years we have been faced with a tough issue on what level of funding should be provided for the National Science Foundation. Last year, we were about $52,000,000 apart, and this year roughly $40,000,000 separated us.

The conferees have settled on a total of $861,300,000 for support of the Foundation in 1978. That is $23,700,000 below the budget request—but, and I want to emphasize this, it is $85,389,000,000 above the amount enacted in 1977.

The bill also includes $848,803,000 for the Environmental Protection Agency, including $6,000,000 of the $10,000,000 the House added for health and ecological effects; $39,144,000 for the Consumer Product Safety Commission; $4,000,240,000, for the National Aeronautics and Space Administration; and $17,770,282,000 for the Veterans' Administration.

One point I would like to make is with regard to the $10 million general reduction in the VA construction-major projects account agreed to by the conferees.

It is the intent of the conferees that this reduction be applied to all of the hospitals for which construction funds have been or will be provided in fiscal year 1978—and those are Martinsburg, Little Rock, and Portland/Vancouver.

In connection with the EPA, Mr. ECKHARDT and Mr. GAMMAGE have asked me about congressional intent with regard to the $6 million for EPA's health and ecological effects program agreed to by the conferees. They asked if it was the intent of the conferees that a portion of the $6 million be earmarked for application to gulf coast air pollution efforts.

I agree that it is the intent of the House conferees on the fiscal year 1978 HUD-Independent Agencies Appropriation bill that a portion of the $6 million appropriated by the amendment for health and ecological effects be utilized for air quality research in the gulf coast region. I feel that such research will have a promising nationwide impact.

As I am sure most of you know by now, the conferees were not able to reach an agreement on two important matters. Let me discuss those briefly at this time.

To begin with, we were unable to reach agreement on the Jupiter Orbiter Probe mission, which NASA had requested in the 1978 budget. The House deleted $20,700,000 for the initial funding of this program and the Senate restored those funds. I will shortly offer a motion to accept the House's position. Let me tell you why. In denying the Jupiter Orbiter Probe, we were and are continuing to make an effort to strike a budget priority choice. This year's budget includes $36,000,000 to initiate funding of the space telescope which will ultimately cost the American taxpayer at least $800,000,000. Over the past 2 or 3 years, the committee has raised a number of questions about that telescope project—principally whether it was the right project, at the right cost, at the right time. The scientific community has described it as the No. 1 astronomy project of the 1980's. But not every project that the scientific community wants can have first priority—and that is why we made the budget priority choice—we provided the space telescope—but we denied the Jupiter Orbiter Probe.

Jupiter will be there 5 or 10 or 15 years from now when this project can be reinstituted. In all of the 20 years that this Nation has been involved in a major space effort—in all those years—the Congress has never, never, made an attempt to deny funding for a major space mission. I think it's time that we did that.

The other item which the conferees could not agree on concerns the amendment offered by the gentleman from Tennessee (Mr. BEARD) when this bill was before the House on June 15. That amendment prohibits the use of any fiscal year 1978 VA appropriation for adjudication of claims or payment of benefits to veterans discharged from the military under less than honorable conditions who received a general or honorable discharge as the result of the President's revised standards implemented on April 5 of this year. As we all know, the amendment carried 273 to 136. I opposed the amendment when it was offered, but I felt an obligation to support the House position in conference. The Senate conferees were equally adamant in their position—and in view of this, I felt that the only course open was to bring the issue back in disagreement for another vote.

Mr. Speaker, I would have hoped that we could have settled all the differences between the House and the Senate on this bill. But that was not to be the case. Some issues require further instructions and guidance from this House and from the other body. These two questions fit that mold, and I am sure both of them will be discussed further when we get into the amendment stage.

Mr. Speaker, I will include in the remarks a table showing the action taken on each item, the comparison with 1977 and the actions of both the House and the Senate.

COMPARATIVE STATEMENT OF THE NEW BUDGET (OBLIGATIONAL) AUTHORITY, HUD—INDEPENDENT AGENCIES APPROPRIATION BILL, 1978 (H.R. 7554)

[Note.—All amounts are in the form of appropriations unless otherwise indicated]

Agency and item	New budget (obligational) authority fiscal year 1977 [1]	Budget estimates of new budget (obligational) authority fiscal year 1978 [2]	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	Conference action	Conference action compared with— New budget (obligational) authority, fiscal year 1977	Budget estimates of new budget (obligational) authority, fiscal year 1978	House bill	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE I									
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT									
HOUSING PROGRAMS									
Annual contributions for assisted housing (contract authority)	$27,982,805,000	$32,755,000,000	$32,580,000,000	$30,336,400,000	$31,483,563,000	+$3,500,758,000	−$1,271,437,000	−$1,096,437,000	+$1,147,163,000
Increased limitation for annual contract authority	(1,088,143,000)	(1,232,120,000)	(1,203,370,000)	(1,116,620,000)	(1,159,995,000)	(+71,852,000)	(−72,125,000)	(−43,375,000)	(+43,375,000)
Housing for the elderly or handicapped (limitation on loans)	(850,000,000)			[3] (750,000,000)		(−850,000,000)			(−750,000,000)
Authority to spend debt receipts		750,000,000	750,000,000		750,000,000	+750,000,000			+750,000,000
Housing payments (appropriation to liquidate contract authority)	(3,386,500,000)	(4,410,000,000)	(4,382,000,000)	(4,382,000,000)	(4,382,000,000)	(+995,500,000)	(−28,000,000)		
Payments for operation of low-income housing projects		665,000,000	665,000,000	690,800,000	685,000,000	+685,000,000	+20,000,000	+20,000,000	−5,800,000
(contract authority)	595,600,000					−595,600,000			
Appropriation to liquidate contract authority	(595,600,000)					(−595,600,000)			
Federal Housing Administration Fund	1,936,344,000	15,000,000	15,000,000	15,000,000	15,000,000	−1,921,344,000			
Emergency homeowners' relief fund	1,000,000					−1,000,000			
GOVERNMENT NATIONAL MORTGAGE ASSOCIATION									
Emergency mortgage purchase assistance (recapture of repayments)				(2,000,000,000)					(−2,000,000,000)
Special assistance functions fund (recapture of repayments)				(2,000,000,000)	(2,000,000,000)	(+2,000,000,000)	(+2,000,000,000)	(+2,000,000,000)	
Payment of participation sales insufficiences	21,265,000	16,587,000	16,587,000	16,587,000	16,587,000	−4,678,000			
Total, Housing Programs	30,537,014,000	34,201,587,000	34,026,587,000	31,058,787,000	32,950,150,000	+2,413,136,000	−1,251,437,000	−1,076,437,000	+1,891,363,000
COMMUNITY PLANNING AND DEVELOPMENT									
Community development grants	100,000,000	3,600,000,000	3,600,000,000	3,600,000,000	3,600,000,000	+3,500,000,000			
Contract authority	3,148,000,000					−3,148,000,000			

COMPARATIVE STATEMENT OF THE NEW BUDGET (OBLIGATIONAL) AUTHORITY, HUD—INDEPENDENT AGENCIES APPROPRIATION BILL, 1978 (H.R. 7554)—Continued

[Note.—All amounts are in the form of appropriations unless otherwise indicated]

Agency and item	New budget (obligational) authority fiscal year 1977 [1]	Budget estimates of new budget (obligational) authority fiscal year 1978 [2]	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	Conference action	Conference action compared with: New budget (obligational) authority, fiscal year 1977	Conference action compared with: Budget estimates of new budget (obligational) authority, fiscal year 1978	Conference action compared with: House bill	Conference action compared with: Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Appropriation to liquidate contract authority	(3,148,000,000)					(−3,148,000,000)			
Urban development action grants		400,000,000	400,000,000	400,000,000	400,000,000	+400,000,000			
Comprehensive planning grants	$62,500,000	$62,500,000	$50,000,000	$62,500,000	$57,000,000	−$5,500,000	−$5,500,000	+$7,000,000	−$5,500,000
Rehabilitation loan fund	50,000,000					−50,000,000			
Total, Community Planning and Development	3,360,500,000	4,062,500,000	4,050,000,000	4,062,500,000	4,057,000,000	+696,500,000	−5,500,000	+7,000,000	−5,500,000
FEDERAL INSURANCE ADMINISTRATION									
Flood insurance	75,000,000	108,000,000	85,000,000	91,000,000	91,000,000	+16,000,000	−17,000,000	+6,000,000	
NEIGHBORHOODS, VOLUNTARY ASSOCIATIONS AND CONSUMER PROTECTION									
Housing counseling assistance	3,000,000	5,000,000	5,000,000	5,000,000	5,000,000	+2,000,000			
Mobile home standards program	1,000,000					−1,000,000			
Total, Neighborhoods, Voluntary Associations and Consumer Protection	4,000,000	5,000,000	5,000,000	5,000,000	5,000,000	+1,000,000			
POLICY DEVELOPMENT AND RESEARCH									
Research and technology	55,000,000	60,000,000	51,000,000	55,000,000	52,000,000	−3,000,000	−8,000,000	+1,000,000	−3,000,000
MANAGEMENT AND ADMINISTRATION									
Salaries and expenses, Department of Housing and Urban Development	200,998,000	244,494,000	238,494,000	233,494,000	233,494,000	+32,496,000	−11,000,000	−5,000,000	
By transfer, FHA funds	(230,365,000)	(229,000,000)	(229,000,000)	(229,000,000)	(229,000,000)	(229,000,000)	(−1,365,000)		
Total, Department of Housing and Urban Development	34,232,512,000	38,681,581,000	38,456,081,000	35,505,781,000	37,388,644,000	+3,156,132,000	−1,292,937,000	−1,067,437,000	+1,882,863,000
FUNDS APPROPRIATED TO PRESIDENT									
Federal Disaster Assistance Administration									
Disaster relief	300,000,000	150,000,000	150,000,000	150,000,000	150,000,000	−150,000,000			
Total, title I: Department of Housing and Urban Development:									
New budget (obligational) authority	34,532,512,000	38,831,581,000	38,606,081,000	35,655,781,000	37,538,644,000	+3,006,132,000	−1,292,937,000	−1,067,437,000	+1,882,863,000
Appropriations	2,806,107,000	5,326,581,000	5,276,081,000	5,319,381,000	5,305,081,000	+2,498,974,000	−21,500,000	+29,000,000	−14,300,000
Contract authority	31,726,405,000	32,755,000,000	32,580,000,000	30,336,400,000	31,483,563,000	−242,842,000	−1,271,437,000	−1,096,437,000	+1,147,163,000
Authority to spend debt receipts		750,000,000	750,000,000		750,000,000	+750,000,000			+750,000,000
Appropriations to liquidate contract authority	(7,130,100,000)	(4,410,000,000)	(4,382,000,000)	(4,382,000,000)	(4,382,000,000)	(−2,748,100,000)	(−28,000,000)		
Increased limitation for annual contract authority	(1,088,143,000)	(1,232,120,000)	(1,203,370,000)	(1,116,620,000)	(1,159,995,000)	(+71,852,000)	(−72,125,000)	(−43,375,000)	(+43,375,000)
Limitation on corporate funds to be expended	(230,365,000)	(229,000,000)	(229,000,000)	(229,000,000)	(229,000,000)	(−1,365,000)			
TITLE II									
INDEPENDENT AGENCIES									
AMERICAN BATTLE MONUMENTS COMMISSION									
Salaries and expenses	5,824,000	6,463,000	6,463,000	6,163,000	6,463,000	+639,000			+300,000
CONSUMER PRODUCT SAFETY COMMISSION									
Salaries and expenses	39,759,000	40,152,000	40,104,000	39,144,000	39,144,000	−615,000	−1,008,000	−960,000	
DEPARTMENT OF DEFENSE—CIVIL									
CEMETERIAL EXPENSES, ARMY									
Salaries and expenses	6,161,000	5,486,000	5,486,000	5,000,000	5,000,000	−1,161,000	−486,000	−486,000	
ENVIRONMENTAL PROTECTION AGENCY									
Agency and regional management	75,000,000	72,846,000	72,846,000	72,846,000	72,846,000	−2,154,000			
Research and development	259,900,000	263,047,000	273,647,000	266,947,000	272,547,000	+12,647,000	+9,500,000	−1,100,000	+5,600,000

Footnotes at end of table.

Agency and item	New budget (obligational) authority fiscal year 1977 [1]	Budget estimates of new budget (obligational) authority fiscal year 1978 [2]	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	Conference action	Conference action compared with— New budget (obligational) authority, fiscal year 1977	Conference action compared with— Budget estimates of new budget (obligational) authority, fiscal year 1978	Conference action compared with— House bill	Conference action compared with— Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE II—Continued									
ENVIRONMENTAL PROTECTION AGENCY—Cont.									
Abatement and control	385,144,000	431,453,000	425,573,000	428,573,000	428,573,000	+43,429,000	−2,880,000	+3,000,000	
Appropriation to liquidate contract authority	(49,182,000)					(−49,182,000)			
Enforcement	$56,561,000	$70,837,000	$70,837,000	$70,837,000	$70,837,000	+$14,276,000			
Buildings and facilities	2,100,000	1,142,000	1,142,000			−2,100,000	−$1,142,000	−$1,142,000	
Construction grants	1,980,000,000					−1,980,000,000			
Appropriation to liquidate contract authority	(3,800,000,000)	(5,000,000,000)	(5,000,000,000)	(5,000,000,000)	(5,000,000,000)	(+1,200,000,000)			
Scientific activities overseas (special foreign currency program)	5,000,000	5,000,000	4,000,000	4,000,000	4,000,000	−1,000,000	−1,000,000		
Total, Environmental Protection Agency	2,763,705,000	844,325,000	848,045,000	843,203,000	848,803,000	−1,914,902,000	+4,478,000	+758,000	+$5,600,000
EXECUTIVE OFFICE OF THE PRESIDENT									
Council on Environmental Quality and Office of Environmental Quality	2,800,000	3,029,000	2,854,000	2,854,000	2,854,000	+54,000	−175,000		
Office of Science and Technology Policy	2,300,000	3,200,000	2,800,000	2,800,000	2,800,000	+500,000	−400,000		
Total, Executive Office of the President	5,100,000	6,229,000	5,654,000	5,654,000	5,654,000	+554,000	−575,000		
GENERAL SERVICES ADMINISTRATION									
Consumer Information Center	1,092,000	[4] 3,235,000	4,700,000	3,200,000	4,700,000	+3,608,000	+1,465,000		+1,500,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE									
Office of Consumer Affairs	1,631,000	1,779,000	1,750,000	1,750,000	1,750,000	+119,000	−29,000		
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION									
Research and development	2,856,425,000	3,026,000,000	[5] 2,943,600,000	3,013,000,000	[6] 2,995,300,000	+138,875,000	−30,700,000	+51,700,000	−17,700,000
Construction of facilities	118,090,000	161,800,000	160,940,000	160,940,000	160,940,000	+42,850,000	−860,000		
Research and program management	844,575,000	846,989,000	844,000,000	844,000,000	844,000,000	−575,000	−2,989,000		
Total, National Aeronautics and Space Administration	3,819,090,000	4,034,789,000	3,948,540,000	4,017,940,000	4,000,240,000	+181,150,000	−34,549,000	+51,700,000	−17,700,000
NATIONAL INSTITUTE OF BUILDING SCIENCES									
Salaries and expenses			1,000,000	1,000,000	1,000,000	+1,000,000	+1,000,000		
NATIONAL SCIENCE FOUNDATION									
Salaries and expenses	2,311,000	879,000,000				−2,311,000	−879,000,000		
Research and related activities	710,000,000		759,330,000	807,800,000	783,200,000	+73,200,000	+783,200,000	+23,870,000	−24,600,000
Science education activities	59,000,000		79,700,000	71,200,000	73,200,000	+14,200,000	+73,200,000	−6,500,000	+2,000,000
Scientific activities (special foreign currency program)	4,600,000	6,000,000	4,900,000	4,900,000	4,900,000	+300,000	−1,100,000		
Total, National Science Foundation	775,911,000	885,000,000	843,930,000	883,900,000	861,300,000	+85,389,000	−23,700,000	+17,370,000	−22,600,000
SELECTIVE SERVICE SYSTEM									
Salaries and expenses	7,920,000	6,300,000	6,300,000	6,300,000	6,300,000	−1,620,000			
DEPARTMENT OF THE TREASURY									
Payments to State and local government fiscal assistance trust fund	4,991,085,000	6,854,924,000	6,854,924,000	6,854,924,000	6,854,924,000	+1,863,839,000			
Antirecession Financial Assistance Fund	1,570,000,000	1,550,000,000	1,400,000,000	1,400,000,000	1,400,000,000	−170,000,000	−150,000,000		
Office of Revenue Sharing, salaries and expenses	5,793,000	7,727,000	7,500,000	7,500,000	7,500,000	+1,707,000	−227,000		
New York City Seasonal Financing Fund, administrative expenses	1,250,000	1,250,000	1,150,000	1,150,000	1,150,000	−100,000	−100,000		
Total, Department of the Treasury	6,568,128,000	8,413,901,000	8,263,574,000	8,263,574,000	8,263,574,000	+1,695,446,000	−150,327,000		

COMPARATIVE STATEMENT OF THE NEW BUDGET (OBLIGATIONAL) AUTHORITY, HUD—INDEPENDENT AGENCIES APPROPRIATION BILL, 1978 (H.R. 7554)—Continued

[Note.—All amounts are in the form of appropriations unless otherwise indicated]

Agency and item	New budget (obligational) authority fiscal year 1977 [1]	Budget estimates of new budget (obligational) authority fiscal year 1978 [2]	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	Conference action	Conference action compared with— New budget (obligational) authority, fiscal year 1977	Budget estimates of new budget (obligational) authority, fiscal year 1978	House bill	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
VETERANS ADMINISTRATION									
Compensation and pensions	$8,153,400,000	$9,116,800,000	$9,116,800,00	$9,116,800,000	$9,116,800,000	$+963,400,000			
By transfer	(588,450,000)					(−588,450,000)			
Readjustment benefits	4,813,000,000	2,665,225,000	2,665,225,000	2,665,225,000	2,665,225,000	−2,147,775,000			
Veterans insurance and indemnities	7,000,000	2,465,000	2,465,000	2,465,000	2,465,000	−4,535,000			
Medical care	4,373,807,000	4,735,926,000	4,723,926,000	4,721,686,000	4,721,686,000	+347,879,000	−$14,240,000	−$2,240,000	
Medical and prosthetic research	104,533,000	108,000,000	107,000,000	107,000,000	107,000,000	+2,467,000	−1,000,000		
Medical administration and miscellaneous operating expenses	39 941,000	42,238,000	42,000,000	42,000,000	42,000,000	+2,059,000	−238,000		
General operating expenses	525,633,000	557,423,000	550,000,000	541,500,000	550,000,000	+24,367,000	−7,423,000		+$8,500,000
Construction, major projects	405,681,000	[7] 291,389,000	281,389,000	542,789,000	393,689,000	−11,992,000	+102,300,000	+112,300,000	−149,100,000
Construction, minor projects	92,791,000	95,606,000	94,106,000	94,106,000	94,106,000	+1,315,000	−1,500,000		
Grants for construction of State extended care facilities	10,000,000	10,000,000	10,000,000	15,000,000	10,000,000				−5,000,000
Assistance for health manpower training institutions	45,045,000	48,000,000	45,045,000	45,611,000	45,611,000	+566,000	−2,389,000	+566,000	
Grants to the Republic of the Philippines	2,100,000	2,100,000	2,100,000	1,700,000	1,700,000	−400,000	−400,000	−400,000	
Loan guaranty revolving fund (limitation on obligations)	(550,000,000)	(575,000,000)	(575,000,000)	(575,000,000)	(575,000,000)	(+25,000,000)			
Supply fund		20,000,000	20,000,000	20,000,000	20,000,000	+20,000,000			
Total, Veterans Administration	18,572,931,000	17,695,172,000	17,660,056,000	17,915,882,000	17,770,282,000	−802,649,000	+75,110,000	+110,226,000	−145,600,000
Total, title II: Independent Agencies:									
New budget (obligational) authority	32,567,252,000	31,942,831,000	31,635,602,000	31,992,710,000	31,814,210,000	−753,042,000	−128,621,000	+178,608,000	−178,500,000
Appropriations to liquidate contract authority	(3,849,182,000)	(5,000,000,000)	(5,000,000,000)	(5,000,000,000)	(5,000,000,000)	(+1,150,818,000)			
By transfer	(588,450,000)					(−588,450,000)			
TITLE III									
CORPORATIONS									
Federal Home Loan Bank Board:									
Limitation on administrative expenses	(17,100,000)	(17,050,000)	(16,730,000)	(16,730,000)	(16,730,000)	(−370,000)	(−320,000)		
Limitation on nonadministrative expenses	(24,520,000)	(26,230,000)	(26,230,000)	(26,230,000)	(26,230,000)	(+1,710,000)			
Federal Savings and Loan Insurance Corporation:									
Limitation on administrative expenses	(875,000)	(870,000)	(870,000)	(870,000)	(870,000)	(−5,000)			
Total, title III: Corporations	(42,495,000)	(44,150,000)	(43,830,000)	(43,830,000)	(43,830,000)	(+1,335,000)	(−320,000)		
Grand total, titles I, II, and III:									
New budget (obligational) authority	67,099,764,000	70,774,412,000	70,241,683,000	67,648,491,000	69,352,854,000	+2,253,090,000	−1,421,558,000	−888,829,000	+1,704,363,000
Appropriations	35,373,359,000	37,269,412,000	36,911,683,000	37,312,091,000	37,119,291,000	+1,745,932,000	−150,121,000	+207,608,000	−192,800,000
Contract authority	31,726,405,000	32,755,000,000	32,580,000,000	30,336,400,000	31,483,563,000	−242,842,000	−1,271,437,000	−1,096,437,000	+1,147,163,000
Authority to spend debt receipts		750,000,000	750,000,000		750,000,000	+750,000,000			+750,000,000
Appropriations to liquidate contract authority	(10,979,282,000)	(9,410,000,000)	(9,382,000,000)	(9,382,000,000)	(9,382,000,000)	(−1,597,282,000)	(−28,000,000)		
By transfer	(588,450,000)					(−588,450,000)			
Increased limitation for annual contract authority	(1,088,143,000)	(1,232,120,000)	(1,203,370,000)	(1,116,620,000)	(1,159,995,000)	(+71,852,000)	(−72,125,000)	(−43,375,000)	(+43,375,000)
Limitation on corporate funds to be expended	(272,860,000)	(273,150,000)	(272,830,000)	(272,830,000)	(272,830,000)	(−30,000)	(−320,000)		

[1] Includes all supplementals.

[2] Includes the following budget amendments:

H. Doc. 95-85

Antirecession financial assistance fund	$1,550,000,000
Office of Revenue Sharing, salaries and expenses	1,011,000
Total, H. Doc. 95-85	1,551,011,000

H. Doc. 95-93:

Department of Housing and Urban Development:	
Annual contributions for assisted housing:	
Contract authority	8,879,600,000
Increased limitation for annual contract authority	(1,232,120,000)
Housing payments	48,000,000
Payments for operation of low-income housing projects	53,000,000
Community development grants	500,000,000
Comprehensive planning grants	37,500,000
Salaries and expenses, Department of Housing and Urban Development	3,970,000
Total, Department of Housing and Urban Development	9,522,070,000
Department of the Treasury: Office of Revenue Sharing, salaries and expenses	1,616,000
National Aeronautics and Space Administration: Research and development	15,000,000
Total, H. Doc. 95-93	9,538,686,000

H. Doc. 95-97:

Environmental Protection Agency:	
Agency and regional management	$986,000
Research and development	1,760,000
Abatement and control	36,755,000
Enforcement	2,089,000

The preceding four amendments reflect administrative changes to the original individual proposals but have no net effect. These actions were taken to properly distribute $15,000,000 initially included in abatement and control for 600 additional Agency positions. The amendments originally proposed reductions of $404,000 in agency and regional management, $704,000 in research and development, and $633,000 in enforcement; and an increase of $43,441,000 in abatement and control.

Total, H. Doc. 95-97	41,590,000
H. Doc. 95-142: Veterans' Administration: Readjustment benefits	−580,000,000
Total, budget amendments	10,551,287,000

[3] The Senate bill carried this item as "off-budget."

[4] Includes $2,076,000 requested in the fiscal year 1978 Government Printing Office budget estimate.

[5] The House bill deferred $56,700,000 for production of Space Shuttle flight vehicles for subsequent consideration.

[6] Excludes $17,700,000 which was added by an amendment on the House floor.

[7] Excludes $139,100,000 of the budget estimate for construction of a hospital facility in the Portland/Vancouver area which is being deferred for subsequent consideration. The Senate bill included this item.

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

Mr. Speaker, the chairman, the gentleman from Massachusetts (Mr. BOLAND) has very ably pointed out the results of the conference. It was a good conference. The bill that we bring back to the House very substantially upholds the House position on a vast majority of the bill. The chairman, as he always does, handled the conference well. He hung in there for the House position and, as I say, handled that position very well.

I would point out, just to reiterate a few important things, that in assisted housing the conference is at $1,159,000,000 which is under the posiiton of the House originally of $1.2 billion.

For housing modernization there is $42.5 million in the bill, which is $7.5 million over the House figure. Assisted housing is under the House figure.

The 202 program is on budget as proposed by the House.

So, Mr. Speaker, throughout the bill we have maintained pretty much the position of the House.

We did insist on putting language in the conference report indicating that the conferees expected the Department of Housing and Urban Development to provide a full competitive opportunity for cities and urban counties to qualify for urban development action grants, including the use of preapplications in accordance with OMB circular 74–7.

There was some evidence during the period before the conference of the potential political use of these urban development action grants, and that was not what was intended. There should be a procedure under which all communities can apply and can receive equal consideration for this. These are not meant to be used politically in any way.

In the two areas in which we did come back in disagreement with the Senate, as has been pointed out by the chairman, which included the Jupiter Orbiter Probe which the House had denied funding for and the Senate included funding for, that will be back here in disagreement, as well as the amendment by the gentleman from Tennessee (Mr. BEARD) that was adopted prohibiting the use of funds to implement President Carter's upgrading of the discharge program. Those two areas were in disagreement. The rest of the bill was a good bill.

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

Mr. AuCOIN. Mr. Speaker, I have a profound sense of regret as I look at this bill before us—not for what is in the bill, but because of what is not in it. For more than 15 years, the need to replace the antiquated, deficient buildings of the VA hospital in Portland, Oreg., has been an urgent concern at the Federal level. Years of study have been involved in determining how best to serve veterans from the Northwest now served by the hospital, and last year the Veterans' Administration finally announced its plans for Portland, and asked Congress for the funds to build a new hospital.

Today we could be voting to give the VA the money to get the job done, but we are not. Funds for the Portland hospital are not in this bill.

Why? Because of a local political battle over where to build the hospital. The worthy members of the HUD-Independent Agencies Subcommittee were subjected to a withering barrage of conflicting testimony. There was simply not enough time for the committee to sort out the mass of material supporting and opposing the VA's plans. I would have to admit that if I were in their shoes, I would do exactly as they have done. The committee chose to assign a staff of investigators to develop an independent reading of the facts.

But even this investigation takes time—too much for us to have its determination before we vote today.

Mr. Speaker, I certainly intend to vote for this bill despite my personal disappointment. It is my hope later this year to rise in enthusiastic support of a supplemental appropriations bill that will finally make the urgently needed new Portland VA hospital a reality.

Mr. BOLAND. Mr. Speaker, the majority has no further request for time.

Mr. COUGHLIN. Mr. Speaker, I have no further request for time.

Mr. BOLAND. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 379, nays 30, not voting 24, as follows:

[Roll No. 433]

YEAS—379

Abdnor	Bevill	Burton, Phillip
Addabbo	Biaggi	Butler
Akaka	Bingham	Byron
Alexander	Blanchard	Caputo
Allen	Blouin	Carney
Ammerman	Boggs	Carr
Anderson, Calif.	Boland	Carter
	Bolling	Cavanaugh
Anderson, Ill.	Bonior	Cederberg
Andrews, N.C.	Bonker	Chappell
Andrews, N. Dak.	Bowen	Chisholm
	Breaux	Clausen, Don H.
Annunzio	Breckinridge	
Applegate	Brinkley	Clay
Ashbrook	Brodhead	Cleveland
Ashley	Brooks	Cochran
Aspin	Broomfield	Cohen
AuCoin	Brown, Calif.	Coleman
Bafalis	Brown, Mich.	Collins, Ill.
Baldus	Brown, Ohio	Conable
Barnard	Broyhill	Conte
Baucus	Buchanan	Conyers
Beard, R.I.	Burgener	Corcoran
Beard, Tenn.	Burke, Calif.	Corman
Bedell	Burke, Fla.	Cornell
Beilenson	Burlison, Mo.	Cornwell
Benjamin	Burton, John	Cotter
Coughlin	Jordan	Quillen
D'Amours	Kasten	Rahall
Daniel, Dan	Kastenmeier	Railsback
Daniel, R. W.	Kazen	Rangel
Danielson	Kemp	Regula
Davis	Ketchum	Reuss
de la Garza	Keys	Rhodes
Delaney	Kildee	Richmond
Dellums	Kostmayer	Rinaldo
Derrick	Krebs	Risenhoover
Dicks	Krueger	Roberts
Diggs	LaFalce	Robinson
Dingell	Lagomarsino	Rodino
Dodd	Le Fante	Roe
Downey	Leach	Rogers
Drinan	Lederer	Rooney
Duncan, Oreg.	Leggett	Rose
Duncan, Tenn.	Lehman	Rosenthal
Early	Lent	Rostenkowski
Edgar	Levitas	Roybal
Edwards, Ala.	Lloyd, Calif.	Runnels
Edwards, Calif.	Lloyd, Tenn.	Ruppe
Edwards, Okla.	Long, La.	Ryan
Eilberg	Long, Md.	Santini
Emery	Lott	Sarasin
English	Lujan	Satterfield
Erlenborn	Luken	Sawyer
Evans, Colo.	Lundine	Scheuer
Evans, Del.	McClory	Schroeder
Evans, Ga.	McCloskey	Schulze
Fary	McCormack	Sebelius
Fascell	McDade	Sharp
Fenwick	McEwen	Shipley
Findley	McFall	Sikes
Fish	McHugh	Simon
Fisher	McKay	Sisk
Fithian	Madigan	Skelton
Flood	Maguire	Skubitz
Florio	Mahon	Slack
Flowers	Mann	Smith, Iowa
Flynt	Markey	Smith, Nebr.
Foley	Marks	Snyder
Ford, Tenn.	Marlenee	Solarz
Forsythe	Martin	Spellman
Fountain	Mathis	Spence
Fowler	Mazzoli	St Germain
Fraser	Meeds	Staggers
Frenzel	Metcalfe	Stangeland
Frey	Meyner	Stanton
Fuqua	Michel	Stark
Gammage	Mikulski	Steed
Gaydos	Mikva	Steers
Gephardt	Milford	Steiger
Giaimo	Miller, Calif.	Stockman
Gibbons	Mineta	Stokes
Gilman	Minish	Stratton
Ginn	Mitchell, N.Y.	Studds
Glickman	Moakley	Taylor
Goldwater	Moffett	Thompson
Gonzalez	Mollohan	Thone
Goodling	Montgomery	Thornton
Gore	Moore	Traxler
Gradison	Moorhead, Calif.	Treen
Grassley		Tsongas
Gudger	Moorhead, Pa.	Tucker
Guyer	Moss	Udall
Hagedorn	Mottl	Ullman
Hall	Murphy, Ill.	Van Deerlin
Hamilton	Murphy, N.Y.	Vander Jagt
Hammer-schmidt	Murphy, Pa.	Vanik
	Murtha	Vento
Hanley	Myers, Gary	Volkmer
Hannaford	Myers, John	Waggonner
Harkin	Myers, Michael	Walgren
Harrington	Natcher	Walsh
Harris	Neal	Wampler
Harsha	Nedzi	Watkins
Hawkins	Nichols	Waxman
Heckler	Nolan	Weaver
Hefner	Nowak	Whalen
Heftel	O'Brien	White
Hightower	Oakar	Whitehurst
Hillis	Oberstar	Whitley
Hollenbeck	Obey	Whitten
Holt	Panetta	Wilson, Bob
Holtzman	Patten	Wilson, C. H.
Horton	Patterson	Wilson, Tex.
Hubbard	Pattison	Winn
Huckaby	Pease	Wirth
Hughes	Pepper	Wolff
Hyde	Perkins	Wright
Ichord	Pettis	Wydler
Ireland	Pickle	Wylie
Jacobs	Pike	Yates
Jeffords	Poage	Yatron
Jenkins	Pressler	Young, Alaska
Johnson, Calif.	Preyer	Young, Fla.
Johnson, Colo.	Price	Young, Mo.
Jones, N.C.	Pritchard	Young, Tex.
Jones, Okla.	Quayle	Zablocki
Jones, Tenn.	Quie	Zeferetti

NAYS—30

Archer	Devine	Ottinger
Badham	Dornan	Pursell
Bauman	Evans, Ind.	Rousselot
Bennett	Hansen	Rudd
Burleson, Tex.	Kelly	Russo
Clawson, Del	Kindness	Shuster
Collins, Tex.	Latta	Stump
Crane	McDonald	Symms
Cunningham	Mattox	Walker
Derwinski	Miller, Ohio	Weiss

NOT VOTING—24

Ambro	Ertel	Marriott
Armstrong	Flippo	Mitchell, Md.
Badillo	Ford, Mich.	Nix
Brademas	Holland	Roncalio
Burke, Mass.	Howard	Seiberling
Dent	Jenrette	Teague
Dickinson	Koch	Trible
Eckhardt	McKinney	Wiggins

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Mr. Dickinson.
Mr. Teague with Mr. Marriott.
Mr. Dent with Mr. Wiggins.
Mr. Brademas with Mr. McKinney.
Mr. Ambro with Mr. Eckhardt.
Mr. Mitchell of Maryland with Mr. Ertel.
Mr. Nix with Mr. Badillo.
Mr. Ford of Michigan with Mr. Jenrette.
Mr. Howard with Mr. Koch.
Mr. Roncalio with Mr. Seiberling.
Mr. Flippo with Mr. Holland.

Mr. KETCHUM changed his vote from "nay" to "yea."

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 DISAGREEMENTS

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 6, after line 9, insert:

SPECIAL ASSISTANCE FUNCTIONS

The aggregate amount of purchases and commitments authorized to be made pursuant to section 305 of the National Housing Act, as amended, out of recaptured Special Assistance Purchase authority may not exceed $2,000,000,000.

MOTION OFFERED BY MR. BOLAND

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

The Clerk read as follows:

Mr. BOLAND moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein.

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. 24: Page 17, line 11, strike out "$2,943,600,000" and insert "$3,013,000,000".

MOTION OFFERED BY MR. BOLAND

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

The Clerk read as follows:

Mr. BOLAND moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,995,300,000".

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. BOLAND) is recognized for 30 minutes and the gentleman from Pennsylvania (Mr. COUGHLIN) is recognized for 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. BOLAND).

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

Mr. Speaker, this motion and another motion I will offer later on in the bill are the only two controversial parts of this conference report.

Mr. Speaker, the House conferees were unable to reach agreement on the Jupiter Orbiter Probe which NASA had requested in the 1978 budget. The House deleted $20,700,000 for the initial funding of this program, and the Senate restored the funds.

The motion that is now before the House accepts the original House's position. Let me tell the Members why. In denying the Jupiter Orbiter Probe, we were and are continuing to make an effort to strike a budget priority choice. This year's budget includes $36 million to initiate funding of a space telescope which will ultimately cost the American taxpayer at least $800 million. Over the past 2 or 3 years the HUD-Independent Agencies Subcommittee and the full Committee on Appropriations have raised a number of questions about that telescope project—principally whether it was the right project, at the right cost, at the right time. The scientific community has described it as the No. 1 astronomy project of the 1980's. But not every project that the scientific community wants can have first priority. That is why we need a budget priority choice. We provided $36 million in this bill for the space telescope, but we denied the Jupiter Orbiter Probe. Jupiter will be there 5, 10, or 15 years from now when this project, if desired, can be reinstated. In the 20 years that this Nation has been involved in a major space effort, the Congress has never, never made an attempt to deny funding for a major space planetary mission. I think it is time that we did. That is precisely the position of the Subcommittee on Housing and Urban Development-Independent Agencies.

Mr. COUGHLIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. RHODES), the distinguished minority leader.

Mr. RHODES. Mr. Speaker, I rise to express my opposition to the motion which has been made with regard to amendment No. 24. The committee motion will have the net effect of eliminating money for the Jupiter Orbiter Probe program. I believe that deletion of the funds for this program would seriously set back our balanced space efforts.

Jupiter is the largest planet of our solar system and is itself a miniature solar system. Study of its satellites and environment is fundamental to understanding the origin and evolution of the solar system and, consequently, understanding our own planet. The Jupiter Probe provides the first in-depth opportunity for exploration of the planet's atmosphere and is expected to advance our knowledge of atmospheric processes.

In addition, the program is a key link in maintaining our leadership in planetary exploration and dedication to expanding knowledge of the universe. As has been pointed out by other Members, the program is now designed to take advantage of the optimum launch date in 1982. The next optimum launch time will not come until 1987, and any interim effort would require a greater launch energy.

Another important aspect of the Jupiter Orbiter Probe program is the NASA-university-industry team which is working on the project. Any delay in the funding of the program would not only delay our space efforts but would cause the disruption of this highly coordinated effort and could result in the loss of very specialized personnel.

I urge my colleagues to vote against the committee motion on amendment in disagreement No. 24. Instead, I urge them to support funds for this essential space program.

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

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

Mr. WYDLER. Mr. Speaker, I want to congratulate the minority leader on the statement he has just made and say that as the ranking minority member on the Committee on Science and Technology, I agree with the thrust of his statement.

I believe the Jupiter probe is an important part of our continuing space program; I believe it is important to the future of our Nation and the world. I certainly support the position taken by the minority leader in this case.

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

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

Mr. ROUSSELOT. Mr. Speaker, I rise in opposition to amendment 24 reported in disagreement in the HUD-independent agencies appropriation bill (H.R. 7554). Funds for the Jupiter Orbiter Probe—JOP—must be restored. This very important program, the first new planetary mission that has been authorized since Pioneer Venus in 1975, represents a landmark step in this Nation's effort to explore and understand the solar system. Present and future generations are watching us in this effort.

The JOP spacecraft would be launched in January 1982 the first planetary mission to be carried aboard the Space Shuttle. As many of my colleagues are aware, timing of the mission is critical since the orbiter and the probe incorporate several devices that require reasonably long lead times for design and construction. By launching in January 1982 mission personnel can continue the orderly and progressive exploration of the planets. Viking is still exploring Mars. Pioneer Venus will be launched in 1978 to our nearest planetary neighbor. Pioneer II will fly past Saturn in 1979. Voyager 1 and 2 will arrive at Jupiter in 1979 and Saturn in 1980 and 81. Unfortunately, however no further

missions are currently funded and the Nation's planetary exploration program is near stagnation levels.

The benefits that accrue to all of us as a result of this Nation's planetary exploration program are enormous and far-reaching. Our initial landings on the planet Mars and our closeup photographs of Jupiter have added immensely to our knowledge of basic physical phenomenon on the Earth as well as providing us invaluable knowledge regarding our own solar system. Future planetary exploration activities are certain to yield even greater benefits not only to science, but also to technologies of great importance to mankind.

Mr. Speaker, restoration of NASA's $20.7 million request for the new start of the Jupiter Orbiter Probe will represent an important commitment by this country to continue a budgetary sound and scientifically promising program of unmanned planetary exploration. The potential for a better understanding of the universe which the JOP represents can bring better answers to the problems which challenge us here on Earth and I urge my colleagues to join me in voting down amendment 24 and approving full funding for the Jupiter Orbiter Probe.

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

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

Mr. BURGENER. Mr. Speaker, I, too, wish to join with the gentleman in the well, our minority leader, in this effort, and I associate myself with his remarks. I think this is a vitally important issue.

Mr. Speaker, I rise in opposition to amendment No. 24 which would deny the NASA Jupiter Orbiter Probe program in the fiscal year 1978 budget:

The program is meritorious. It is recommended by the National Academy of Science. It has been submitted in both President Ford's and President Carter's budget requests. It has received endorsement of the House authorizing committee, the Senate authorizing committee, and the Senate Appropriations Committee. Yet amendment No. 24 would have the effect of denying this program which has been well received.

There are sound reasons to proceed now. Delay in starting the development program would mean missing the time in December 1981–January 1982 when the planetary alinements are such that the smallest amount of energy will be required to launch the payload on its 3-year flight to Jupiter. Launching at another time requires more energy and would be more expensive—even in 1987, when the next "low energy" launch could be made.

More importantly, we need to recognize what flows from these highly complex, NASA scientific programs: First, it is a training ground for our highest skilled scientists and engineers who bring this sophisticated technology to the marketplace and into our home. Second, as a nation ever more dependent on gathering sources of raw materials from around the world, we must be able to barter our only salable commodities in exchange—high technology and agricultural products. The high technology derived from our space program in such programs as the proposed Jupiter Orbiter Probe is a direct contributor to improving our balance of payments in an ever increasing competitive situation for scarce raw materials.

We can cite many other compelling reasons for proceeding in this budget with the Jupiter Orbiter Probe program but it should be pointed out that its inclusion in the NASA budget this year will not cause the total to exceed the budget request.

The Jupiter Orbiter Probe program requests a logical, well-planned follow-on to the NASA planetary effort which leads the world in the field. I urge defeat of amendment No. 24 and subsequent adoption of an appropriate amendment by this body to include the Jupiter Orbiter Probe in the NASA program.

Mrs. SPELLMAN. Mr. Speaker, will the gentleman yield?

Mr. RHODES. I yield to the gentlewoman from Maryland.

Mrs. SPELLMAN. Mr. Speaker, I thank the gentleman for yielding.

It makes me happy to say to the minority leader that today he is right on target. I fully agree with every word that he has said.

Here we have an opportunity at an optimum moment to do what needs to be done. Delay is not going to save money; it is going to cost a great deal of money, because we will never again have the same opportunity—in our lifetimes, at any rate—to be able to send a probe to Jupiter as cheaply as we can do it today.

Mr. Speaker, this is the time, this is the moment to act. It would be shortsighted and penny foolish not to fund the Jupiter Orbiter Probe mission in this budget. Besides, the exploration of our solar system has potential benefits in areas of energy and new technology which we cannot afford to delay for 10 years. Again, Mr. Speaker, I wish to commend the gentleman from Arizona (Mr. RHODES) for his statement.

Mr. RHODES. Mr. Speaker, I thank the gentlewoman from Maryland (Mrs. SPELLMAN), and I expect and hope that this will be the first in a long series of agreements that the gentlewoman and I will have.

Mr. COUGHLIN. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. EMERY).

Mr. EMERY. Mr. Speaker, as a former member of the Committee on Science and Technology and a former member of the Subcommittee on Space, Science, and Applications, I rise in full support of the Jupiter mission and against the pending amendment.

Unfortunately, all too many people view space travel and space exploration as a wasteful attempt to shoot billions of dollars of taxpayers' money into outer space, that money never to be seen again. But in my personal opinion—and this is an opinion which is backed up by a vast amount of information available to us—the world and the United States in particular have probably gotten more value back from the money we have put into space programs than we have from most other efforts this Congress has subsidized over the years.

Jupiter is especially interesting for a number of reasons. First of all, as the body of scientific evidence indicates, Jupiter may be a protostar that was not really big enough to become a star.

There is also indication that certain organic materials may exist in the atmosphere of Jupiter that may give us some clue to the origin of life on Earth.

It is very important that we probe these theories and understand more about the universe in order that we may, in fact, know more about ourselves and our own destiny as beings on this planet.

The space probe we are now trying to fund is unique because of the positions of the various planets in the solar system in 1982, and the fact that we can take a unique advantage of gravitational forces that are available at that time.

Therefore, Mr. Speaker, I think it would be very shortsighted if we did not fund this mission, and I think we ought to get on with its scientific mission, which is to learn more about our universe and ourselves, as well.

Mr. BOLAND. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Florida (Mr. FUQUA).

Mr. FUQUA. Mr. Speaker, I rise in opposition to amendment No. 24.

The effect of this amendment would be to deny the Jupiter Orbiter Probe program which has been approved by three of the four committees making reviews for authorizing and appropriating funds for NASA for fiscal year 1978.

Increasing the amount by $17.7 million to the Senate conference recommendation of $3.013 billion would be $13 million below the administration request for NASA research and development in fiscal year 1978 and allow a timely start on this planetary exploration program. A timely start requires that the launch take place in December 1981–January 1982 to minimize the energy needed hence minimizing the cost. The next low energy opportunity will not occur until 1987 and even then a larger launch vehicle and higher costs will be incurred. The lead time is sufficient to develop the Jupiter Orbiter Probe if started in fiscal year 1978. Delay will prevent this from happening and will further disrupt the small highly skilled group who maintain U.S. leadership in planetary exploration.

Mankind's exploration of worlds other than the Earth, for Earth's benefit, will probably be the single most important legacy of the 20th century. It is significant that the United States has been the leader in this endeavor. Continuation of planetary exploration should remain a national goal.

The Jupiter Orbiter Probe is a planetary exploration mission that will take 3 years to build, will take another 3 years to reach Jupiter, and will circle the planet for almost 2 years measuring and investigating its mysteries. The new scientific insights—on energy generation, on chemistry, on chemical pre-life forms, on massive weather mechanisms—are

directly applicable to understanding the Earth's environment and will allow some of the best scientific minds of the world to contribute to a better understanding of our world over the next decade.

Earlier exploration of Venus and Mars has already taught us much about our own atmosphere, its circulation, its susceptibility to damage from things such as freons, and the effects of pollution on climate. At Jupiter, we can explore the solar system's largest atmosphere, a gas giant some 90,000 miles across, that contains at least one storm 10 times the size of the Earth that has raged unabated for more than two centuries. We can send measuring instruments from orbit into this atmosphere. We can take close-up pictures of the planet-sized moons of Jupiter and perhaps begin to understand why this huge planet acts like a small star at the center of its own solar system; we can relate Jupiter to both Earth and our entire galactic environment.

When built in 5 years, the Jupiter Orbiter program will have cost less than $1.50 per person. In the meantime this program will have represented nearly 10,000 man-years of direct employment here on Earth—important jobs in the instrument industry, in aerospace companies, in electronics, in universities across the country. The typical return to the economy—the economic multiplier—is 7 to 1 or $10.50 for every $1.50 invested in Jupiter Orbiter Probe. The new technologies—miniature independent computers that require little power, compact television cameras that are 3 times sharper and 10 times more sensitive than those available today, instruments that can survive penetration of the Jovian atmosphere, lightweight nuclear electric generators—will have enormous important future applications on Earth in commerce and industry.

As I pointed out, not to begin the Jupiter Orbiter Probe mission this year means a delay of 5 years before Jupiter could again be reached with a significant payload; it means reducing the U.S. teams that have led in planetary exploration and giving up this field of science and technology to the aggressive Soviet space effort; it means losing contributions from overseas worth nearly $40 million and from the Energy Agency of some $30 million; it means additional unemployment; it means loss of fundamental knowledge important to the life of man on Earth; and it means that America has turned its back on a heritage of exploration and challenge.

I urge defeat of amendment No. 24 and subsequent provisions for sufficient funds to start the Jupiter Orbiter Probe in fiscal year 1978.

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

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

Mr. ROUSSELOT. Mr. Speaker, I thank the chairman of the Subcommittee on Space Science and Applications for yielding to me.

What the gentleman is saying is that the exploration mission of Jupiter Probe has a real relationship to our ability to judge our own weather conditions here on Earth. So what we learn from those probes will demonstrate how that exploration data can be applied to our own conditions here on Earth; is that not correct?

Mr. FUQUA. The gentleman is absolutely correct. By learning from other planets, we can better understand the weather phenomena that we have on this planet, Earth.

Mr. ROUSSELOT. I appreciate the gentleman's comments. This probe does relate to our own conditions here on Earth. I appreciate the fight the gentleman is waging to make sure that this money is restored, which the other body already has included.

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

Mr. FUQUA. I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Speaker, I commend the gentleman from Florida (Mr. FUQUA), the chairman of the Subcommittee on Space Science and Applications, for the outstanding leadership he has provided in preparing legislation for an orderly space program.

I associate myself with the gentleman's remarks and oppose the motion before us.

I do not think it is possible to overestimate the potential value of the basic research associated with the Jupiter Probe. Over and over again we ask ourselves: "What is the value of basic research?" It is always difficult to know for certain. I think the same answer holds today as provided by Benjamin Franklin when he was asked about the value of a new hot air balloon. Franklin replied, "What is the value of a new baby?"

The fact of the matter is that the planet Jupiter is literally pregnant with potential information relating to all aspects of science, from cosmology to microbiology; from meteorology to basic energy physics. I suggest that we do support the probe. It is well worth the cost, but we must keep on schedule to optimize the benefits of the program.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. COUGHLIN. I yield 2 additional minutes to the gentleman from Florida (Mr. FUQUA).

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

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

Mr. BROWN of California. Mr. Chairman, I rise in support of the position taken by the gentleman from Florida.

Mr Speaker, I rise in opposition to the amendment (amendment 24) and support restoration of funds for the Jupiter Orbiter Probe program. I believe the Jupiter Orbiter Probe will contribute substantially to our understanding of planet Earth.

It has often been stated that scientists learn more about Earth when they have other planets to compare it with. Until the planetary-exploration program began, man had a single data point for any study of Earthwide phenomena—the Earth. Our only view of the solar system was dim, cloudy, and far away—through telescopes manned by astronomers who really did not think of the other planets in terms of Earth.

An example of the importance of comparative planetology may be worth citing: Project Viking, which landed on Mars in the summer of 1976 and will now force the revision of every textbook about astronomy, planetology, geology, soil chemistry, biology, meteorology, and other science disciplines.

Dr. Seymour Hess, leader of the Viking meterology team, told colleagues that, based on data he has received from the Viking meteorology instruments, he is now able to advise other meteorologists who are wrestling with Earth's weather:

I tell some, "Your theory doesn't work on Mars. Look for something else." I tell others, "That works on Mars, so it must work on Earth; keep digging at it because it's worth studying."

Mars' weather is much simpler than Earth's. Mars, therefore, is a good laboratory to test theories of weather on Earth—which is more difficult because of its complexity.

Another example: Until Pioneer 10 and 11 reached Jupiter in 1973 and 1974, there were almost as many theories for the Jovian Great Red Spot as there were scientists who studied it. But the Pioneers photographed the spot in sufficient detail to provide a startling new statement; the Great Red Spot looks very much like an enormous hurricane.

That hurricane has been continuously observed through telescopes for almost 200 years; nothing of its magnitude, in size or lifetime, has been observed on Earth. The Jupiter Orbiter will provide long-term, extremely close-up information on this monstrous storm. Might that not contribute to greater understanding of the hurricanes that so often reduce much of this Nation's shorelines to rubble?

Another example: No one knew that Earth was surrounded by belts of trapped radiation—that protect us from high-energy atomic particles streaming from the Sun—until Professor van Allen's experiment aboard the spacecraft Explorer I found those belts in 1958.

Jupiter is encircled by belts of radiation that are similar, though vastly greater in size and intensity. These belts, like Earth's, are related to the planet's magnetic field. Oceanographers and geologists have recently discovered that the polarity of Earth's magnetic field has changed many times. They understand nothing of how this occurs: does the change occur instantly? Does it take many years or even decades? Are there periods when the magnetic field disappears completely, allowing high-energy atomic particles to bombard the surface of the Earth and its occupants?

Long-term studies of Jupiter's magnetic field and trapped radiation belts will give us one more data point than we have. We will have another planet to compare ourselves with.

The JOP mission is also important by itself; it is important in the orderly, continuing exploration of the new frontiers of our solar system. If the solar system is, indeed, to be "ours" then we need to know where we stand in it. Jupiter is a vital piece of the puzzle.

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

Mr. FUQUA. I yield to the gentleman from Kansas.

Mr. WINN. Mr. Speaker, I would ask the gentleman from Florida if it is not true that the program will only cost $1.50 per U.S. citizen?

Mr. FUQUA. The gentleman from Kansas is correct. Also the multiplier effect on the economy is 7 to 1 so that for every $1 we spend, we get back $10.50.

Mr. WINN. If we do not take this opportunity now to proceed with the program, what will it then cost?

Mr. FUQUA. The cost will be exceeding what it is now because of the larger booster that will be needed, it will take more time to get there. Also the backup team that we have today is one of the most capable in the world, and if we do not proceed with this now then we will have to recruit the members of that team again at a later time, at a greater cost and with the effect of increased inflation to the project.

Mr. WINN. Mr. Speaker, I wholeheartedly support the gentleman from Florida (Mr. FUQUA) in his efforts to defeat this.

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

Mr. GAMMAGE. Mr. Speaker, I rise in favor of the remarks made by my distinguished colleague, the gentleman from Florida (Mr. FUQUA).

Mr. Speaker, we must maintain strength and continuity in our efforts to explore mankind's most challenging frontier—space. In particular, exploration of our planetary system yields unique information on the origin and early history of the Earth. Comparison of our planet with its neighbors provides new and stimulating viewpoints from which to diagnose the ills of our environment and chart their solution. At the same time, this exploration appeals to humanity's basic urge for new knowledge and wider perspective, and lays foundations for the eventual utilization of space resources, and perhaps ultimately the large-scale colonization of space.

The Jupiter Orbiter is not an isolated undertaking. It is the logical next step in a systematic exploration of the solar system, which began some years ago. Viking is still out there looking at Mars. Voyagers and Pioneers are scheduled to leave during the next 3 years to explore Jupiter, Saturn, and Venus. The Jupiter Orbiter, designed as the next in a series, is scheduled for launch in early 1982 for a 20-month-long look at that planet. Dropping it out of sequence, or postponing it, disrupts the orderly scheduling and effective use of skilled personnel which this research requires.

The restoration of funds for the Jupiter Orbiter Probe will not exceed congressional budget ceilings for fiscal year 1978 and will keep the total NASA research and development funds to less than the administration request. Starting the Jupiter Orbiter Probe program now will continue the gathering of scientific planetary data which has improved understanding of atmospheric processes and weather forecasting, and contributed to better atmospheric environmental monitoring essential to our quality of life. This Nation ought to use its space capabilities to gain more basic knowledge of the universe, as well as engage in practical—and exciting—applications of Earth orbiting satellites.

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

Mr. KRUEGER. Mr. Speaker, I rise in support of the amendment.

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

Mr. ROYBAL. Mr. Speaker, I rise in opposition to the motion offered by my distinguished colleague, Mr. BOLAND, because it would deny funding for the Jupiter Orbiter Probe. I urge instead that we support the motion which will be offered momentarily by Mr. FUQUA, chairman of the Science and Technology Subcommittee on Space Science.

Mr. FUQUA's motion will enable the United States to continue planetary exploration by including $17.7 million for the Jupiter program.

Exploration is the essence of American history. The Jupiter Orbiter Probe, which you are being asked to support, is the product of years of engineering and scientific preparation. Many planetary missions are technically achievable, and scientifically justifiable, but to make the best possible use of our resources, NASA, in collaboration with science and industry, selects only the best flight opportunities. The Jupiter Orbiter Probe is the product of this exacting selection process.

Jupiter is the largest planet, the prototype of the gas giants that dominate the outer solar system. Its 12 planet-size satellites constitute a miniature solar system and Jupiter, with its awesome magnetic field and belts of charged particles, generates more energy than it receives from our Sun. This "mini solar system" offers unique opportunities to gain new knowledge, not only about the origins of our solar system, but also about weather patterns and other natural phenomena on Earth as well.

Planetary dynamics have focused the attention of the space science community on a unique launch opportunity. Calculations indicate that a 2-month period from December 1981 through January 1982 presents the best opportunity for a Jupiter launch for the remainder of the 20th century. The orbital alinements of Jupiter and Earth at that time will be such that a maximum payload can be transported to Jupiter. This increased payload translates into a highly efficient spacecraft with the greatest possible payload of scientific instruments.

To forgo forever the exploration of Jupiter would be foolish, and to postpone it to a later time would only result in a higher cost.

The next practical, though not as favorable, date for a Jupiter launch will not occur until 1987. Just imagine what 5 years of inflation will do to the price tag of the program. Far more serious, however, is the fact that a 5-year delay of the Jupiter Orbiter probe will force NASA to disband its justifiably famous network of highly trained and experienced personnel. A similar network would have to be reconstructed 5 years later at a tremendous increase in cost. Paying a lot more for a lot less is no way to save money, especially in our space program, which operates on a very restricted budget.

There is no doubt that a combination of factors have singled out the Jupiter program as a mission whose time has come. The mission has survived keen competition from other highly valuable planetary missions. Four separate space science working groups have formulated the detailed scientific goals of the mission and more than 500 individual scientists have proposed to participate individually or as part of investigator teams. The Government of West Germany has made a commitment to provide the $20 million propulsion system for the Jupiter spacecraft. The 1981–82 launch window is unique. We will look long and hard for similar conditions and pay a dear price if we fail to take advantage of this ideal opportunity to study the largest and most mysterious planet in our solar system. I urge all my colleagues to defeat this motion and support the Jupiter program by voting for Mr. FUQUA's motion.

Mr. BOLAND. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. TRAXLER), a member of the subcommittee and the full Committee on Appropriations.

Mr. TRAXLER. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, I would like to say that those of us on this subcommittee have thoroughly enjoyed our relationship with NASA and with the very fine personnel that are in that agency.

Their presentations to us and their documentations in support of their positions are of the highest possible professional levels. I am sure that the Members can appreciate that we on this subcommittee have decisions to make as to where the taxpayer' money is going to be spent. It is a very difficult task.

I agree with much of what the proponents of the Jupiter Orbiter Probe have said on the floor of the House today.

Let me tell the Members that in my mind a reservation exists, and it is a question of money and priorities.

We have to prioritize, as we approach this period of zero-based budgeting. It becomes important that we examine the requests of agencies and place them in some kind of logical order based upon, with their help, what we perceive and what they perceive to be some of the immediate needs of this Nation. Unfortunately, we do not have enough money to take care of the problems of the Veterans' Administration, which is one of the jurisdictions of this subcommittee. We do not have enough money to fund all the programs of the Environmental Protection Agency and our clean waters program. Unfortunately, we do not have enough money to meet the housing needs of America, and HUD is part of this committee's jurisdiction.

It is very painful for us to say to NASA, an agency that is one of our favorites, that we do not believe that this ought to be a priority item in 1978 budget. That is why we did it. I believe that the project is worthwhile, the project does have scientific value. The problem is, where do we get all the money to do all the things we want to do? The Jupiter Orbiter Probe will cost in the area of $275 million to $295 million. They are seriously considering the Halley rendezvous in 1982. That is $200 million to $250 million. They have a Mars follow-on. We are not sure how much that will be. They have a Venus orbiting imaging radar. That is in the area of $200 million to $250 million. They are thinking of the lunar polar orbiter. They do not have any launch window requirement there. That is $120 million to $125 million. They are considering the Saturn-Uranus probe. That is in the area of $275 million to $325 million. They are talking about a run-out cost on just these missions that they have got under serious consideration in the sum of at least $1 billion to $1,240,000,000. I am not telling the Members each one of these is proper or improper. What I am saying to them is we have looked at the Jupiter Orbiter Probe. We have said on the basis of the money that we believe is available now and will be available in the next couple of years, this is a place we can forego and compromise and not go.

We gave them the large space telescope. They do have the space shuttle. We are supportive of their other kinds of science inquiries. This is not a turndown to NASA; it is a forced examination of spending choices by the subcommittee.

We can only tell the Members that we will examine NASA requests in the future in light of the same economic needs and requirements on the part of our country. I hope the Members will agree with this. I hope they will say no to Jupiter.

Mr. COUGHLIN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MOORHEAD).

Mr. MOORHEAD of California. Mr. Speaker, I rise in opposition to the amendment No. 24 and support restoration of funds for the Jupiter Orbiter Probe program. Failure to appropriate funds for this important program will have greater effect than slowing down planetary exploration. We are considering here the dismembering of significant national capability in planetary science. In particular, we should be concerned with losing the highly specialized people established at Jet Propulsion Laboratory over the years.

JPL's main assignment as a part of NASA is to carry out unmanned planetary exploration missions using remotely controlled automatic spacecraft. We are certainly very proud of the people at JPL who have carried out the assignment with dedication and expertise.

The institutional impact on JPL of no Jupiter Orbiter Probe in fiscal year 1978 would include loss during that year of 212 scientists and engineers and more than 100 administrative and support people involved in electronic, logic, communication, data and system design, and development. This reduction would add to the 200 capable technical people being lost during this fiscal year due to the general slowdown of the planetary program.

The people at JPL represent a most valuable capability—one extremely difficult to rebuild. In some cases, these people are virtually unique specialists. Their loss would leave JPL and the space program without vital synthesis and design capabilities. They constitute a group of expert specialists trained to work as an effective and efficient team capable of all required skills to carry out automated spacecraft missions.

Even if a major planetary new start should be approved later, it is most unlikely that JPL would be able to rebuild the lost expert capability to manage such a planetary project.

We cannot allow the country to do without this capability for the indefinite future nor incur the cost of rebuilding this capability some time in the future.

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

Mr. MOORHEAD of California. I yield to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, it is also true, is it not, that Members have supported the space program and space shuttle program and that the space shuttle will be utilized in the Jupiter effort. So this is one more offspring, so to speak, or related program in the space shuttle effort. Consequently if an individual is a supporter of the space shuttle program he clearly should support this Jupiter probe; is that not correct?

Mr. MOORHEAD of California. That is correct.

Mr. COUGHLIN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. WYDLER).

Mr. WYDLER. Mr. Speaker, I just want to make clear to the Members of the House that we ought to vote "no" if we want to continue the Jupiter program, and I am asking all the Members of the House to vote "no" on this proposition. I think it is the correct vote.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding.

Mr. Speaker, I also oppose this amendment and support the funding of the Jupiter Orbiter Probe program.

Why are we funding this program? Why should we fund it? It is claimed that we have projects much closer to Earth that we ought to be giving priority to. But let me point out in this appropriation there is funding—and nobody is opposing it—for twice as much money for a telescopic probe of outer space. So, if we want to put things on the basis of the closer to Earth we get the more important it is, then this Jupiter program should have a higher priority than some of the projects that are being funded in this bill.

Let me point out that planetary explorations provide important data that can explain conditions on Earth. The Venus Probe provided the information which has shown the danger of the fluorocarbon aerosols to the Earth's ozone layer.

Jupiter is not only the largest body in the solar system, composing 97 percent of its planet mass, but also with its dozen moons, it is a microcosm of our solar system and will provide information about solar mechanics.

The Jupiter Probe will provide answers to key questions about atmospheric conditions and behavior and also significant new information on varying properties of matter under extreme cold conditions.

Why fund the probe this year? Why does it have to be done in fiscal 1978? If the program is started now, Jupiter will be in position for a timely "minimum energy" launch in December 1981. The next launch "window" would be in 1987.

There is presently a highly developed team of scientific, business, and industrial personnel which would remain intact to work on the project. If the Orbiter Probe is not funded, the "team" can be expected to start disintegrating within 2 to 3 years, as a "lull" in planetary explorations begins.

If the Orbiter Probe is not funded until the next launch window, in 1987, costs can be expected to double—from about $300 million to about $600 million over the life of the project.

At least, one important "spinoff" technology would suffer from the delay as well. The Advanced Selenide Radioisotope Thermoelectric Generator (a power system capable of operating in space with high reliability) is to be developed by Teledyne Energy Systems for this flight. The performance of this system as part of the Orbiter Probe will give needed data on the scientific concepts behind the generator and will provide for even further refinement of these independent power systems. Teledyne has the only remaining national capability for producing these systems, which already have important potential as power systems for a variety of remote sensing devices and military hardware.

In summary, because planetary explorations have provided invaluable scientific information, because it is already possible to identify important knowledge we can expect from the Jupiter Orbiter Probe and, because we can already anticipate significant benefits from mission-related technology, I urge that the House reject the conferees' recommended $2.995 billion funding and vote for a $3.013 billion NASA research and development budget, which will include funding for the start of the Jupiter Orbiter Probe.

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

Mr. Speaker, obviously the horses are out of the barn and have been all lined up. We have California, where the Jet Propulsion Laboratory will be working on the Jupiter Orbiter Probe. We have, as practically everybody knows, the colleges and universities, which may be or actually are involved in the space program.

We also have all the contractors all over the Nation who have any part or parcel of the space program calling Members saying, "You ought to put the $20.7 million back in for this program."

The gentleman from Maryland makes

the point that we provided $36 million for the large space telescope. We asked people in the field of astronomy what priority they would attach to the large space telescope and the Jupiter Orbiter Probe missions. Without exception, they indicated that they would prefer the large space telescope which is launched by the Space Shuttle.

That was one of the problems we had, whether or not we would fund the large space telescope. Most of the Members on the Committee on Science and Technology agreed that funding the large space telescope would be preferable to funding the Jupiter Orbiter Probe, if they had to make a choice.

The argument has been made with respect to the increased cost down the road if the project is delayed. I cannot buy that argument at all. When the National Aeronautics and Space Administration slide-ruled the cost of the Space Shuttle back in 1971, the cost was estimated to be $5.1 billion. They do not buy the argument of the GAO and they paid no attention to the cost of inflation factor during all the plans for the Space Shuttle program. The total estimated cost of the Shuttle is now around $12 billion to $14 billion, but that does not bother NASA. They are always talking about the cost of the program in 1971 dollars. Well, you cannot argue both ways. We are talking about the cost of the Jupiter Orbiter program in 1977 dollars and that cost comes to around $320 million, including the launch costs. It will not be double that cost as the gentleman from Florida and other Members from the Committee on Science and Technology claim on this floor today. It will cost roughly the same in 1977 dollars if we put the mission off to 1987. So they cannot have the argument both ways.

Now, there as been some question here whether the Congress ought to be able to work its will in this area and ought to have some say in the direction in which the space program is headed. Our concern here, the concern of the subcommittee, and it should be the concern of the Committee on Science and Technology, too, is that we are spending four times as much in planetary probes as we are in the applications program. The fact of the matter is that the estimated costs for projects that have been planned by NASA for planetary probes combined with what we have already spent in working on such projects for 1982 totals $8.5 billion, far more than the amount of money that is projected for spending in the applications program—programs that directly benefit mankind. They have more direct relation to problems on Earth. The amount of money spent in the applications area comes to about $2 billion or $3 billion; so we are spending something like three or four times as much in planetary probes and physics and astronomy missions as we are in the applications areas.

I think we ought to hold NASA's feet to the fire in determining what its priorities are. But, it always comes to what the "next logical step" is. Last year the "next logical step" was the space telescope. This year it is the Jupiter Orbiter Probe.

Now, let me tell the gentleman from New York (Mr. WYDLER), we are not stopping the Jupiter Orbiter Probe. We are not starting it. When we start these programs, we cannot stop them. It is $20 million this year, $30 million or $40 million next year, and by the year 1982 we will have spent some $320 million.

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

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

Mr. FUQUA. Mr. Speaker, I want to say that the gentleman has been very kind to the NASA program; but this request was made, not only by President Carter, but by President Ford and it still will be $13 million under the NASA budget request, so it is not a budget buster.

Mr. Speaker, I plead with the House to vote down the gentleman's motion.

Mr. BOLAND. I am pleased that the gentleman does call the attention of the House to the fact that this subcommittee has dealt rather generously with NASA over the years. I have been serving on this subcommittee since the time the agency was known as the National Advisory Committee on Aeronautics, the predecessor to the National Aeronautics and Space Administration. I have been in on the space program ever since its start.

On the Apollo program we spent $25 billion. There was no objection to that spending. It was a glorious and glamorous program. Everybody agreed with it.

I have no problems with the Space Shuttle program. That was the direction in which the Nixon administration indicated we ought to go, and the Apollo program was the direction in which the Kennedy administration felt we ought to go. But, the problem is that NASA is lining up all of these programs year after year. We have the rendezvous with Halley's Comet; we have the Mars follow-on; we have the Venus Orbiting Imaging Radar program; we have the Lunar Polar Orbiter; and we have the Saturn/Uranus Probe—all neatly laid out down to 1984. We are spending billions of dollars in this area.

All I am saying is that we have not yet started the Jupiter Orbiter Probe; we can put it off. We have got the large space telescope. There is $4 billion in here for NASA, and if taking $20.7 million out of this budget is going to really harm or injure NASA, then there is something wrong with NASA and there is something wrong with the space program.

I do not say there is. All I am saying is that the Congress, the taxpayers of America whom we represent, ought to make some judgment on what the priorities ought to be. In the judgment of this subcommittee, which has looked at this program, we think that this program can be delayed. Jupiter will be up there 5 years from now; it will be up there 10 years from now. It is not going to move very far. With the launch windows that will occur again, there is no reason in the world why we have to put it in the fiscal year 1978 budget.

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

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

Mr. STRATTON. The gentleman says that there is no reason why this cannot be postponed, but my information is that if we do not get the program started this year, we cannot get the probe off in 1981 or 1982. And, if we do not get it off in 1981 or 1982, we will not be able to get it off at all until 1987. Then, it will be so far away that we will not be able to carry any meaningful instruments along. So, it is this year or not at all.

Mr. BOLAND. The gentleman is exactly correct. If we do not get started on it now, we will not be able to launch it in 1981. But, what difference does it make whether it is 1981 or 1987? What difference does it really make? Jupiter will still be there. It is not going to go anywhere.

Mr. STRATTON. I thought the gentleman supported the idea of our making an effort to get into space proposed by President Kennedy. Why should we discontinue it now? There are other opportunities to gain additional knowledge.

Mr. BOLAND. Let me give the gentleman an idea of what we are spending in this area so that he will understand and so that the Members of the House will understand that NASA is not going to be short-changed in planetary probes—which is all we are concerned about. I know the Members are receiving all kinds of letters indicating that this cut would cause all kinds of irreparable damage to the U.S. space program. That is a lot of nonsense. We spent roughly $1.7 billion on 18 missions that have flown to Venus, Mars, Mercury, Jupiter, Saturn, and the Moon. This very year, NASA is going to launch the Mariner Jupiter-Saturn mission—two satellites that will fly by Jupiter in 1979 and 1980. Next year, we will launch two satellite probes to Venus. Those two missions will cost a total of $510 million.

I repeat again, just so that none of the Members think that by denying the Jupiter Orbiter Probe mission that the world will fall apart, let me give the Members some idea of the planetary missions which are under serious consideration: the "next logical step" that NASA likes to use.

There is a rendezvous with Halley's Comet planned for launching in 1982. There is a Mars Viking follow-on mission, which may cost as much as $1 billion. There is a Venus orbiting imaging radar satellite mission, which will cost in the range of $250 million. There is a Saturn Uranus probe planned in 1984, which will cost about $325 million. There is a lunar polar orbiter mission, which will cost about $120 million. These are all "logical steps." The question is whether or not those of us in the Congress who represent the taxpayers, who pick up the tab for the expense of the space program, should vote for all of these "logical steps." I have no objection to them. I have been voting for them for over 22 years. But I think we ought to at least, in this particular instance, make NASA establish some priority as to where we are heading in the planetary programs. For planetary probes and physics and astronomy missions we have spent and will spend $8.5 billion by 1984. We ought to look at it. That is exactly what we are doing in this motion, and I hope that the Members of this body will follow the judgment of the subcommittee.

Mr. COUGHLIN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. LAGOMARSINO).

Mr. LAGOMARSINO. Mr. Speaker, this Jupiter Orbiter program is a relatively low cost item, as these missions go and as most Government programs go. The startup costs are some $20.8 million. The estimated total cost is around $280 million or perhaps, as the gentleman said, $380 million. One thing is true. If we wait until 1987, which is the next time we could launch this orbiter, it is going to cost double that. Contrary to what the chairman has said, although Jupiter will still be there in 1987, it will be much further away and will, of course, cost more to reach. This Jupiter Orbiter is not an isolated undertaking. It is a logical next step in the exploration of the solar system which began some years ago. We still have Viking out looking at Mars. Voyagers and Pioneers are scheduled to leave in the next 3 years to explore Jupiter, Saturn, and Venus. This Jupiter Orbiter program is designed as the next in the series to take a 20-month look at Jupiter. If we drop it now not only will it cost double the money we are talking about here today, but it will disrupt the orderly scheduling and effective use of skilled personnel that this kind of research requires.

Mr. Speaker, I urge my colleagues to examine this issue very carefully and to vote against this amendment.

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

Mr. Speaker, when the subcommittee deleted the funds for the Jupiter Orbiter Probe, it was done after very careful and painful consideration. NASA came to our subcommittee and they asked not just for the Jupiter Orbiter Probe, they asked for five new starts—five new starts. The subcommittee funded four of the five new starts. These are new programs that NASA wants. Of course, NASA all of the new starts that they ask for. They want all new starts. They want the sun and the moon and everything to go with it. But our subcommittee looked at the new starts and tried to rank them in order of importance in priority. All of the others ranked above the Jupiter Orbiter Probe, in terms of priorities, and we funded all of those.

Now, it is said that there is an optimum launch window time, and that is essentially correct. But as the chairman of the subcommittee points out very correctly, Jupiter will still be there when the next good launch window comes up.

It is said that we need something for people to do out at the Jet Propulsion Laboratory in California. That is a heck of an argument, that we have to start a program just to give people something to do. We have to look at a program on its merits. Is it going to be worthwhile?

Yes, we can get back some very nice pictures of Jupiter. We had some beautiful pictures of Mars, and we can have this done for Jupiter. But the question is: Is it, in the whole scheme of things, worthwhile? Does it have to be done now?

This is the next step, as the subcommittee properly points out, in the long, drawn-out exploration of our solar system. That is, of course, an important thing for us to do, but we do not need to start this program now.

I would remind the Members that the subcommittee funded four out of five new starts. This is the only one we did not fund.

Mr. Speaker, I urge that the Members support the position of the House on the Senate amendment.

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

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

Mr. WYDLER. Mr. Speaker, I have no argument with the motives of the committee and the conferees in bringing in this report. I know that these are tough decisions that have to be made.

I want to make it clear, however, that although I personally know of no interest that I or anyone else in my district has in this project, I feel it is important. I think it is a mistake to take the attitude that because we have had the Apollo program and it is completed, our exploration of space is somehow over. There is always going to be a logical next step. I think that is always going to be the case until the time comes when we fully understand everything about our universe. We will have other programs, one following on another, and I do not think we should become discouraged and turn our backs on space exploration.

The only thing I object to is what I see as the attitude that we have carried out a lot of space exploration and, therefore, we do not have to do any more of it. I do not think we as a Nation should adopt that attitude.

Mr. COUGHLIN. Because we are not funding the Jupiter Orbiter Probe this year does not mean we are terminating our space program. We approved the other new starts, all four of them.

We approved the space telescope, which is part of the space program; we approved the new space shuttle orbiter which is part of the space program; we approved the Mars follow-on mission, which is part of the space program; and we approved the new landsat satellite, which is part of the space program.

The Jupiter probe is one small part of the space program, and that can be deferred.

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

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

Mr. ROUSSELOT. I thank the gentleman for yielding. Mr. Speaker, let me ask the gentleman this: Is it not true that NASA still considers this probe as a top priority project?

Mr. COUGHLIN. Of course, they consider it as a top priority project. They consider every program of this type as a top priority project.

Mr. ROUSSELOT. I believe the gentleman and I have both seen tremendous results from other probes into space. There have been all kinds of spinoffs from these programs. I am sure the gentleman recognizes the question of weather satellite activity is involved.

The gentleman recognizes what this probe might do toward that effort, does he not?

Mr. COUGHLIN. Every single program that NASA institutes is to them a top priority program. This is one that the committee looked at carefully.

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

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

Mr. McDADE. Mr. Speaker, I want to aline myself with the position of my colleague, the gentleman from Pennsylvania (Mr. COUGHLIN), and say that I think the conferees, under the leadership of the gentleman from Massachusetts (Mr. BOLAND) and the gentleman from Pennsylvania (Mr. COUGHLIN), have made a logical decision. It is a very difficult decision.

For the very first time the House has said to NASA, "We would like you to do some prioritizing, that's all." We have said to NASA, "We don't want to stop your program, but we think it should be deferred."

Let us just ask ourselves what $4 billion will buy. That is about what this program would cost.

What is involved here is one mission and one mission only. It does not involve weather satellites, communication satellites, or any of the other extraordinary programs.

I do not know of a committee that has been more generous with NASA than this particular committee during the roughly 10 years I have served on it. For the first time we have said, "Wait a minute. We want you to tell us what you are going to do in space applications that are more intimately affecting people's lives. We want to know what you are going to do with these resources, in the overall context of the American budgetary deficit, which is now running somewhere around $60 billion."

Mr. Speaker, that is all that is involved here, and I hope the Members will see fit to support the subcommittee of the Committee on Appropriations in this instance and say this one time, "We want to see what you are going to do as we go further down the road."

Mr. COUGHLIN. Mr. Speaker, I thank my distinguished colleague, the gentleman from Pennsylvania (Mr. McDADE), a member of the subcommittee.

Mr. JOHN T. MYERS. Mr. Speaker, will the gentleman yield?

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

Mr. JOHN T. MYERS. Mr. Speaker, I thank my colleague, the gentleman from Pennsylvania (Mr. COUGHLIN), for yielding. I rise in opposition to the Senate amendment.

Mr. Speaker, going forward with the Jupiter Orbiter Probe will not cure cancer or solve the energy crisis, but being the first analytical mission to the outer planets of our solar system, JOP is certain to provide a huge increment in our knowledge of the entire solar system.

In order for us to know the substantial and practical problems of our Earth, problems such as earthquakes, internal composition and structure of the Earth, and the origin and dynamics of the atmosphere, we must understand the Earth not as an individual body, but as one of nine bodies in our solar system. Jupiter, with its moons, is a miniature planetary

system which needs exploration. The proposed mission will visit three or four of the larger moons and we are hopeful that synoptic studies of the Jovian system will greatly aid our understanding of the origin and evolution, not only of Jupiter or Earth, but of our entire solar system.

Furthermore, the timing of this mission is crucial. JOP must be started this year and this is a fact which has been foreseen for so long that the planning is currently in excellent order and detailed experimental strategies have been worked out. The most favorable launch date in this century will occur in December 1981, but preparation for the launch on that date must begin during fiscal 1978. Although the Probe could be delayed until 1987, such a delay would result in a tremendous increase in the cost of the project.

Mr. Speaker, for these reasons, I rise in support of the funding for Jupiter Orbiter Probe in fiscal 1978.

Mr. COUGHLIN. Mr. Speaker, I urge the Members to support the position of the House on the Senate amendment, and I reserve the balance of my time.

The SPEAKER pro tempore (Mr. MINETA). The gentleman from Pennsylvania (Mr. COUGHLIN) has consumed 6 minutes. The gentleman from Massachusetts (Mr. BOLAND) has 4 minutes remaining.

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

Mr. Speaker, for the benefit of all the Californians on the floor, let me say that I have no illusion as to how this vote is going to come out. Let us not worry about that.

But let me say that a number of the members of the subcommittee were called by the Governor of California, Governor Brown, who, of course, along with the California delegation, is concerned about the impact a cut like this would have upon some particular installation in California, specifically the Jet Propulsion Laboratory in Pasadena. The Jet Propulsion Laboratory in Pasadena is run by Cal Tech, which is a great national asset and a great and magnificent technical engineering school.

Therefore, when the Governor of California calls and expresses his concern, we get concerned about the impact that cuts may have upon such things.

However, I do not think Cal Tech is going to fold up, nor will the Jet Propulsion Laboratory fold up because of this cut. The moneys being poured into JPL in fiscal year 1978 will come to around $130 million.

The Governor was also concerned about the deferral of $56.7 million for the fourth and fifth orbiters on the Space Shuttle, so the other body put in the $56.7 million, and we agreed to it in conference. We did not agree to the $20.7 million for the Jupiter orbiter probe.

In any event, Mr. Speaker, the Californians ought not to be too distressed. There is a considerable amount in this budget for the items that California is concerned about; and I just thought that perhaps the other Members of the House would like to know that.

Mr. BROWN of California. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. Yes; I am delighted to yield to the gentleman from California.

Mr. BROWN of California. Mr. Speaker, I want to pay tribute to the chairman of the subcommittee, the gentleman from Massachusetts (Mr. BOLAND). He has been generous with the space budget. He has been generous with California, but I want to assure him that in these funds there is money for Massachusetts also; and I hope that he will continue to fight for the full funding for Massachusetts.

Mr. BOLAND. Mr. Speaker, I can agree with the gentleman from California.

As a matter of fact, several institutions of higher learning in my area have been concerned. The phones have been ringing off the hook, because the whole scientific community gets together, and they say, "Let us help them on this one, because we will need help on the next one."

As a matter of fact, my understanding of the way NASA builds up its program for the future—and I would be delighted to be corrected if I am wrong—is that NASA circulates within the scientific community, gets in touch with all of the people in the astronomy field, and says, "What is the next logical step?" They build up support for the next logical step. They build up support for the future, and I have no objection to that except that I do think we ought to have some say in the matter.

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

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

Mr. WEISS. Mr. Speaker, I appreciate the gentleman's yielding.

I just want to say that I think the entire House really owes a debt of gratitude to the chairman of the subcommittee, the distinguished gentleman from Massachusetts (Mr. BOLAND), and to the entire subcommittee.

It seems to me that for far too long we have more or less looked at what NASA has asked for and have said, "All right. If you ask for it, it is worth it."

It seems to me that it is a shocking thing for the gentleman from California (Mr. ROUSSELOT) to suggest that whatever NASA asks for ought to be granted automatically. I wish he was as concerned as the subcommittee chairman is about what is happening to people here as he is about what is happening on Jupiter.

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

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

Mr. WYDLER. Mr. Speaker, I also have the greatest respect for the gentleman from Massachusetts (Mr. BOLAND). However, I think he should consider one further fact. There is a priority in this request.

The SPEAKER pro tempore (Mr. MINETA). All time of the gentleman from Massachusetts (Mr. BOLAND) has expired.

The gentleman from Pennsylvania (Mr. COUGHLIN) has 8 minutes remaining.

Mr. COUGHLIN. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Massachusetts (Mr. BOLAND).

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

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

Mr. WYDLER. Mr. Speaker, as I was saying, there is a priority in this request. I think everybody should understand that NASA's budget has been reduced from its height by about 50 percent. It operates on pretty much of a steady budget figure and is held very tightly to it by OMB. Therefore, they have to come to the Congress for a certain degree of funding, and they have to make in-house decisions on what programs they are going to go ahead with.

Therefore, Mr. Speaker, I think that when they come in with a program like this, they have considered very carefully its priority in the order of things, and they have had to set certain programs aside so that they could ask for the funding for this program. Consequently, I do not think it is quite accurate to say that they more or less just ask for anything they want. I do not think that that is a fact at all. They are held very tightly to their budget restraints.

Mr. BOLAND. Mr. Speaker, let me interrupt the gentleman from New York (Mr. WYDLER).

I do not think that the decisions of NASA and the decisions agreed to by OMB with respect to some of the NASA programs are sacrosanct. I just happen to believe that the people who serve in this House and who serve on various committees should have something to say with respect to how some of these funds are spent. That is all we are asking here.

It is a very small start.

Let me repeat again, we have never denied or ever cut any major program out of the NASA budget, or asked them to really set priorities. That is all we are doing here. If we can do that, I think that we will have accomplished a great deal.

I believe perhaps we can get the scientific community—and I am talking about the people outside of NASA—to finally realize that this is not a bottomless pit; that there is an end to the flow of funds into programs that NASA has established or that the scientific community believes ought to be done which do not have sufficient priority.

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

Mr. BOLAND. I yield to the distinguished chairman of the subcommitee.

Mr. FUQUA. Mr. Speaker, I would like to make two points to my distinguished friend, the gentleman from Massachusetts (Mr. BOLAND) and that is that three committees out of four of the Congress, both authorizing committees of the House and Senate, have approved this as well as the Senate Appropriations Subcommittee. So three out of four have said that this is a worthwhile project that we should provide in the bill. We have had ongoing hearings for this project also.

The second point is priority. As has been pointed out several times, there is

an optimum time in which we must launch this probe.

Also, I believe that the benefits to this country and to the world, there are also international implications, will be of great significance and, therefore, we should move with the program at the most optimum time and at the most cost effective time.

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

Mr. COUGHLIN. I yield 1 minute to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Speaker, I served on the Committee on Space and Technology for a period of time before I took a new assignment on a new committee and I was impressed with the work they had done and are doing, and particularly with the letter the gentleman from Texas (Mr. TEAGUE) wrote to me, and also the gentleman from Florida (Mr. FUQUA), both of whom have been so very interested in this particular program. I might add that this is the only NASA program for space exploration that we have had in several years and I believe it ought to be carried on, and I will support the program.

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

Mr. COUGHLIN. I yield such time as he may consume to the gentleman from Pennsylvania (Mr. McDADE).

Mr. McDADE. Mr. Speaker, would my chairman just reiterate a few of the deep space probes that NASA has conducted during the last 4 or 5 years?

Mr. BOLAND. Mr. Speaker, in response to the inquiry of the gentleman from Pennsylvania, let me say that I would like to do it but they are too numerous to detail right now. I have done this two or three times before.

I would like to know from any member of the Committee on Science and Technology, and I might point out that they are all here, if in the years that the Member who responds has been on that committee, whether or not that committee has ever eliminated any major project start by NASA?

Mr. WYDLER. Mr. Speaker, if the gentleman will yield, yes. The answer to that question is yes.

Mr. BOLAND. On what?

Mr. WYDLER. I will be glad to pick out one that I think the gentleman from Massachusetts (Mr. BOLAND) will recall, and that is the MOL, the Manned Orbiting Laboratory. That was a multibillion dollar program and our committee took that program out of the budget.

I would also be glad to give the gentleman a further illustration, since the gentleman asked that question, and that is that we had a request from NASA for a series of satellite ships and the committee turned it down.

I will give the gentleman a further illustration, if the gentleman will yield.

The SPEAKER pro tempore. The Chair will state that the gentleman from Pennsylvania (Mr. COUGHLIN) has control of the time.

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

Mr. COUGHLIN. I yield further to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Speaker. I believe there was the so-called Grand Tour.

Mr. BOLAND. Yes, there was the so-called Grand Tour to Jupiter, Saturn, and Uranus. I would add that it was not even recommended by the OMB.

Do you know who put it in? The Science and Technology Committee. Do you know who took it out? We did.

Mr. McDADE. I just want to say further that there is about $4 billion left in this bill to do the good work that we all want to see NASA do. There is over $150 million, I believe, for the JPL, to continue work in that area.

Mr. LLOYD of California. Mr. Speaker, before we vote on the amendment to delete the Jupiter orbiter probe mission, I would like to point out some factors which should be considered in this decision.

As a member of the Science and Applications Subcommittee, I have considered possibly deleting this mission and have voted to authorize funds for this program. I had a second opportunity to review the mission when considering the NASA authorization in the joint House-Senate conference committee. Again, I supported the authorization of funds for this mission. The Senate has backed up the authorization with their approval of appropriations for the Jupiter orbiter probe, and the House should do the same.

To completely delete the project at this time would not only undermine the efforts of the authorizing and appropriating bodies in the Senate, as well as our own work in authorizing the program, but it would also be saying that our Nation has decided to abandon one of its greatest achievements—planetary exploration.

The United States has gained international prestige, as well as many practical benefits, from our exploration of the solar system. I think that we must consider the important discoveries that have been made as a result of space exploration before we deal this blow to the program. Our achievements in space have led to technological advances in such crucial areas as energy and energy conservation, innovations in medical care, aids for the handicapped, protecting the environment, transportation safety, and many other achievements that will aid our industrial productivity.

In addition, the Jet Propulsion Laboratory, NASA's prime center for exploring the planets, would be rendered ineffectual should we say no today. This center already stands to lose 200 highly skilled people by the end of this fiscal year. If the Jupiter Orbiter Probe mission does not begin this year, that laboratory stands to lose an additional 212 scientists and engineers, as well as 100 support personnel. Their loss would threaten our Nation's capability to organize missions and design aircraft for future missions.

It is the time to act in a strong and positive manner. We should restore funds for the Jupiter Orbiter Probe.

Mr. WINN. Mr. Speaker, I rise in opposition to amendment No. 24 to H.R. 7554 which would eliminate the Jupiter orbiter probe program. The technical merits of this program more than justify the expenditure of these funds. This probe, which will concentrate on the exploration of the Jupiter moons and its atmosphere, will allow our scientists to quantify and describe some very basic aspects of our universe. Armed with this knowledge, those same scientists may be able to unlock many of the secrets related to weather prediction and control and even energy sources. This potential of being able to improve our weather prediction capability is especially important to me. As a Representative from Kansas, where we average over 40 tornadoes a year, this is sufficient justification in itself.

The time for the program is right. A more optimum time will not occur in this century.

Another aspect that must be considered is the loss of a highly skilled and coordinated team of scientists at the Jet Propulsion Laboratory. Rejection of this program will result in disbanding and throwing to the wind the entire technological capability this Nation has for lunar and planetary exploration.

This program also represents some international aspects. Discussions have been held with the Federal Republic of Germany concerning them providing equipment for the Jupiter orbiter probe mission. These discussions will be concluded early in fiscal year 1978.

Mr. Speaker, any one of the aspects I have mentioned is sufficient to justify this expenditure. As a ranking minority member of the Space Science and Applications Subcommittee, I can testify to the unequivocal support that body and the full committee expressed for the Jupiter orbiter probe. In addition, the Senate Authorization and Appropriations Committees also supported this program. Consequently, I join my colleagues in support of the Jupiter orbiter probe and will vote against the amendment 24.

Mr. TEAGUE. Mr. Speaker, I rise in opposition to amendment No. 24 which has been reported in disagreement by the House and Senate conferees. The amendment which has been offered would prevent NASA from beginning the Jupiter Orbiter Probe program. Now many of you may ask—What earthly good can come from exploring the planet Jupiter? That is a fair question and one which those of us who favor continued planetary exploration should be prepared to answer.

I am told by many scientists that Jupiter represents a miniature "solar system" whose study will tell us much about our own planet and its place in the total solar system. Meteorologists believe studying Jupiter's giant storms and massive atmosphere should help us better understand and predict our own weather.

We have already learned much from planetary exploration which is helping to solve problems here on Earth. Here is what the record shows.

Some 12 years ago, Mariner 4 revealed that solar radiation played an important part in the weather on Mars. Until then, radiation had been regarded as negligible in our weather. Now radiation effects are added to our Earth weather models and improve the accuracy of our predictions.

A little later on, Mariner 9 orbited Mars and this data is helping to understanding scientific questions concerning the Earth's ozone layer. It is significant

that many of the leaders in the field of Earth atmospheric effects have attained their expertise in the study of the atmospheres of other planets. Without this expertise developed in the quest for new knowledge, we would have been ill-equipped to tackle the potential hazard of ozone depletion in the upper atmosphere.

Additionally, Pioneers 10 and 11 gave us photographic proof that the great red spot on Jupiter was a howling nonstop hurricane. Closeup observations by the Jupiter Orbiter Probe are needed to tell us more. Hurricanes wreak havoc on Earth; we need all the understanding that Jupiter can give us.

I have summarized the expected benefits and now we should ask: What will it cost? This 5-year program will only cost $1.50 per U.S. citizen. Additionally, economic studies reveal that for each dollar NASA spends, $7 are returned to the economy over a 10-year period.

I believe the benefits of this program are worth the cost and that it is important to maintain our leadership in planetary exploration. Just a year ago, this country achieved a most challenging technological endeavor in landing spacecraft on Mars. Are we to turn our backs on the expertise which has been developed or will we move forward building on what we already know? We have approved only one new planetary exploration program since 1972. It is important to support the Jupiter Orbiter Probe to continue our world leadership in planetary exploration.

Mr. DORNAN. Mr. Speaker, I would like to state the reason why I voted in opposition to amendment No: 24 to H.R. 7554 which would have eliminated the Jupiter Orbiter Probe program. The technical merits of this program more than justify the expenditure of these funds. This probe, which will concentrate on the exploration of the Jupiter moons and its atmosphere, will allow our scientists to quantify and describe some very basic aspect of our universe. Armed with this knowledge, those same scientists may be able to unlock many of the secrets related to weather prediction and control and even energy sources.

The time for this mission is now. This is not the type of program that can be delayed. If the appropriations are not available this year, it will be impossible to meet the 1982 launch opportunity. Another comparable opportunity will not occur in this century.

Another aspect that must be considered is the loss of a highly skilled and coordinated team of scientists at the Jet Propulsion Laboratory. Rejection of this program would result in disbanding and throwing to the wind the entire technological capability this Nation has for lunar and planetary exploration.

This program also represents some international aspects. Discussions have been held with the Federal Republic of Germany concerning them providing equipment for the Jupiter Orbiter Probe mission. These discussions will be concluded early in fiscal year 1978.

Mr. Speaker, any one of the aspects I have mentioned is sufficient to justify this expenditure. As a member of the House Science and Technology Committee, I can testify to the unequivocal support that body expressed for the Jupiter Orbiter Probe. In addition, the Senate Authorization and Appropriations Committees also supported this program. Consequently, I commend my colleagues who concurred with that support and voted against the amendment.

The SPEAKER pro tempore. All time has expired.

Mr. BOLAND. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

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

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

Mr. BOLAND. 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 131, nays 280, not voting 22, as follows:

[Roll No. 434]

YEAS—131

Alexander	Gephardt	Pritchard
Allen	Goodling	Quie
Andrews, N. Dak.	Gudger	Quillen
Aspin	Harrington	Rahall
AuCoin	Heckler	Rangel
Baldus	Hefner	Regula
Baucus	Holtzman	Reuss
Bauman	Hughes	Richmond
Beard, R.I.	Jacobs	Rodino
Bedell	Jenkins	Roncalio
Bellenson	Jones, N.C.	Rooney
Benjamin	Keys	Rose
Bennett	Kostmayer	Rosenthal
Blouin	Krebs	Ruppe
Boland	LaFalce	Russo
Bonior	Latta	Ryan
Bonker	Le Fante	Schroeder
Bowen	Lederer	Shipley
Brodhead	McDade	Simon
Brown, Mich.	McKay	Skubitz
Broyhill	Mahon	Slack
Butler	Markey	Smith, Iowa
Carr	Marlenee	Solarz
Cochran	Mazzoli	St Germain
Conte	Mikva	Staggers
Coughlin	Miller, Calif.	Stark
Daniel, R. W.	Miller, Ohio	Stokes
Danielson	Minish	Studds
Delaney	Mitchell, Md.	Taylor
Dellums	Moakley	Thompson
Dingell	Murphy, Pa.	Traxler
Duncan, Oreg.	Murtha	Treen
Edgar	Myers, Michael	Tsongas
Edwards, Ala.	Natcher	Vanik
Eilberg	Neal	Volkmer
Evans, Colo.	Nix	Weaver
Evans, Ind.	Oberstar	Weiss
Findley	Obey	Whalen
Fish	Ottinger	Whitehurst
Fisher	Panetta	Whitley
Florio	Patten	Whitten
Fraser	Pike	Wylie
Frenzel	Pressler	Yates
	Preyer	Zablocki

NAYS—280

Abdnor	Ashley	Broomfield
Addabbo	Badham	Brown, Calif.
Akaka	Bafalis	Brown, Ohio
Ambro	Barnard	Buchanan
Ammerman	Beard, Tenn.	Burgener
Anderson, Calif.	Bevill	Burke, Calif.
Anderson, Ill.	Biaggi	Burke, Fla.
Andrews, N.C.	Bingham	Burleson, Tex.
Annunzio	Blanchard	Burlison, Mo.
Applegate	Boggs	Burton, John
Archer	Breaux	Burton, Phillip
Armstrong	Breckinridge	Byron
Ashbrook	Brinkley	Caputo
	Brooks	Carney
Carter	Hawkins	Patterson
Cavanaugh	Heftel	Pattison
Cederberg	Hightower	Pease
Chappell	Hillis	Pepper
Chisholm	Hollenbeck	Perkins
Clausen, Don H.	Holt	Pettis
Clawson, Del	Hubbard	Pickle
Cleveland	Huckaby	Poage
Cohen	Hyde	Price
Coleman	Ichord	Pursell
Collins, Ill.	Ireland	Quayle
Collins, Tex.	Jeffords	Railsback
Conable	Jenrette	Rhodes
Conyers	Johnson, Calif.	Rinaldo
Corcoran	Johnson, Colo.	Risenhoover
Corman	Jones, Okla.	Roberts
Cornell	Jones, Tenn.	Robinson
Cornwell	Jordan	Roe
Cotter	Kasten	Rogers
Crane	Kastenmeier	Rostenkowski
Cunningham	Kazen	Rousselot
D Amours	Kelly	Roybal
Daniel, Dan	Kemp	Rudd
Davis	Ketchum	Runnels
de la Garza	Kildee	Santini
Derrick	Kindness	Sarasin
Derwinski	Krueger	Satterfield
Devine	Lagomarsino	Sawyer
Dicks	Leach	Scheuer
Diggs	Leggett	Schulze
Dodd	Lehman	Sebelius
Dornan	Lent	Sharp
Downey	Levitas	Shuster
Drinan	Lloyd, Calif.	Sikes
Duncan, Tenn.	Lloyd, Tenn.	Sisk
Eckhardt	Long, La.	Skelton
Edwards, Calif.	Long, Md.	Smith, Nebr.
Edwards, Okla.	Lott	Snyder
Emery	Lujan	Spellman
English	Luken	Spence
Erlenborn	Lundine	Stangeland
Evans, Del.	McClory	Stanton
Evans, Ga.	McCloskey	Steed
Fary	McCormack	Steers
Fascell	McDonald	Steiger
Fithian	McEwen	Stockman
Flood	McFall	Stratton
Flowers	McHugh	Stump
Flynt	Madigan	Symms
Foley	Maguire	Thone
Ford, Tenn.	Mann	Thornton
Forsythe	Marks	Tucker
Fountain	Martin	Udall
Fowler	Mathis	Ullman
Frey	Mattox	Van Deerlin
Fuqua	Meeds	Vander Jagt
Gammage	Metcalfe	Vento
Gaydos	Meyner	Waggonner
Giaimo	Michel	Walgren
Gibbons	Mikulski	Walker
Gilman	Milford	Walsh
Ginn	Mineta	Wampler
Glickman	Mitchell, N.Y.	Watkins
Goldwater	Moffett	Waxman
Gonzalez	Mollohan	White
Gore	Montgomery	Wiggins
Gradison	Moore	Wilson, Bob
Grassley	Moorhead, Calif.	Wilson, C. H.
Guyer	Moorhead, Pa.	Wilson, Tex.
Hagedorn	Moss	Winn
Hall	Motti	Wirth
Hamilton	Murphy, Ill.	Wolff
Hammer-schmidt	Murphy, N.Y.	Wright
Hanley	Myers, Gary	Wydler
Hannaford	Myers, John	Yatron
Hansen	Nedzi	Young, Alaska
Harkin	Nichols	Young, Fla.
Harris	Nowak	Young, Mo.
Harsha	O'Brien	Young, Tex.
	Oakar	Zeferetti

NOT VOTING—22

Badillo	Ertel	McKinney
Bolling	Fenwick	Marriott
Brademas	Flippo	Nolan
Burke, Mass.	Ford, Mich.	Seiberling
Clay	Holland	Teague
Dent	Horton	Trible
Dickinson	Howard	
Early	Koch	

The Clerk announced the following pairs:

On this vote:

Mr. Brademas for, with Mr. Teague against.

Mr. Koch for, with Mr. Ford of Michigan against.

Until further notice:

Mr. Badillo with Mrs. Fenwick.

Mr. Burke of Massachusetts with Mr. Horton.

Mr. Dent with Mr. McKinney.
Mr. Early with Mr. Marriott.
Mr. Ertel with Mr. Flippo.
Mr. Clay with Mr. Howard.
Mr. Nolan with Mr. Holland.
Mr. Selberling with Mr. Dickinson.

Messrs. RISENHOOVER, CORNWELL, WIRTH, and METCALFE changed their vote from "yea" to "nay."

Messrs. DELLUMS, STARK, QUIE, and Ms. HOLTZMAN changed their vote from "nay" to "yea."

So the motion was rejected.

The result of the vote was announced as above recorded.

MOTION OFFERED BY MR. FUQUA

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

The Clerk read as follows:

Mr. FUQUA moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein.

The SPEAKER pro tempore. The gentleman from Florida (Mr. FUQUA) is recognized for 30 minutes, and the gentleman from Massachusetts (Mr. BOLAND) is recognized for 30 minutes.

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

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

Mr. Speaker, the amendment which I propose is simple. It will resolve the disagreement between the House-Senate conference on the HUD-independent agencies bill with respect to NASA research and development funds by providing $17.7 million for the Jupiter Orbiter Probe. Both authorizing committees have approved the program. The Senate Appropriations Committee has approved the program. By this amendment the House would approve the Jupiter Orbiter program while not exceeding the Senate figure for NASA and, in fact, the total—$3,013,000,000—will be $13 million less than the NASA request for research and development for fiscal year 1978.

The strong merits of the Jupiter Orbiter Probe program have been thoroughly covered in earlier debates. I urge adoption of this amendment.

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

Mr. Speaker, what the motion does is recede to the Senate amount for NASA which is $3,013,000,000. And, of course. it includes funding for the Jupiter Orbiter Probe. However, in receding to the Senate amount, I want to make it clear that the agreement reached in the conference report covering other items that were in contention with the Senate stands and must be adhered to by NASA.

Mr. FUQUA. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

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. 28: Page 20, line 2, strike out all after "*Provided,*" down to and including "*further,*" in line 20.

MOTION OFFERED BY MR. BOLAND

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

The Clerk read as follows:

Mr. BOLAND moves that the House recede from its disagreement to the amendment of the Senate numbered 28 and concur therein with an amendment, as follows: Restores the matter stricken out by said amendment amended to read as follows: "That not more than $63,000,000 shall be available for Research Applied to National Needs: *Provided further,*".

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. 40: Page 30, strike out: lines 17 to 23, inclusive.

MOTION OFFERED BY MR. BOLAND

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

The Clerk read as follows:

Mr. BOLAND moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein with an amendment, as follows: Restores the matter stricken out by said amendment amended to read as follows:

"No part of the foregoing appropriations shall be used for the adjudication of claims or the payment of benefits for any individual who was discharged from the military under less than honorable conditions, and who received an honorable or general discharge as the result of revised standards for review of discharges as implemented April 5, 1977, by the Department of Defense's special discharge review program."

The SPEAKER pro tempore. The gentlemen from Massachusetts (Mr. BOLAND) is recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. COUGHLIN) is recognized for 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Speaker, this is the so-called Beard of Tennessee amendment that was offered when the committee brought this bill to the floor on June 15.

Mr. Speaker, after a long and rather emotional debate, this provision was added to the bill at that time by a vote of 273 to 136. I opposed the provision at that time, and I must say that I oppose it now. However, the Senate conferees would not recede to the House position. Clearly, as the chairman of the House conferees, I felt an obligation not to recede to the other body.

I also did not feel that we were in a position to compromise, and consequently we brought this amendment back to the House in disagreement. We will let the House work its will on the motion.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. EDGAR).

Mr. EDGAR. Mr. Speaker, today we are going to discuss for the next hour the issue of the Beard amendment.

I would like to point out to my colleagues that a lot has happened in the House of Representatives and in the Senate since the Beard amendment was attached to this appropriation bill to prohibit the funds in this legislation from being used to pay for veterans' benefits for anyone who is upgraded under the President's special discharge review program.

First, both the House and the Senate have held extensive hearings on this important issue. One of the comments made by my colleague, the gentleman from Tennessee (Mr. BEARD), was that the House needed to act, and in fact the Committee on Veterans' Affairs held 4 days of extensive hearings, bringing before it the major veterans' organizations, Clifford Alexander, the Secretary of the Army, and several other witnesses to testify as to how the program is working.

Second, we have discovered that the legislation that is now before this House is not necessary at this point because the Senate and the House Veterans' Affairs Committee are about to act.

Third, we have a better understanding now of how the program is working.

What in fact the President did when he put forward his special discharge review program was to say that the present discharge review process was needlessly clogged with many veterans who would have received upgrades had they gone through the regular program. So he, as well as the Joint Chiefs of Staff and the Secretary of Defense, suggested that we dislodge that clogged program by setting forth six criteria.

Those six criteria are these:

First. If a veteran was wounded as a result of military action;

Second. Received a military decoration other than a service medal;

Third. Successfully completed an assignment in Southeast Asia or in the Western Pacific in support of operations in Southeast Asia;

Fourth. Completed alternative service or was excused from completion of alternative service under the clemency program instituted on September 16, 1974;

Fifth. Received an honorable discharge from a previous tour of military service; or

Sixth. Had a record of satisfactory active military service for 24 months prior to discharge.

In these instances he would receive an automatic upgrade of his discharge provided he did not fall within four compelling areas. There are four reasons why he should not be upgraded, and these four reasons are as follows:

First. His discharge was for desertion or absence in a combat zone;

Second. His discharge was based on an act of violence or violent conduct;

Third. His discharge was based on cowardice or misbehavior before the the enemy; or

Fourth. His discharge was based on an act or conduct that would be subject to criminal prosecution if it had taken place in a civilian environment.

Basically, Mr. Speaker, what we are dealing with is a program that in fact is dislodging the present system, a system that as been in place since 1944. We are talking about 17,000 or 18,000 veterans—which is estimate given by Secretary Alexander—who will be upgraded through the program in a 6-month period.

There have been exaggerated cost estimates of how much this is going to cost the Veterans' Administration.

Secretary Alexander indicated that the cost would be no more than $20 million,

the total cost for those who legitimately receive an upgrade.

Mr. Speaker, I hope that we will reverse the action of this House, and that we will today recognize that each of the committees is working. If they are already bringing forth legislation that makes sense before the House and if we can move through the regular process, there is no need to place this very destructive amendment in this bill at this time.

Finally, Mr. Speaker, I would mention that the chairman of this subcommittee, a chairman who has distinguished himself before this House many times, is opposed to this amendment, but he feels impelled to support it in conference because of the size of the vote on the House side.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania (Mr. EDGAR) has expired.

Mr. BOLAND. Mr. Speaker, I yield 3 additional minutes to the gentleman from Pennsylvania (Mr. EDGAR).

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

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

Mr. DOWNEY. First of all, Mr. Speaker, I would like to compliment the gentleman from Pennsylvania (Mr. EDGAR) for the outstanding work he has done as a member of the Committee on Veterans' Affairs.

Is it not true that the other body has already taken this matter under consideration and that Senators CRANSTON and THURMOND have offered language that would, in a way, address some of the concerns of the gentleman from Tennessee (Mr. BEARD) with respect to the carte blanche granting of benefits in this instance?

Mr. EDGAR. That is true. The Senate Veterans' Affairs Committee has acted and has worked on the Cranston-Thurmond compromise; and as the gentleman well knows, there probably will be some compromise in this area soon.

I feel that the present system is working; but if, in fact, the legislative process is to work its will, we may have to agree to a suitable compromise.

Mr. DOWNEY. If the gentleman will yield further, I offered a compromise to the Committee on Veteran's Affairs which is similar to the Cranston-Thurmond language, to wit, that the veterans under this special program would have an opportunity to have their veterans' discharges reviewed, and the Department of Defense would retain the option of rereviewing those people for the purposes of determining whether or not they should receive veterans' benefits.

I did that in a spirit of compromise because I thought, considering the political climate in this House, that that was a viable alternative.

Can the gentleman suggest to me whether or not the Committee on Veterans' Affairs would possibly be reporting this or similar language out of its committee?

Mr. EDGAR. It is my understanding that the Committee on Veterans' Affairs, after 4 days of extensive hearings, is planning to mark up legislation introduced either by the gentleman from Arkansas (Mr. HAMMERSCHMIDT) or the gentleman from Mississippi (Mr. MONTGOMERY), which will be a compromise similar to the Cranston-Thurmond legislation.

Mr. DOWNEY. Therefore, there really is no need, then, for this broad language, when both Houses have already taken up this issue and are prepared to work out a compromise that is suitable to both sides; is that correct?

Mr. EDGAR. That is the point I am making here today, that a lot has taken place since we passed the Beard amendment. We need to back off from the Beard amendment, and we need to allow the committees to work.

Mr. DOWNEY. Mr. Speaker, I thank the gentleman. I compliment him for his outstanding work.

Mr. EDWARDS of California. Mr. Speaker, will the gentleman yield?

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

Mr. EDWARDS of California. Mr. Speaker, I, too, want to compliment the gentleman for the work he has done on this important issue.

The Committee on Veterans' Affairs of the House of Representatives, of which I am a senior member, has been working very hard on this issue.

The Committee on Veterans' Affairs is the authorizing committee for legislation such as this, and in the other body Senator CRANSTON is the chairman of the Senate committee that has authorizing authority.

Mr. Speaker, as I recall, the gentleman from Tennessee (Mr. BEARD) offered his amendment in lieu of waiting for the two authorizing committees to come forward with their proposals. Now the authorizing committees are coming forward with their proposals, so I should think it would be unnecessary to have this very hard language of the Beard proposal in the appropriation bill.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania (Mr. EDGAR) has expired.

Mr. BOLAND. Mr. Speaker, I yield 2 additional minutes to the gentleman from Pennsylvania (Mr. EDGAR).

Mr. EDGAR. Mr. Speaker, I thank the gentleman for yielding.

I would like to compliment the gentleman from California (Mr. EDWARDS), who is a senior member of the Committee on Veterans' Affairs for his comments.

It is very true that we are at a point different from where we were when we passed the Beard amendment. We have had extensive hearings.

I placed in the CONGRESSIONAL RECORD on Friday, July 1, a group of profiles provided to me by Colonel Webber, one of the persons who testified before our committee, and who is responsible for the discharge review process. He indicates in his profiles the kind of young people we are dealing with.

There also appeared before our committee Mr. Addlestone, who put together a report of the kinds of individuals being affected.

I took the liberty of placing that in the CONGRESSIONAL RECORD on June 16.

Mr. Speaker, we are trying to provide a forum whereby all of the issues could be dealt with in a logical way. They were dealt with in a logical way, and I expect that the committee will work its will and will bring forth legislation. Although it will, perhaps, be legislation that I will not agree with because I believe that the President's discharge review program is working.

I think it is really detrimental to the legislative process to support the Beard amendment.

Mr. EDWARDS of California. Mr. Speaker, will the gentleman yield further?

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

Mr. EDWARDS of California. Mr. Speaker, I would hope that the ordinary day to day legislative process of the House of Representatives and of the Senate will continue.

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

Mr. EDGAR. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding to me. I would point out that I too was one of those Members who voted in favor of the Beard amendment before when it was on the floor of the House, but it was done under rather impassioned rhetoric and was not a very reasoned vote, I do not believe, in retrospect. So I would hope that the Members would be able to change their minds also and vote against the amendment.

Mr. EDGAR. Mr. Speaker, I thank the gentleman from Kansas (Mr. GLICKMAN) for his comments.

Mr. COUGHLIN. Mr. Speaker, I yield 4 minutes to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Speaker, I rise in support of the Beard amendment.

Mr. Speaker, I have the privilege of serving on the special committee looking into the upgrading of discharges in order to provide those veterans with benefits. I would also like to say, Mr. Speaker, that I had the privilege of chairing, as the gentleman from Pennsylvania (Mr. EDGAR) knows, those 4 days of hearings, and I still support the Beard amendment.

In effect, what the Beard amendment does—and if I say it wrong, I hope the gentleman from Tennessee will correct me—it says that no funds can be spent in fiscal year 1978 on discharges that have been upgraded by the Carter program for veterans benefits unless they go through the normal procedure.

We have had a procedure in the Defense Department for a number of years where less than honorable discharges were looked at by appointed boards in the Defense Department, if they were upgraded, then they became eligible for veterans benefits, but it was done on a case-by-case basis in the Veterans' Administration.

What we are doing in this special subcommittee—and the gentleman from Pennsylvania (Mr. EDGAR) is correct, we will meet on July 28, and we hope we can come up with a bill in the Veterans' Affairs Committee basically the same as the Cranston-Thurmond bill, and maybe we will have an additional amendment which will say, in effect, that discharges

under the Carter program that have been upgraded from less than honorable, will be taken up case by case by the administrator of the veterans programs and if he thinks that these people are eligible for veterans benefits, then they will be given benefits.

So we are basically doing the same thing under the Beard amendment today, if we keep the language in that no veterans will be given these benefits unless it is handled on a case-by-case basis.

So I do hope we will support the Beard amendment. We will bring out this legislation, I hope, before the 1st of October, and they will be handled on a case-by-case basis.

We found out in these hearings that the Department of Defense was paying for a deserter to come back from Sweden, who went to the Embassy in Sweden and said he did not have any money to get back. So this deserter, who had been gone for a year and a half, was given a ticket by our taxpayers to come back from Sweden and apply for the upgrading of his discharge under the Carter proposal.

So I believe we are moving too quickly in this situation. The Beard amendment will work now and will give us time to come up with legislation.

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

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

Mr. EDGAR. I thank the gentleman for yielding.

I think the gentleman makes an interesting point that the authorizing committee is going to meet on the 28th of July and is going to look at legislation which may have one or two or three or four amendments. The language that we are looking at, the amendment offered by the gentleman from Massachusetts (Mr. BOLAND) which he does not support, says, "No part of the foregoing appropriations shall be used for the adjudication of claims or the payment of benefits for any individual who was discharged from the military under less than honorable conditions, and who received an honorable or general discharge as the result of revised standards for review of discharges as implemented April 5, 1977, by the Department of Defense's Special Discharge Review Program."

Mr. MONTGOMERY. One of the problems we have, if the gentleman will let me take back part of my time, is that we have no assurance if we pass this enabling legislation that the President will not veto the bill. So we have that danger, that President Carter would veto this legislation.

Mr. EDGAR. If the gentleman will yield further, the point I was going to make is that if the committee comes out with a program that does provide the Veterans' Administrator the opportunity on a case-by-case basis to give benefits to anyone upgraded by the President's special program, he will be ineligible if this amendment succeeds.

I think if the authorizing committee is going to work its will, then it has got to have the latitude during the following year to grant benefits to those persons who may be wounded in action.

Mr. MONTGOMERY. This is a matter of opinion. I think the Beard Amendment basically does the same thing as legislation we will hope to pass. If President Carter vetoes this legislation, then the gentleman will admit that we made a mistake by not adopting the Beard amendment; is that correct?

Mr. EDGAR. No.

Mr. BOLAND. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Speaker, right after I spoke on the floor about this amendment the last time, I went back to my office, and there was a fellow who was a platoon leader in Vietnam. He said,

I appreciate very much the comments that you made on the floor about the Vietnam veteran, and I agree with you completely.

The next day I had lunch with a platoon leader that I served with in Vietnam, and he agreed with my position—we felt that this upgrading program of the President's was working and that it was important and that the Vietnam war was different from World War II or Korea.

I received an extensive letter from a Dr. Charles R. Figley of Purdue University who heads a "consortium of veterans' studies," which includes a list of eminent medical doctors and Ph. D.'s. They have done an extensive study of the psychological readjustment of the Vietnam veteran. They feel that there were significant problems when the Vietnam veterans came back. I know that it is hard to convince some members of World War II who were in the war and saw the devastation of the war that there was a difference when these young men came back.

I know the distinguished gentleman from Mississippi has a reservation about whether there was a difference when the young men came back from this war, but this study reaffirms the position that I took several weeks ago. This study says there were several factors that were very important in their study. One is that the men who served were much younger in the Vietnam war. For instance, some of our distinguished Members volunteered at a much older age. The gentleman from Oklahoma (Mr. STEED) was 38 years old when he went into the service as a private. Many other distinguished Members of this Congress volunteered in World War II at an older age and went into the service and then came back at the same time as all the others after the war was over. The scenario in the Vietnam war was very different. These men came back individually. They came back from a war area where they saw people bombed and killed and found death each day.

Many did not have friends and buddies to talk to. Instead, in many cases they talked to people who did not serve.

As I brought out before the committee the gentleman from Mississippi chaired, only about one-third of the eligible men between 18 and 35, the people who were eligible for the draft, actually served in the Armed Forces. We have people who evaded the draft and those people got blanket amnesty. I do not think there is anybody in this Chamber who can agree that it is right to give amnesty to an individual who did not even serve and then to resist upgrading the discharge and giving those young fellows benefits because they want to go to school and correct their life.

There was one story I told the last time which I think is so important, the story of the young fellow who served in Vietnam and came back, served honorably, was wounded, was in the hospital, and his father was dying of cancer, and the young fellow went home and just never went back to the service for the last 30 days. He was finally picked up and got an undesirable discharge several years later.

It seems to me we have a double standard in this country when we give blanket amnesty to people who did not even serve and yet refuse to give benefits to people who were upgraded and who served honorably under the criteria of the President's program.

I know this. We have some of the most distinguished people in the country on this Veterans' Affairs Committee. I know they are studying this problem very carefully. I would ask that this House recede from its position and that we would allow the Veterans' Affairs Committee, which has had 4 days of extensive hearings, to expand these hearings and ask people who served to come in and ask people like Dr. Charles R. Figley, who has had such extensive experience with veterans who are trying to adjust psychologically, to come in, and have the committee go into detail to find out exactly what can be done.

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

Mr. MURTHA. I yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, I know the very fine military record the gentleman in the well has. He is the only Vietnamese veteran who saw combat experience who is serving presently in this House, if I understand the record correctly. I must say to the gentleman my views differ from his, but as I listen to him describe the present situation, I have to decide to go along and support the gentleman. I hope the committee will bring up a bill to take care of the problems the gentleman and I are aware of.

For various reasons some of the veterans have less than an honorable discharge and this amendment could harm them. I do not want to hurt these men. I hope we proceed in an orderly fashion and allow the legislative committee to do its work, and we will attend to a problem many of us recognize, and at the same time treat fairly the problem the gentleman is so well aware of.

I support the case-by-case approach and support the position of the gentleman from Pennsylvania. I appeal to my colleagues not to vote the way the press will write this up but to vote the way we know it is and support the gentleman.

Mr. MURTHA. I appreciate the comments of the gentleman. I would say one thing. Even the American Legion in the letter they sent to the Members of Congress were very, very reasonable in the letter they wrote—in other words, they do not agree with the program and since this is the only vehicle before Congress, then they endorse the amendment. But

they certainly, and I am sure everybody here would have to agree, the better way of doing it would be by the Veterans Committee handling this and having an opportunity to speak to fellows like Dr. Figley from Purdue that has had such extensive experience in this particular field.

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

Mr. MURTHA. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, I appreciate the gentleman yielding.

I have great respect for the gentleman in the well, as he knows, and I know all about his experiences in Vietnam and the great service he did for this country.

I think the gentleman and I basically are on the same track. We ran into each other the last time and I wish maybe we could go parallel this time.

Mr. Speaker, I wish we could maybe go parallel to them. The gentleman speaks the language I like to hear about a draft evader. The gentleman felt very strongly that person should not be given a blanket pardon; is that correct?

Mr. MURTHA. That is correct and I voted against the funds for that particular program.

Mr. MONTGOMERY. In the case the gentleman mentioned, the person who had a fine combat record.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has again expired.

Mr. BOLAND. Mr. Speaker, I yield 2 additional minutes to the gentleman from Pennsylvania.

Mr. MONTGOMERY. Mr. Speaker, if the gentleman will yield further, this person had a fine combat record in Vietnam. He came home and got in trouble. His father was sick. That is understandable. My point is that under the present procedure that we have in the Pentagon for upgrading discharges, this person, in my opinion, would have had his discharge upgraded and he would have been eligible for veterans' benefits: so really, I do not think we are too far apart; does not the gentleman agree?

Mr. MURTHA. Mr. Speaker, let me say to the distinguished gentleman, I am embarrassed by the fact that I am pointed out as the only combat veteran from Vietnam. We do have one other, the gentleman from Tennessee (Mr. GORE); but the point is that we have many combat veterans who served under war conditions and I know the gentleman speaking is one of the distinguished Members; but it seems to me that the way we should do it is by the committee.

There is a tremendous difference when a young 22-year-old came home, with violence on TV, with unrest, with leaders condemning the war which he had just been facing and he comes home, not to his friends, not to victory, but to actual defeat and we can see he needs some sort of help.

Mr. MONTGOMERY. Mr. Speaker, if the gentleman will yield further, under the Carter proposal an individual who was a.w.o.l. for 2,300 days, will be eligible for veterans' benefits.

Mr. MURTHA. Mr. Speaker, let me say to the gentleman that the individual I was talking about was a.w.o.l. for an extended period of time, because they did not catch up with him until the end.

I understand there are individual cases that would not fit into the program, but it seems to me that we must give some consideration to the people who served.

I would urge this House to reconsider its position on this very important amendment.

Mr. Speaker, I include Dr. Figley's letter and an article which appeared in the Chalotte Observer at this point in the RECORD.

CONSORTIUM ON VETERAN STUDIES,
June 21, 1977.

Hon. JOHN P. MURTHA,
Representative from the State of Pennsylvania, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN MURTHA: On behalf of the Consortium on Veterans Studies I would like to commend you on your speech made on the House floor on June 15th on behalf of the veterans of the Vietnam war.

Enclosed are some materials which support your contention that Vietnam was a different war and that the Vietnam veteran is unique in American history. Please let me know what the Consortium and I can do to assist you in any way. I have already written Rep. Don Edwards in support of a bill he introduced on psychological readjustment.

I would appreciate a copy of your remarks and any other items related to the Vietnam veteran.

Thank you again for your service, your faith, and your devotion.

Sincerely,

CHARLES R. FIGLEY, Ph.D.,
Director.

[From The Charlotte Observer, May 29, 1977]

THE INVISIBLE WOUND

Tomorrow is Memorial Day. For more than half a century, it's been a special day when Americans honor their war veterans, the fallen in combat. Parades and flag waving . . . a time for remembering. Argonne Forest, Battle of the Bulge, Iwo Jima fade into names like Hue and Khe Sanh.

Vietnam. A war many Americans opposed, a war they've tried to forget. But the scars cut deep, into a nation and its young. That alone, that they fought an unwanted war, makes Vietnam veterans unique . . .

(By Penny Muse)

They jauntily stepped off the commercial jets that lofted them over the Pacific and back to America. They had survived a year in Vietnam's perilous jungles and highlands without any visible scars.

Or so they thought.

Then the nightmares began.

At night when they closed their eyes. Gunfire. Blood. The contorted face of a friend, yelling as he fell, "I'm hit. I'm hit."

Stark memories for those so young, many still in their waning days of adolescence. The war was over, and yet, they were dogged by an enemy they couldn't escape, a war they couldn't forget.

"The mine that sent me home has blown a thousand times in my mind," said soft-spoken Rudy Dye as he sat on the edge of the bed in the Salisbury (N.C.) Veterans Administration Hospital, where he is undergoing tests for a limp. "And my five friends, who were blown up two weeks before I got hit. I've seen them die over and over again."

Drafted at 22, Dye was sent to a world far removed from the Taylorsville, N.C., textile mill he worked in after graduating from high school. "You knew," he remembers, visibly agitated, "it was just a matter of time before you went down." Dye went down at Chu Lai with a shattered leg. That was in 1967.

In the hospital at Fort Gordon, Ga., where he was sent to recuperate, Dye found insulation from a nation in racial turmoil—Watts, Detroit and other U.S. cities were burning.

Dye also found companionship. "Most of the guys there had been to Vietnam. They understood what it was like, how when you return it feels like you're so free, but in your mind, you're still there at war. We'd talk about our dreams and in time we learned to joke about what we'd seen."

Today, the 32-year-old Dye, who is married and works on the assembly line at the General Electric plant in Hickory, is rarely haunted by his Vietnam memories. "I always was an easy-going guy," he says with a shrug.

But even now, "Sometimes when I've talked about the war during the day, the dreams will come back. Once you've lived through something like that, you're never the same, deep down inside."

Dye has made his own peace with Vietnam. But other veterans haven't been so fortunate.

The war may have ended for most Americans more than five years ago, but as many as 2 million of the 10 million veterans who served in that decade-long war are still nursing emotional wounds.

In World War I psychologists called it "shell shock," in World II, "combat fatigue." Today it's "post-Vietnam syndrome."

But few Americans know of its symptoms, or apparently care, and psychologists like Dr. Charles Figley are worried that the emotionally scarred Vietnam veteran still in need of help may be forgotten.

So from his office in Purdue University's child development and family studies department, Figley is organizing a one-hour symposium on Vietnam veterans to be presented in August at the American Psychological Association's annual meeting in San Francisco.

A Vietnam veteran who, like Dye, was haunted by combat nightmares for more than a year after he came home in 1966, the 32-year-old Figley seems the perfect candidate for such a mission.

His main concern isn't so much with severely disturbed veterans—most of whom have gotten help, he believes—but with "the million or so people who seem, normal but still have nightmares and are afraid to admit it for fear people will think they're crazy."

Dr. Charles Stenger, associate director of psychology with the Veterans Administration (VA) in Washington, D.C., believes as many as 20 per cent of Vietnam's veterans need counseling.

"But when I say as many as one in five veterans need psychological counseling, I don't mean all of these people are psychotic," he cautions. "Most of the people don't need formal psychological help. What they need is a kind of rap session."—where they can talk with other Vietnam veterans, admit their nightmares without fear of being looked on as strange.

"The problem now is that you have to be diagnosed as psychotic or psychologically ill before you can receive care at a VA hospital."

As a result, only 87,000 (or less than 1 per cent) of 10 million Vietnam era veterans receive psychiatric care at the country's 70 VA hospitals.

In the Carolinas about 100 of 264,000 veterans receive psychiatric care at the states' seven hospitals. About 65 of the patients are at the Salisbury Veterans Administration Hospital (about 50 miles east of Charlotte), which is primarily a psychiatric hospital.

Who is most likely to have been scarred by the war?

"People who have difficulty adjusting to traumatic changes," answers Stenger. "Most people can go through change—like being in a combat zone for a year—and then you put

them back in their old environment, and they begin to respond in the same ways.

"But in order to readjust completely, you have to like your old environment, to have felt comfortable with it before you were uprooted and sent off to join the military."

Not surprisingly, Figley, who has completed a study of 900 Vietnam veterans, finds that people who saw heavy combat are more likely to be scarred permanently by war than those who didn't "because they were under a great deal more stress."

But other psychologists are quick to point that even Vietnam veterans who didn't see combat also have had difficulty readjusting to a civilian world that "despised them for fighting in a dirty war," as Dr. C. E. McParland, a psychologist at the Salisbury Veterans Hospital, puts it. "Even their friends, their peers, looked on them with distrust."

THE DIFFERENCE

Unlike World War I and World War II veterans who came home in glory, Vietnam veterans come home in ignominy. And this, say psychologists, makes them unique among veterans of other American wars.

Just how unique?

Psychologists can't seem to agree.

Various studies and theories during the past few years have held that the Vietnam veteran is unique because:

He is more likely than the World War II veteran to have become addicted to drugs.

However, a study by Dr. Lee Robbins of Washington University in St. Louis shows that the drug problem may not have been as severe as expected. Many soldiers became addicted simply because drugs were readily available. In a more normal environment, they have kicked their addiction, she says.

Unfortunately, Dr. Stenger of the Veterans Administration points out, even Vietnam veterans who never used drugs still have to live down the reputation. "It's guilt by association."

He tended to be younger than veterans of World War I and II. Uprooting young men at 19 and 20, when they were forming their adult personalities, considerably complicates their adjustment back to the "real world," according to initial findings of a study of 300 Ohio veterans by Cleveland State University.

He lacked the camraderie that many World War II veterans enjoyed after their return from combat. According to the same Cleveland State study, World War II veterans returned to America with their units, while Vietnam veterans came back individually. World War II veterans debriefed themselves, talked out their problems with friends who also had been in combat and understood. The Vietnam veteran returned to friends and family who didn't understand or care about combat.

He is more violent than most people. This is perhaps the most controversial theory. A couple of recent studies have debunked this as myth. "But despite such studies, television still portrays the Vietnam veteran as a walking time bomb. This sets the veteran apart and makes it hard for society to accept him as a normal human being," says Dr. McParland.

He is more likely than veterans of other wars to be racially prejudiced. Racial tension at home spilled onto the battlefield where soldiers already under stress found it difficult to deal rationally with the problem. Five years after they have returned, many soldiers still haven't resolved their prejudices, according to the Cleveland State study.

He returned to an "extremely fast-moving" society. Growth was swift during World War II but much swifter during the 1960s. So while only 10 percent of the returning World War II veterans needed psychological counseling, between 13 and 20 percent of Vietnam's veterans need it, according to Stenger.

Dr. L. B. Lamm, chief of psychiatry services at the Salisbury VA Hospital, minimizes the uniqueness of the Vietnam veteran. "As the years go by, we are learning that in general, the needs of the Vietnam veteran are not greatly different from the World War I and II veteran. Whenever you return from combat, you face unusual stress adjusting to new times, climates and life in the civilian world."

IGNORED?

But this attitude, predominant at many VA hospitals, can hamper treatment of the Vietnam veteran, contends Dr. Leonard Neff, a psychiatrist who practiced for three years at a VA hospital in Los Angeles.

"The diagnosis of 'combat fatigue' was taken out of the diagnostic book used by VA psychiatrists (and by members of the American Psychological Association) during the 1960s. This made it awfully easy to ignore the problem," he says.

"A diagnosis of combat stress is being put back in the book being published now and this is perhaps a hopeful sign."

It's easy to make the VA the scapegoat, says Figley, "but to a degree the VA isn't any more to blame than the rest of us. It's at the mercy of the law. It depends on congressional legislation to offer most of what is needed."

What exactly is needed?

Most important, says Figley and Stenger, money for the VA to offer "transitional counseling," or "rap sessions" to Vietnam veterans. Money for such counseling was cut last year when the Veterans' Omibus Health Care Act was passed. However, Sen. Alan Cranston, D-Calif., plans to introduce it again.

The VA needs to offer similar counseling to the veteran's family, they add. Currently, such counseling can only be given when a veteran is admitted to a VA hospital.

More research is needed. "There have been very few studies on the long term effects of the war," says Figley. "Right now it's easier to get money and attention for a research project on the eye-blink behavior of 3-year-olds than for a study on Vietnam veterans."

And, says Figley. "Everyone from the president down needs to realize that soldiers were wounded emotionally as well as physically by the war. The Vietnam veteran isn't going to simply fade away if we ignore him. Until everyone has recovered the war isn't over."

Mr. COUGHLIN. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. BEARD).

Mr. BEARD of Tennessee. Mr. Speaker, there has been much said about the amendment and a lot of emotion has been interjected into the debate, emotion that I believe I am not totally deprived of. My distinguished colleague whom I respect very highly, a former Marine from Pennsylvania. stated there should have been a better way of handling this through the legislative process. I find myself in total agreement with my colleague, the gentleman from Pennsylvania. There should have been a better way to handle this. It should have been handled through the legislative process.

I think it is tragic that I had to interrupt the legislative process with an amendment to bring it back to the legislative process.

I find it somewhat offensive, or let me say that I find it somewhat irresponsible to come out with such a significant program by the President, without even having notified or having gone over the plans with the Committee on Veterans' Affairs. I question this whole process. I cannot agree with it.

We can say we are dealing with quite a bit of money; but I do not look at it that way. We are dealing with young men's lives, without any question, and their futures.

The gentleman mentioned the former Vietnam veterans that said, "Thank you for your support and the way you voted."

Let me say, my office has received hundreds of letters and responses from individuals saying "thank you," because I served my time in an honorable fashion. I was over in Vietnam. I did walk through those paddies. I was shot at. I was wounded. I find it somewhat offensive for so many young men to be thrown into a whole group and really, for all practical purposes, automatically have their discharges upgraded and start to receive the same benefits that I received for being in combat.

Mr. Speaker, we tend to forget, and I do not think it is so unreasonable, but we tend to forget that this amendment does not deal totally with the young men that were over there and placed their lives on the line.

As a matter of fact, the figures show that approximately 80 percent of these young men, who would be upgraded and who would receive veterans benefits, never even saw Vietnam.

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

Mr. BEARD of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. EDGAR. Is it not also true that the 80 percent figure the gentleman is using also relates to the number of veterans who were in the service? The fact is that only 2.5 million veterans saw action in Vietnam, and the rest of the veterans who are receiving benefits did not spend any time in Vietnam.

Mr. BEARD of Tennessee. I will reclaim my time. I can play with numbers also. I can play with graphs and charts, but the fact of the matter is that over 80 percent of the young men eligible for upgrading—my amendment does not even approach the upgrading of discharges; it does not touch it. They can still be upgraded.

My amendment says, no veterans' benefits on the automatic upgrading. My amendment is a temporary restraining order until we do have authorization legislation from the veterans' committees of both the House and the Senate.

We can say that the Senate has made a great deal of progress, that the House has made a great deal of progress, but show it to me in black and white. Show it to me in the form of a bill. As a matter of fact, there is a hold at this particular time in the Senate, and it has been so rumored that there has been an instruction by the White House because they are looking at this vote today to decide on whether or not they will have enough votes to veto the Roberts-Hammerschmidt bill on the House side or the Cranston-Thurmond bill on the Senate side. So, it is not there yet.

I do not understand, for all the people that stand and talk about the legitimacy of these pieces of legislation, I do not understand why we are so impatient or so eager to eliminate any back-up position until these bills actually be-

come enacted legislation. Why not? To me, this will say to President Carter, "You had better accept the Cranston-Thurmond bill; you had better accept the House bill." But, if my amendment were to go down, then there is nothing that would keep the President from vetoing the Senate and House bills.

Mr. BOLAND. Mr. Speaker, I yield myself such time as I may require. I do not want to cut off debate on this, but we discussed this at considerable length in the middle of June.

Mr. BEARD of Tennessee. Mr. Speaker, will the gentleman yield for one comment?

Mr. BOLAND. I yield.

Mr. BEARD of Tennessee. I would like to say at this time how greatly appreciative I have been of the relationship with the chairman of this committee, with his straightforward attitude. I do commend the chairman of the committee, knowing of his opposition to my amendment. It has been an honor to work with him because he has been aboveboard and straightforward with me in every way. I commend the chairman.

Mr. BOLAND. I thank the gentleman.

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

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

Mr. MURTHA. Mr. Speaker, I would like to make just one point. As the gentleman says, many of these people did not serve in Vietnam, but it is important to say that they served. That is my point. They had blanket amnesty, people who evaded the draft, and here we have a program for people who served honorably under certain criteria. Certainly, in many instances they should receive benefits if they are upgraded.

Mr. BEARD of Tennessee. I will say that two wrongs do not make a right. I think it is time this country started living by rules. We have got rules, and we ought to live by them. I think the House should start showing that this is the direction we need to go in.

Mr. COUGHLIN. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. JOHN T. MYERS).

Mr. JOHN T. MYERS. In response to the remarks of the gentleman from Pennsylvania, we had some disagreement or misunderstanding the last time this issue was discussed. The upgrades continue. This amendment does not stop the upgrading of discharges. The only thing we do, by this amendment, if an individual is going to qualify under this amendment, they must qualify for the benefits by going individually before the board.

At that particular time each individual case is evaluated. So the veteran upgraded must pass one more test, which I think is altogether fair. I am sure none of us can know what the authorizing committee will come up with. But in any event, in the interim period, until they do come up with something, this requirement to earn benefits on an individual basis will stand. They have to come up individually. What is wrong with that?

I think we will agree that, yes, if they can justify, if they can warrant the benefits, the Appeals Board will grant that, and they could be qualified under this amendment, but they would earn the benefits on an individual basis rather than the blanket grant.

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

Mr. BOLAND. I yield to the gentleman from Michigan.

Mr. TRAXLER. I thank the gentleman for yielding.

Mr. Speaker, I just want to say to the Members that what we have here is about $600 million or $700 million which is already in the pipeline that this amendment does not even touch. In other words, with the upgrading system, those persons who receive it are going to be eligible for benefits in spite of this amendment and until that money runs out, $600 to $700 million. We ought to have a case-by-case opportunity for them to be reviewed, so that a great injustice is not done to the deserving.

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

Mr. BOLAND. I yield to the gentleman from Pennsylvania (Mr. EDGAR).

Mr. EDGAR. I thank the gentleman for yielding.

Mr. Speaker, first of all, in response to the comments of the gentleman from Tennessee (Mr. BEARD) about statistics, I just want to clarify that there were 8 million people who served during the Vietnam era. Only 2.5 million of those served in action in Vietnam itself. I think the 80-percent figure the gentleman is quoting is misleading.

The second point is that one of the problems the President faced when he took office was that the regular discharge review process was very clogged because during the Vietnam era most of the people were discharged from the service under an administrative process, not a court-martial process. The regular program takes 2 years for a case-by-case review. We are suggesting that those who fit within the six criteria will be automatically upgraded and that the others, who do not fall within that regular criteria, are looked at on a case-by-case review. It is not a blanket amnesty or a blanket pardon. It is a review of each individual case, unless they have some experience which gives them an automatic upgrade.

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

Mr. BOLAND. I yield to the gentleman from Oklahoma (Mr. RISENHOOVER).

Mr. RISENHOOVER. I thank the gentleman for yielding.

Mr. Speaker, I would like to ask the gentleman from Tennessee (Mr. BEARD) a question concerning the gentleman's amendment.

Do I understand correctly that after the authorizing Committee on Veterans' Affairs comes forth with the legislation, the gentleman's amendment simply stops expenditure of these funds until the action is taken by the authorizing committee, by the House and the Senate? Is that correct?

Mr. BEARD of Tennessee. If the gentleman will yield, I am so instructed that if they would amend the wording of this amendment, then their language would take precedence.

Mr. BOLAND. If the gentleman will yield, I am sure the authorizing committee would probably put in the caveat notwithstanding any other act or provision of law.

Mr. RISENHOOVER. If I understand correctly, what the amendment does is just force the issue. I am not opposed to upgrading discharges, but I think we should bring this to a head and decide who is going to be upgraded and who is not.

Mr. BEARD of Tennessee. If the gentleman will yield, as I said, I think it forces the issue. I think we have seen a great deal more activity on the Senate side and on the House side than we possibly would have otherwise.

Mr. RISENHOOVER. I think something ought to bring this whole thing of blanket amnesty and blanket pardon for not only the people who went AWOL and deserted, but for those people who, like the gentleman from Pennsylvania said, just completely disregarded the draft altogether, the whole thing ought to be brought to a head. If this is the only vehicle which can bring it to a head and bring it before the President, I think this is what we ought to do.

Mr. BEARD of Tennessee. At present this is the only vehicle.

Mr. BOLAND. Mr. Speaker, so that there will be no confusion on the part of the membership of the House, let me state precisely what my motion is.

My motion is that the House recede from its disagreement to the amendment of the Senate numbered 40, which struck out the Beard amendment. But then my motion goes on to say: "and concur therein with an amendment as follows:".

The amendment that follows is precisely the Beard amendment, except that we change the word, "appropriation," to "appropriations."

So that there will be no confusion, those who favor the Beard amendment will vote yes for this amendment, those who oppose the Beard amendment will vote no, and the chairman of the subcommittee intends to vote no.

Mr. OTTINGER. Mr. Speaker, I am opposing the Beard amendment today because I think it is poorly and too broadly drawn, despite my strong conviction that persons who did not do substantial Vietnam service or who deserted under circumstances that might have jeopardized others on the battlefield, or for whom there are no overriding mitigating circumstances, should not receive veterans benefits.

The problem with the Beard amendment is that it denies veterans benefits to all persons whose discharges are upgraded under the President's review program, regardless of the circumstances. According to Congressman BEARD's own statement as appeared in his letter to the editor of The Washington Post of June 27, 1977, 60 percent of those who did combat or combat support duty in Vietnam and are subject to the discharge review program were not deserters; half of the persons whose discharges have been reviewed would have received upgraded discharges under normal procedures, without the President's program. What this means is that there are a lot

of people being considered under the President's program with substantial service to their country in Vietnam, who were discharged because of fights, drunkenness or other problems and whose discharges would have been upgraded under normal procedures, who would be unfairly deprived of benefits under the Beard amendment.

The Veterans' Affairs Committee is presently considering legislation to deal in an orderly manner with this precise question of veterans benefits for those whose discharges are upgraded under the President's program. It is wrong, I believe, to deal with this question simplistically, as the Beard amendment does, in an amendment attached at the last minute and without hearings to an appropriations bill.

I am a cosponsor of one of the bills on this subject being considered by the Veterans' Affairs Committee, H.R. 7885, authored by Congressman JOHN PAUL HAMMERSCHMIDT of Arkansas, which requires the Special Discharge Review Board to make two separate determinations: first, whether a discharge should be upgraded under the special discharge criteria, and second, whether the discharge would have been upgraded under generally applicable criteria and whether it is appropriate that the applicant receive veterans' benefits. This approach has many positive aspects. It allows a person to "clear his name" by having his discharge upgraded under the President's criteria. At the same time, it preserves existing standards with regard to veterans' benefits entitlements.

I feel strongly that the all-encompassing broad brush of the Beard amendment sweeps away the rights of too many deserving veterans, and that the Veterans' Affairs Committee should be allowed the opportunity to report out the Hammerschmidt bill or other legislation that will deal with this matter more equitably—denying benefits to those who are undeserving, but permitting them to those who served their country and whose discharges were unjustified or unrelated to the benefits question.

Mr. BOLAND. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

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

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

Mr. BEARD of Tennessee. 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 251, nays 160, not voting 22, as follows:

[Roll No. 435]

YEAS—251

Abdnor	Alexander	Anderson, Calif.
Addabbo	Allen	Andrews, N.C.
Akaka	Ambro	Andrews, N. Dak.
Annunzio	Applegate	Archer
Armstrong	Ashbrook	Ashley
AuCoin	Badham	Bafalis
Barnard	Bauman	Beard, R.I.
Beard, Tenn.	Bennett	Bevill
Blanchard	Bowen	Brinkley
Brooks	Broomfield	Brown, Mich.
Brown, Ohio	Broyhill	Buchanan
Burgener	Burke, Fla.	Burleson, Tex.
Burlison, Mo.	Butler	Byron
Caputo	Carter	Cederberg
Chappell	Clausen, Don H.	Clawson, Del
Cleveland	Cochran	Cohen
Coleman	Collins, Tex.	Conable
Corcoran	Cornwell	Coughlin
Crane	Cunningham	Daniel, Dan
Daniel, R. W.	de la Garza	Delaney
Derrick	Derwinski	Devine
Dicks	Dornan	Duncan, Tenn.
Edwards, Ala.	Edwards, Okla.	Eilberg
Emery	English	Erlenborn
Evans, Del.	Evans, Ga.	Evans, Ind.
Fish	Fithian	Flowers
Flynt	Forsythe	Fountain
Fowler	Frenzel	Frey
Fuqua	Gammage	Gaydos
Gephardt	Gilman	Ginn
Gonzalez	Goodling	Gradison
Grassley	Gudger	Guyer
Hagedorn	Hall	Hammer-schmidt
Hanley	Hansen	Harsha
Hefner	Heftel	Hightower
Hillis	Hollenbeck	Holt
Hubbard	Huckaby	Hughes
Hyde	Ichord	Ireland
Jenkins	Jenrette	Johnson, Colo.
Jones, Okla.	Jones, Tenn.	Kasten
Kazen	Kelly	Kemp
Ketchum	Kindness	Krueger
Lagomarsino	Latta	Leach
Lent	Levitas	Lloyd, Calif.
Lloyd, Tenn.	Lott	Lujan
Luken	McClory	McCormack
McDade	McDonald	McEwen
McKay	Mahon	Mann
Marks	Marlenee	Marriott
Martin	Mathis	Mazzoli
Michel	Milford	Miller, Ohio
Minish	Mitchell, N.Y.	Mollohan
Montgomery	Moore	Moorhead, Calif.
Motti	Murphy, Ill.	Murphy, N.Y.
Myers, Gary	Myers, John	Natcher
Neal	Nedzi	Nichols
O'Brien	Perkins	Pettis
Pickle	Pike	Poage
Pressler	Pursell	Quayle
Quie	Quillen	Railsback
Regula	Rhodes	Rinaldo
Risenhoover	Roberts	Robinson
Roe	Rogers	Rooney
Rose	Rostenkowski	Rousselot
Rudd	Runnels	Ruppe
Russo	Santini	Sarasin
Satterfield	Sawyer	Schulze
Sebelius	Shipley	Shuster
Sikes	Sisk	Skelton
Skubitz	Slack	Smith, Nebr.
Snyder	Spellman	Spence
St Germain	Stangeland	Stanton
Steed	Steiger	Stratton
Stump	Symms	Taylor
Thone	Thornton	Treen
Trible	Tucker	Ullman
Vander Jagt	Volkmer	Waggonner
Walker	Walsh	Wampler
Watkins	White	Whitehurst
Whitley	Whitten	Wiggins
Wilson, Bob	Wilson, Tex.	Winn
Wolff	Wydler	Wylie
Yatron	Young, Fla.	Young, Mo.
Young, Tex.	Zeferetti	Foley
Ford, Mich.	Ford, Tenn.	Fraser
Giaimo	Gibbons	Glickman
Gore	Hamilton	Hannaford
Harkin	Harrington	Harris
Hawkins	Heckler	Holtzman
Jacobs	Jeffords	Johnson, Calif.
Jones, N.C.	Jordan	Kastenmeier
Keys	Kildee	Kostmayer
Krebs	LaFalce	Le Fante
Lederer	Leggett	Lehman
Long, La.	Long, Md.	Lundine
McCloskey	McFall	McHugh
Maguire	Markey	Mattox
Meeds	Metcalfe	Meyner
Mikulski	Mikva	Miller, Calif.
Mineta	Mitchell, Md.	Moakley
Moffett	Moorhead, Pa.	Moss
Murphy, Pa.	Murtha	Myers, Michael
Nix	Nolan	Nowak
Oakar	Oberstar	Obey
Ottinger	Panetta	Patten
Patterson	Pattison	Pease
Pepper	Preyer	Price
Pritchard	Rangel	Reuss
Richmond	Rodino	Roncalio
Rosenthal	Roybal	Ryan
Scheuer	Schroeder	Seiberling
Sharp	Simon	Smith, Iowa
Solarz	Stark	Steers
Stokes	Studds	Thompson
Traxler	Tsongas	Udall
Van Deerlin	Vanik	Vento
Walgren	Waxman	Weaver
Weiss	Whalen	Wirth
Wright	Yates	Zablocki

NAYS—160

Ammerman	Brodhead	Diggs
Anderson, Ill.	Brown, Calif.	Dingell
Aspin	Burke, Calif.	Dodd
Baldus	Burton, John	Downey
Baucus	Burton, Phillip	Drinan
Bedell	Carney	Duncan, Oreg.
Beilenson	Carr	Early
Benjamin	Cavanaugh	Eckhardt
Biaggi	Chisholm	Edgar
Bingham	Collins, Ill.	Edwards, Calif.
Blouin	Conte	Evans, Colo.
Boggs	Conyers	Fary
Boland	Corman	Fascell
Bolling	Cornell	Fenwick
Bonior	Cotter	Findley
Bonker	D'Amours	Fisher
Breaux	Danielson	Flood
Breckinridge	Dellums	Florio

NOT VOTING—22

Badillo	Flippo	Rahall
Brademas	Goldwater	Staggers
Burke, Mass.	Holland	Stockman
Clay	Horton	Teague
Davis	Howard	Wilson, C. H.
Dent	Koch	Young, Alaska
Dickinson	McKinney	
Ertel	Madigan	

The Clerk announced the following pairs:

On this vote:

Mr. Rahall for, with Mr. Burke of Massachusetts against.

Mr. Davis for, with Mr. Brademas against.

Mr. Dickinson for, with Mr. Badillo against.

Mr. Young of Alaska for, with Mr. Koch against.

Mr. Teague for, with Mr. Clay against.

Mr. Horton for, with Mr. Howard against.

Until further notice:

Mr. Dent with Mr. Ertel.

Mr. Flippo with Mr. Goldwater.

Mr. Madigan with Mr. Holland.

Mr. Staggers with Mr. McKinney.

Mr. Charles H. Wilson of California with Mr. Stockman.

Mr. EARLY changed his vote from "yea" to "nay."

Mr. ROSE changed his vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 45: Page 39, after line 10, insert:

"SEC. 408. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of a consultant (wheher retained by the Federal Government or a grantee) at more than the daily equivalent of the maximum rate paid for GS-18, unless specifically authorized by law."

MOTION OFFERED BY MR. BOLAND

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

The Clerk read as follows:

Mr. BOLAND moves that the House recede from its disagreement to the amendment of

the Senate numbered 45 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 409. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the maximum rate paid for GS–18, unless specifically authorized by law."

The motion was agreed to.

The SPEAKER. The Clerk will report the last amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46: Page 39, after line 16, insert:

"SEC. 409. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between his domicile and his place of employment, with the exception of the Secretary of the Department of Housing and Urban Development, who, under title 5, United States Code, section 101, is exempted from such limitations."

MOTION OFFERED BY MR. BOLAND

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

The Clerk read as follows:

Mr. BOLAND moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 410. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between his domicile and his place of employment, with the exception of the Secretary of the Department of Housing and Urban Development, who, under title 5, United States Code, section 101, is exempted from such limitations."

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. BOLAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tables, charts, and other extraneous matter on the conference report (H.R. 7554) just agreed to.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 3722, SECURITIES AND EXCHANGE ACT AUTHORIZATION FOR FISCAL YEAR 1978

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3722) to amend the Securities and Exchange Act of 1934 to authorize appropriations for the Securities and Exchange Commission for fiscal year 1978, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. MINETA). Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees; Messrs. STAGGERS, ECKHARDT, METCALFE, KRUEGER, CARNEY, DEVINE, AND BROYHILL.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO FILE REPORT ON H.R. 6831, NATIONAL ENERGY ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on the bill H.R. 6831, the National Energy Act.

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

There was no objection.

PRINTING OF COPIES OF HOUSE REPORT 95–496, PART IV, ON H.R. 6831, NATIONAL ENERGY ACT

Mr. STAGGERS. Mr. Speaker, I offer a resolution (H. Res. 693) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 693

Resolved, That there shall be printed for the use of the Committee on Interstate and Foreign Commerce of the House of Representatives the maximum number of copies of House Report No. 95–496, Part IV, to accompany the bill H.R. 6831 entitled "National Energy Act" which may be printed at a cost not to exceed $1,200.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR SUBCOMMITTEE ON ECONOMIC OPPORTUNITY OF COMMITTEE ON EDUCATION AND LABOR TO MEET DURING 5-MINUTE RULE ON JULY 21 AND 22, 1977

Mr. ANDREWS of North Carolina. Mr. Speaker, I ask unanimous consent that the Subcommittee on Economic Opportunity of the Committee on Education and Labor may be permitted to meet during the 5-minute rule on July 21 and July 22 to receive testimony on H.R. 7577 and H.R. 1988, bills to extend and amend the Economic Opportunity Act of 1964.

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

There was no objection.

CONFERENCE REPORT ON H.R. 4088, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION, FISCAL YEAR 1978

Mr. FUQUA. Mr. Speaker, I call up the conference report on the bill (H.R. 4088) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, 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 Florida?

There was no objection.

The Clerk read the statement.

(For conference report and statement see proceedings of the House of June 21, 1977.)

Mr. FUQUA (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 Florida?

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida (Mr. FUQUA) is recognized for 30 minutes and the gentleman from New York (Mr. WYDLER) is recognized for 30 minutes.

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

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

Mr. Speaker, the committee of conference on the bill—H.R. 4088—authorizing funds for the National Aeronautics and Space Administration for fiscal year 1978 has successfully concluded its work. The conference report before you includes nine changes in the NASA research and development program line items, and one change in the construction of facilities line items. The net result of these actions is a $14,640,000 increase in amount requested—$4,034,789,000—for fiscal year 1978. An increase of less than four-tenths of 1 percent—0.36 percent—in the amount requested by the administration.

To summarize the recommendations of your conference:

Funds were added to:

First. Support cost-effective scheduling for Space Shuttle production ($5 million);

Second. Initiate studies for space industrialization ($2 million);

Third. Provide funds for fundamental space research eroded by inflation and upper atmosphere research ($4 million);

Fourth. Increase work in ocean pollution monitoring, severe storm research ($4 million) and provide for increased Landsat–D instrumentation ($2 million);

Fifth. Augment efforts in aeronautical research and technology ($3 million);

Sixth. Provide funds for increased emphasis on advance concepts for space propulsion ($2 million); and

Seventh. Increase effort to define the technology necessary for solar satellite power systems ($3 million).

HOUSE SENATE CONFERENCE—NASA AUTHORIZATION, FISCAL YEAR 1978

[In dollars]

	Budget request [1]	House	Senate	Committee of conference
Research and development:				
Space Shuttle	1,349,200,000	1,349,200,000	1,354,200,000	1,354,200,000
Space flight operations	267,800,000	270,800,000	265,800,000	267,800,000
Expendable launch vehicles	136,500,000	129,500,000	136,500,000	134,500,000
Physics and astronomy	224,200,000	229,200,000	226,200,000	228,200,000
Lunar and planetary exploration	158,200,000	161,200,000	150,200,000	153,200,000
Life sciences	33,300,000	33,300,000	33,300,000	33,300,000
Space applications	233,800,000	221,900,000	239,800,000	239,800,000
Earth resources operational systems	0	26,900,000	0	0
Aeronautical research and technology	231,000,000	236,500,000	231,000,000	234,000,000
Space research and technology	97,700,000	101,700,000	97,700,000	99,700,000
Energy technology applications	4,500,000	9,500,000	4,500,000	7,500,000
Tracking and data acquisition	281,700,000	278,700,000	281,700,000	280,200,000
Technology utilization	8,100,000	9,100,000	9,100,000	9,100,000
Total	3,026,000,000	3,047,500,000	3,030,000,000	3,041,500,000
Construction of facilities	161,800,000	158,340,000	161,800,000	160,940,000
Research and program management	846,989,000	847,989,000	846,989,000	846,989,000
Grand total	4,034,789,000	4,053,829,000	4,038,789,000	4,049,429,000

[1] Includes Carter amendments to original fiscal year 1978 budget request.

Funds were decreased to:

First. Account for economies derived from industrial initiatives to provide upper stage vehicles without NASA development ($2 million);

Second. Take advantage of opportunities to reduce supporting costs in repetitive procurement of expendable launch vehicles ($2 million);

Third. Reduce study efforts for a Mars follow-on to the Viking mission ($5 million);

Fourth. Provide a general reduction in tracking and data acquisition effort ($1.5 million); and

Fifth. Delete construction of a crew training facility ($0.86 million).

I am including a summary of the action taken for the record.

The conference report before you reflects the need to exercise prudent economy while encouraging full utilization of the potential of space.

I urge the adoption of this report.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. WYDLER).

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

Mr. Speaker, the conference report on the NASA authorization bill is a just and fair compromise of the House and Senate versions of H.R. 4088. The total authorization presented in this conference report of $4,049,429,000 is $4,400,000 less than what was authorized by the House-passed bill. The Senate version of H.R. 4088 authorized $4,038,789,000 which is $10,640,000 less than the conference report authorization. The total budget presented in the conference report is broken down as follows:

Research and development	$3,041,500,000
Construction of facilities	160,940,000
Research and program management	846,989,000

I was quite pleased with the fact that total agreement was reached by the conferees. Admittedly, we have modified the House position somewhat, but in a constructive manner.

The aeronautics research and technology line item has been increased this year at a reasonable rate. In the past the House Committee on Science and Technology has stressed the importance of strengthening this area. Aeronautics, for sometime, seemed to be in the shadows of the space activities.

Consequently, this Nation's aeronautics technology base has begun to face very severe competition. The fiscal year 1977 Authorization for "Aeronautics Research and Technology" was $191,100,000, as compared to $234,000,000 for fiscal year 1978. This represents approximately an 18-percent increase.

The budget item "Space Applications" was of special significance to me because of the down-to-earth utilization of our space technology. The House version had increased this line item by $5,000,000 for enhancing the weather and climate research program. The Senate version increased this category by $6 million for three specific purposes: One, $2 million for addition of multispectral scanner to Landsat-D; two, development of a satellite system for monitoring the 200-mile coastal limit; and three, development of a system to monitor oilspills. All of these programs, both in the House and Senate versions, are in my opinion very worth while and practical. Consequently, I am pleased with the compromise that included the $6 million increase and incorporated the weather and climate, multispectral scanner, 200-mile coastal monitor, and ocean coastal pollution monitoring programs. This last aspect will be especially valuable in detecting waste disposal and similar forms of coastal pollution.

One issue within the compromise which was extensively debated was in the construction of facilities budget. The House had eliminated $860,000 for construction of a water immersion facility at the Johnson Space Center. The Senate version authorized that expenditure. The compromise was to eliminate the funding but allow NASA to justify the facility at a later date for construction.

Mr. Speaker, I wholeheartedly support this conference report, and urge my colleagues to do the same.

Mr. WEISS. Mr. Speaker, I would like to share with you and my colleagues a copy of a letter I recently received from the Honorable Bert Lance, Director of the Office of Management and Budget, which responds to a request for clarification of OMB's view on the preparation by NASA of an overall program plan for the development of a new SST or so-called AST—advanced supersonic transport.

The conference committee report on H.R. 4088—the NASA authorization—includes $15.2 million for the preparation of such a plan as a result of a mandate in House Report 95–67 calling for technology readiness for a new SST by the early 1980's.

In his excellent letter—printed below—Mr. Lance makes it clear that this authorization is not interpreted by OMB to be an open-ended authority for redevelopment of the SST; that such development is more appropriate as an undertaking for the private sector and that this authorization approves only limited study by NASA on the technical facets of supersonic aeronautics.

OFFICE OF MANAGEMENT
AND BUDGET,
Washington, D.C., June 29, 1977.

Hon. TED WEISS,
House of Representatives,
Washington, D.C.

DEAR MR. WEISS: This letter responds to your letter of May 23, 1977 in which you requested additional clarification of our views on Federal sponsorship of an advanced supersonic transport aircraft.

In considering the implications of the House Committee's action on the FY 1978 authorization for the National Aeronautics and Space Administration, we believe it important to draw a distinction between the $15 million authorized for supersonic transport research by NASA and the Committee's request for an overall program plan to achieve technology readiness for such an aircraft by the early 1980's.

The $15 million, authorized in FY 1978, was included in the President's FY 1978 Budget and was to permit the National Aeronautics and Space Administration to examine, at a constrained funding level, some of the high risk technology areas involved in the design of an economically and environmentally acceptable supersonic transport. These funds, in our view, do not constitute a commitment to achieving technology readiness for such an aircraft. As stated in our previous letter, such future budgetary commitments would have to be considered on the basis of our long-range transportation needs and overall national budget priorities.

Concerning agency preparation of an overall program plan, we believe that the final formulation and any future implementation of such a program should be the product of the normal budgetary review process, involving both executive branch and congressional review of specific program proposals in the context of our national goals and priorities. In this regard, we believe that in responding to the Committee's request, the National Aeronautics and Space Administration could develop a series of program options to serve as possible future input to the normal budget review process. Such a study could describe for each general option the efforts needed in major technology disciplines and the associated cost and schedule considerations. Such an approach we believe

could meet the House Science and Technology Committee's requirements for its FY 1979 pre-authorization hearings without committing the Administration to any particular future course of action.

We could expect, moreover, that the agency reply to the congressionally-requested study would make clear that the long-term program options addressed in the report are in the nature of planning assumptions and do not represent agency or Administration recommendations for the future direction of the NASA aeronautical research and technology efforts. Specific recommendations or requests for any future funding, if appropriate, would be addressed by the President in the formulation of his future budget proposals to the Congress.

We would further expect that such an approach would focus on those aspects for which the National Aeronautics and Space Administration could make the largest potential contribution, namely the advancement of aeronautical research and technology. As stated in our previous letter, the private sector is the appropriate arena for assessing and determining the economic viability of an advanced supersonic transport. We, therefore, would not expect the National Aeronautics and Space Administration study to include an economic analysis covering the investment or return aspects of such a commercial venture.

We hope this letter clarifies our position on this matter. Please contact us should you need additional information.

Sincerely,

BERT LANCE,
Director.

Mr. WINN. Mr. Speaker, I am pleased to be able to again rise in support of the conference report on the fiscal year 1978 NASA authorization bill, H.R. 4088. I feel that the conferees made relevant and practical compromises in the budget line items. The total budget for research and development, construction of facilities and research and program management is $4,049,429,000. This amount is $14,640,000 greater than the NASA request and $4,400,000 less than the House authorization. The opponents of funding for basic research will decry this huge sum of $4 billion. However, compared to the total welfare cost in this Nation it is a rather meager sum. HEW spends the equivalent of the total fiscal year 1978 NASA budget in approximately 9 days. What is more important in regard to the expenditures in basic research is that there is a tremendous return on investment. Some economic studies have shown that for every dollar spent in basic research, $14 are returned into the economy within 10 years.

The largest and most impressive program at NASA is the Space Shuttle program. Both the House and Senate strongly support the research and development and the five Orbiter production of the Space Shuttle. In fact, the Senate version increased this line item by $5 million. The conference version of the Space Shuttle line item is $1,354,200,000 which is $5 million greater than the House version and the NASA request.

A new concept in energy production, solar satellite power system, has been enthusiastically supported by the House for 2 years. To enable further study in this area the House version of H.R. 4088 included an additional $5 million in the line item "Energy technology applications." The Senate version agreed with the significance of a satellite solar power system, however, they did not agree to the budget increase. The conferees agreed to a total budget of $7,500,000, with $4,000,000 dedicated to satellite solar power system research.

Space applications at NASA is a very gratifying endeavor or program because this is where the American taxpayer can see the obvious return on his investment in the space program. One specific area within the space applications budget line item that is of special significance to me is the severe storm research program. Our society is still at the mercy of the forces of nature, such as tornadoes and hurricanes. Millions of dollars of damage are sustained each year due to these violent storms. One storm this May in my home district resulted in approximately $30 million of damages. As a consequence, I am pleased to see a reasonable level of research funding that will allow us to understand, predict, and maybe even control the severe storm phenomenon.

The research and program management category of the NAAS budget was left at the original NASA request level of $846,989,000. The House had recommended an increase of $1,000,000 for travel. However, the Senate did not agree with this position. I feel, however, that NASA should be commended for keeping the lid on the R. & P.M. funding. In light of rising personnel and utility cost this is remarkable.

In conclusion, I would like to say that this is a good bill that will allow NASA to adequately carry out its mandated charter. I urge my colleagues to lend their support.

Mr. TEAGUE. Mr. Speaker, before us today is the result of a successful House-Senate conference on the fiscal year 1978 NASA authorization bill (H.R. 4088). This conference report recommends $4,049,429,000 for NASA in fiscal year 1978. This total is comprised of $3,041,500,000 for research and development, $15.5 million more than the NASA request; $160,940,000 for construction of facilities, $860,000 less than the NASA request; and $846,989,000 for research and program management which is the same as the NASA request.

The funds provided in this bill (H.R. 4088) will allow NASA to proceed with current programs of space utilization and exploration. It will allow for new effort in a space telescope program, Landsat satellite, search and rescue satellite, and a planetary orbiter and probe—Jupiter Orbiter Probe. At the same time, the Space Shuttle program continues within cost and on schedule.

Because of the continued major NASA contribution to our Nation, I urge adoption of the conference report.

Mr. FUQUA. 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. MOTTL. 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 379, nays 29, not voting 25, as follows:

[Roll No. 436]

YEAS—379

Abdnor	Delaney	Jones, Tenn.
Akaka	Derrick	Jordan
Alexander	Derwinski	Kasten
Allen	Devine	Kastenmeier
Ambro	Dicks	Kazen
Ammerman	Dingell	Kelly
Anderson, Calif.	Dodd	Kemp
	Dornan	Ketchum
Anderson, Ill.	Downey	Keys
Andrews, N.C.	Drinan	Kildee
Andrews, N. Dak.	Duncan, Oreg.	Kindness
	Duncan, Tenn.	Kostmayer
Annunzio	Early	Krueger
Applegate	Eckhardt	LaFalce
Archer	Edgar	Lagomarsino
Armstrong	Edwards, Ala.	Le Fante
Ashbrook	Edwards, Calif.	Leach
Ashley	Edwards, Okla.	Lederer
Aspin	Eilberg	Leggett
AuCoin	Emery	Lehman
Badham	English	Lent
Badillo	Erlenborn	Levitas
Bafalis	Evans, Colo.	Lloyd, Calif.
Baldus	Evans, Del.	Lloyd, Tenn.
Barnard	Evans, Ga.	Long, La.
Baucus	Fary	Long, Md.
Bauman	Fascell	Lott
Beard, R.I.	Fenwick	Lujan
Beard, Tenn.	Fish	Luken
Bellenson	Fisher	Lundine
Benjamin	Fithian	McClory
Bennett	Flood	McCloskey
Bevill	Florio	McCormack
Biaggi	Flowers	McDade
Bingham	Flynt	McDonald
Blanchard	Foley	McEwen
Blouin	Ford, Mich.	McFall
Boggs	Ford, Tenn.	McHugh
Boland	Forsythe	McKay
Bolling	Fountain	Madigan
Bowen	Fowler	Mahon
Breaux	Fraser	Mann
Breckinridge	Frenzel	Markey
Brinkley	Frey	Marks
Brodhead	Fuqua	Marlenee
Brooks	Gammage	Marriott
Broomfield	Gaydos	Martin
Brown, Calif.	Giaimo	Mathis
Brown, Mich.	Gibbons	Mattox
Brown, Ohio	Gilman	Mazzoli
Buchanan	Ginn	Meeds
Burgener	Glickman	Metcalfe
Burke, Calif.	Gonzalez	Meyner
Burke, Fla.	Goodling	Michel
Burleson, Tex.	Gore	Mikulski
Burlison, Mo.	Gradison	Milford
Burton, Phillip	Grassley	Miller, Calif.
Butler	Gudger	Mineta
Byron	Guyer	Minish
Caputo	Hagedorn	Mitchell, Md.
Carney	Hall	Mitchell, N.Y.
Carter	Hamilton	Moakley
Cavanaugh	Hammer-schmidt	Moffett
Cederberg		Mollohan
Chappell	Hanley	Montgomery
Chisholm	Hannaford	Moore
Clausen, Don H.	Hansen	Moorhead, Calif.
	Harkin	
Clawson, Del	Harris	Moorhead, Pa.
Cleveland	Harsha	Moss
Cochran	Hawkins	Mottl
Cohen	Hefner	Murphy, N.Y.
Coleman	Heftel	Murphy, Pa.
Collins, Ill.	Hightower	Murtha
Collins, Tex.	Hillis	Myers, Gary
Conable	Hollenbeck	Myers, John
Conte	Holt	Myers, Michael
Corcoran	Hubbard	Natcher
Corman	Huckaby	Neal
Cornwell	Hughes	Nedzi
Cotter	Hyde	Nichols
Coughlin	Ichord	Nix
Crane	Ireland	Nolan
Cunningham	Jenkins	Nowak
D'Amours	Jenrette	O'Brien
Daniel, Dan	Johnson, Calif.	Oakar
Daniel, R. W.	Johnson, Colo.	Oberstar
Danielson	Jones, N.C.	Panetta
de la Garza	Jones, Okla.	Patten

Patterson	Santini	Traxler
Pattison	Sarasin	Treen
Pease	Satterfield	Trible
Pepper	Sawyer	Tsongas
Perkins	Scheuer	Tucker
Pettis	Schroeder	Udall
Pickle	Schulze	Ullman
Pike	Sebelius	Van Deerlin
Poage	Seiberling	Vander Jagt
Pressler	Sharp	Vanik
Preyer	Shipley	Vento
Price	Shuster	Waggonner
Pritchard	Sikes	Walgren
Pursell	Sisk	Walker
Quayle	Skelton	Walsh
Quie	Skubitz	Wampler
Quillen	Slack	Watkins
Railsback	Smith, Iowa	Waxman
Rangel	Smith, Nebr.	Whalen
Regula	Snyder	White
Rhodes	Solarz	Whitehurst
Richmond	Spellman	Whitley
Rinaldo	Spence	Whitten
Risenhoover	St Germain	Wiggins
Roberts	Staggers	Wilson, Bob
Robinson	Stangeland	Wilson, C. H.
Rodino	Stanton	Wilson, Tex.
Roe	Stark	Winn
Rogers	Steed	Wirth
Roncalio	Steers	Wolff
Rose	Steiger	Wright
Rosenthal	Stokes	Wydler
Rostenkowski	Stratton	Wylie
Rousselot	Stump	Yatron
Roybal	Symms	Young, Alaska
Rudd	Taylor	Young, Fla.
Runnels	Thompson	Young, Mo.
Ruppe	Thone	Young, Tex.
Ryan	Thornton	Zablocki

NAYS—29

Bedell	Holtzman	Ottinger
Bonior	Jacobs	Rahall
Burton, John	Jeffords	Reuss
Carr	Krebs	Simon
Conyers	Latta	Studds
Cornell	Maguire	Volkmer
Dellums	Mikva	Weaver
Evans, Ind.	Miller, Ohio	Weiss
Gephardt	Murphy, Ill.	Yates
Harrington	Obey	

NOT VOTING—25

Addabbo	Diggs	Koch
Bonker	Ertel	McKinney
Brademas	Findley	Rooney
Broyhill	Flippo	Russo
Burke, Mass.	Goldwater	Stockman
Clay	Heckler	Teague
Davis	Holland	Zeferetti
Dent	Horton	
Dickinson	Howard	

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Mr. Broyhill.
Mr. Addabbo with Mr. Dickinson.
Mr. Brademas with Mr. Findley.
Mr. Zeferetti with Mr. McKinney.
Mr. Teague with Mr. Stockman.
Mr. Rooney with Mr. Flippo.
Mr. Howard with Mr. Diggs.
Mr. Dent with Mr. Ertel.
Mr. Holland with Mrs. Heckler.
Mr. Davis with Mr. Horton.
Mr. Clay with Mr. Bonker.
Mr. Russo with Mr. Koch.

Messrs. REUSS, BONIOR, VOLKMER, RAHALL and MURPHY of Illinois 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.

CONFERENCE REPORT ON S. 1474, MILITARY CONSTRUCTION AUTHORIZATION ACT, 1978

Mr. NEDZI. Mr. Speaker, I call up the conference report on the Senate bill (S. 1474) to authorize certain construction at military installations, and for other purposes, and ask unanimous consent that the statement of the manager 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 Michigan?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 12, 1977.)

Mr. NEDZI (during the reading). Mr. Speaker, in view of the fact that the conference report designated as Report No. 95–494 is available to the Members and was ordered printed on July 12 and is also available in the RECORD of Tuesday, July 12, on page 22513, 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 Michigan?

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. NEDZI) and the gentleman from Virginia (Mr. WHITEHURST) are recognized for 30 minutes each.

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

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

Mr. Speaker, on May 13, 1977, the Senate passed S. 1474, the Military Construction Authorization Act for fiscal year 1978, which provided new construction authorization for the military departments and the Department of Defense in the total amount of $3,726,633,000.

On June 6, 1977, the House considered the legislation, amended it by striking all language after the enacting clause and wrote a new bill. As passed by the House, S. 1474 provided new construction authorization in the total amount of $3,508,560,000.

As a result of a June 10 conference between the House and the Senate on the differences in S. 1474, the conferees agreed to an adjusted authorization totaling $3,724,718,000.

This compromise total is $148,201,000 above the amount requested by the Department of Defense. However, it should be pointed out that this larger figure includes $122,126,000 in authorization provided in H.R. 5502, the fiscal year 1977 Supplemental Military Construction Authorization Act passed by the House on April 4, 1977. The purpose of that bill was to authorize $57.1 million in energy conservation and pollution abatement projects and $65 million for repairs of military family housing in an effort to bolster job-producing Federal programs. Therefore, the net increase over the Department's request, as contained in S. 1474, is only $26,075,000.

There were 84 differences between the House and Senate bills. However, we were able to reach agreement on each of these differences. I will not go into great detail because House Report 95–494, the conference report on S. 1474, explains the actions of the conferees.

Two items stimulated the most discussion during the conference. One centered on a House proposal to individually meter energy consumed in military family housing units in the United States and its possessions. The other dealt with a Senate proposal to establish a minor construction program for the individual services.

In its bill, the House authorized $161.2 million for the metering program which, through energy savings, would pay for itself in 2 years or less. Under the program, the Secretary of Defense is directed to establish reasonable energy consumption ceilings for family housing and to assess occupants for any consumption in excess of that established ceiling. The Senate conferees argued that such a program would affect the entire pay and compensation question and before implementation a test should be conducted to determine its feasibility.

The conferees agreed to retain the House language found in section 507 with an additional provision making the excess consumption assessment effective only upon completion of a test program and after a review of the test findings by the Congress. The conferees further agreed to authorize $70 million to meet the estimated Defense Department obligational capability for the program during fiscal year 1978. This action will enable the Department of Defense to proceed with the installations of meters during the test program so that implementation will be possible once feasibility is demonstrated.

The Senate provision on minor construction provided the Department of Defense with the authority and flexibility to program projects costing up to $1 million without specific annual authorization. The House conferees, however, expressed concern over the unknown impact of the process and recommended a study to determine its effects.

As finally approved by the conference, the new minor construction authority is to be effective beginning with fiscal year 1979 and will apply to projects costing less than $500,000. The Department of Defense is required to notify the Armed Services Committees in writing of any approved project costing more than $300,000 at least 30 days before funds are obligated for the project.

The Department of Defense is expected to develop implementing guidelines for the new minor construction authority before the fiscal year 1979 budget submission to Congress and to report to the Armed Services Committees at that time regarding the procedures that will be used to effect the new authority. This will enable the Congress to determine whether this newly conceived program is workable.

The conferees have brought to the House a good bill that will adequately provide for the construction needs of the military establishment during fiscal year 1978. I want to assure the House that all amendments adopted by the conference are germane to the bill and I urge its adoption.

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

Mr. Speaker, I wish to support the statement of the gentleman from Michigan, regarding the conference report on S. 1474.

The conference bill includes initiatives of both the House and Senate which should improve the overall construction programs of the three services and defense agencies. Of particular note is the $122 million for which supplemental appropriations have already been approved by the Congress. This means that these projects will be able to go to contract immediately, producing new stimulus to the economy by providing jobs in the construction trades.

The conference has written a good clean bill which I urge the House to adopt.

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

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

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 370, nays 34, not voting 29, as follows:

[Roll No. 437]

YEAS—370

Abdnor	Breckinridge	Crane
Akaka	Brinkley	Cunningham
Alexander	Brodhead	D'Amours
Allen	Brooks	Daniel, Dan
Ambro	Broomfield	Daniel, R. W.
Anderson, Calif.	Brown, Calif.	Danielson
	Brown, Mich.	de la Garza
Anderson, Ill.	Brown, Ohio	Delaney
Andrews, N.C.	Broyhill	Derrick
Andrews, N. Dak.	Buchanan	Derwinski
	Burgener	Devine
Annunzio	Burke, Calif.	Dicks
Applegate	Burke, Fla.	Diggs
Archer	Burleson, Tex.	Dingell
Armstrong	Burlison, Mo.	Dodd
Ashbrook	Burton, John	Dornan
Ashley	Burton, Phillip	Downey
Aspin	Butler	Drinan
AuCoin	Byron	Duncan, Oreg.
Badham	Caputo	Duncan, Tenn.
Bafalis	Carney	Eckhardt
Baldus	Carr	Edgar
Barnard	Carter	Edwards, Ala.
Baucus	Cavanaugh	Edwards, Okla.
Bauman	Cederberg	Eilberg
Beard, R.I.	Chappell	Emery
Beard, Tenn.	Clausen, Don H.	English
Bellenson		Erlenborn
Benjamin	Clawson, Del	Evans, Colo.
Bennett	Cleveland	Evans, Del.
Bevill	Cochran	Evans, Ga.
Biaggi	Cohen	Evans, Ind.
Bingham	Coleman	Fary
Blanchard	Collins, Ill.	Fascell
Blouin	Collins, Tex.	Findley
Boggs	Conable	Fish
Boland	Conte	Fisher
Bolling	Corcoran	Fithian
Bonior	Corman	Flood
Bonker	Cornwell	Florio
Bowen	Cotter	Flowers
Breaux	Coughlin	Flynt
Foley	McDade	Rostenkowski
Ford, Mich.	McDonald	Rousselot
Ford, Tenn.	McEwen	Roybal
Fowler	McFall	Rudd
Fraser	McKay	Ruppe
Frey	Mahon	Ryan
Fuqua	Mann	Santini
Gammage	Markey	Sarasin
Gaydos	Marks	Satterfield
Gephardt	Marlenee	Sawyer
Gibbons	Marriott	Schroeder
Gilman	Martin	Schulze
Ginn	Mathis	Sebelius
Glickman	Mattox	Seiberling
Gonzalez	Mazzoli	Shipley
Gore	Meeds	Sikes
Gradison	Metcalfe	Simon
Grassley	Meyner	Sisk
Gudger	Michel	Skelton
Guyer	Mikulski	Skubitz
Hagedorn	Mikva	Slack
Hall	Milford	Smith, Iowa
Hamilton	Mineta	Smith, Nebr.
Hammer-schmidt	Minish	Snyder
	Mitchell, N.Y.	Solarz
Hanley	Moakley	Spellman
Hannaford	Mollohan	Spence
Hansen	Montgomery	St Germain
Harkin	Moore	Staggers
Harris	Moorhead, Calif.	Stangeland
Harsha		Stanton
Hawkins	Moorhead, Pa.	Steed
Heckler	Moss	Steers
Heftel	Mottl	Steiger
Hightower	Murphy, Ill.	Stokes
Hillis	Murphy, N.Y.	Stratton
Hollenbeck	Murphy, Pa.	Studds
Holt	Murtha	Stump
Hubbard	Myers, Gary	Symms
Huckaby	Myers, John	Taylor
Hughes	Myers, Michael	Thompson
Hyde	Natcher	Thone
Ichord	Neal	Thornton
Ireland	Nedzi	Traxler
Jeffords	Nichols	Treen
Jenkins	Nix	Trible
Jenrette	Nowak	Tsongas
Johnson, Calif.	O'Brien	Tucker
Johnson, Colo.	Oakar	Udall
Jones, N.C.	Oberstar	Ullman
Jones, Okla.	Obey	Van Deerlin
Jones, Tenn.	Panetta	Vander Jagt
Jordan	Patten	Vanik
Kasten	Patterson	Vento
Kazen	Pattison	Waggonner
Kelly	Pease	Walgren
Ketchum	Pepper	Walker
Keys	Perkins	Walsh
Kildee	Pickle	Wampler
Kindness	Pike	Watkins
Kostmayer	Poage	Waxman
Krebs	Pressler	Weaver
Krueger	Preyer	Whalen
LaFalce	Price	White
Lagomarsino	Pursell	Whitehurst
Latta	Quayle	Whitley
Le Fante	Quie	Whitten
Leach	Quillen	Wiggins
Lederer	Rahall	Wilson, Bob
Leggett	Railsback	Wilson, C. H.
Lehman	Regula	Wilson, Tex.
Lent	Reuss	Winn
Levitas	Rhodes	Wirth
Lloyd, Calif.	Rinaldo	Wolff
Lloyd, Tenn.	Risenhoover	Wright
Long, La.	Roberts	Wydler
Long, Md.	Robinson	Wylie
Lott	Rodino	Yatron
Lujan	Roe	Young, Alaska
Luken	Rogers	Young, Fla.
McClory	Roncalio	Young, Mo.
McCloskey	Rose	Young, Tex.
McCormack	Rosenthal	Zablocki

NAYS—34

Ammerman	Frenzel	Nolan
Badillo	Goodling	Ottinger
Bedell	Harrington	Rangel
Chisholm	Holtzman	Richmond
Clay	Kastenmeier	Scheuer
Conyers	Lundine	Sharp
Cornell	McHugh	Stark
Dellums	Maguire	Volkmer
Early	Miller, Calif.	Weiss
Edwards, Calif.	Miller, Ohio	Yates
Fenwick	Mitchell, Md.	
Forsythe	Moffett	

NOT VOTING—29

Addabbo	Davis	Ertel
Brademas	Dent	Flippo
Burke, Mass.	Dickinson	Fountain
Giaimo	Kemp	Runnels
Goldwater	Koch	Russo
Hefner	McKinney	Shuster
Holland	Madigan	Stockman
Horton	Pettis	Teague
Howard	Pritchard	Zeferetti
Jacobs	Rooney	

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Mr. Dickinson.
Mr. Addabbo with Mr. McKinney.
Mr. Brademas with Mr. Stockman.
Mr. Zeferetti with Mr. Ertel.
Mr. Rooney with Mr. Horton.
Mr. Teague with Mr. Madigan.
Mr. Dent with Mr. Davis.
Mr. Russo with Mr. Jacobs.
Mr. Koch with Mr. Goldwater.
Mr. Howard with Mrs. Pettis.
Mr. Runnels with Mr. Pritchard.
Mr. Hefner with Mr. Holland.
Mr. Giaimo with Mr. Flippo.
Mr. Fountain with Mr. Shuster.

Mrs. FENWICK, Mr. WEISS, and Mr. YATES changes 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.

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 (Mr. McFALL). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of June 22, 1977.)

Mr. PERKINS (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading of the statement.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. PERKINS) and the gentleman from Minnesota (Mr. QUIE) are recognized for 30 minutes each.

The Chair recognizes the gentleman from Kentucky (Mr. PERKINS).

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

Mr. Speaker, the conference report we are bringing back to the House today deals with a problem which has now become an international issue. H.R. 6138, the Youth Employment and Demonstration Projects Act of 1977, provides for programs aimed at exploring methods for dealing with the severe and persistent

levels of unemployment among our Nation's youth.

The problem of youth unemployment is now the subject of international discussions and conferences. Other nations are beginning to recognize that the problem of structural employment among young people is so severe that it must be addressed as a matter of national policy. H.R. 6138 is the culmination of efforts by the Congress and the administration to address this problem for our own Nation's youth in a comprehensive and responsible way.

We have approached this issue in a bipartisan manner from the beginning. H.R. 6138 passed the House on May 17 by a vote of 334 to 61. That bill originated in the Subcommittee on Employment Opportunities, chaired by my good friend and distinguished colleague, GUS HAWKINS.

We have had the complete cooperation of AL QUIE, the ranking minority member of the full committee, and RON SARASIN, the ranking minority member of the subcommittee. We have also had the complete cooperation of Secretary of Labor Ray Marshall, who I believe, incidentally, will be one of our great Secretaries of Labor.

The conference we have just concluded with the Senate has left the House bill substantially intact. We gave in on some issues and they gave in on some issues. The final product of the conference has the enthusiastic support of the conferees on both sides of the aisle, and the enthusiastic support of the administration. I believe it is a landmark piece of legislation, and deserves the support of every Member of this body.

Title I of the bill sets up a year-round Young Adult Conservation Corps program. It will put approximately 35,000 youths between the ages of 16 to 23 to work on resource management projects in our National and State parks. The bills originally passed by both bodies contained different versions of a YACC. The Senate bill provided a far stronger role for the Secretary of Labor than the House bill did, but contained only a 1-year authorization period, as opposed to a 3-year authorization in the House-passed bill.

At the urging of Secretary Marshall, the House conferees accepted the Senate's version with a strong role for the Secretary of Labor, and the Senate in turn agreed to the 3-year authorization period provided in the House bill. We agreed to do this with reluctance, because the House version was closely modeled after the YACC bill passed by the House last year. The substance of both bills was the same, however, and we felt that we should give due weight to the administration's wishes, since it is charged wtih the responsibility of carrying out this program.

We expect the Secretary of Labor to move expeditiously to establish this program, using funds previously appropriated in the Economic Stimulus Appropriations Act of 1977. It is his responsibility, for example, to select candidates for the corps for referral to the Secretaries of the Interior and Agriculture, and we expect the Secretary to move immediately to establish selection procedures for this purpose.

We also expect the Secretary to take the lead in promptly completing the interagency agreements with the Secretaries of the Interior and Agriculture which are called for in the bill. This is a very important program, not only for our Nation's young people, but for our Nation's public lands, where the badly needed resource management work is waiting to be done. We hope that it can be started up very quickly.

Title II of the bill sets up five different programs, all with a 1-year authorization, to test different methods of dealing with the problem of youth unemployment.

The approach of the House, which the Senate accepted, is that a number of pilot programs should be launched and tested to see how we can best deal with this problem.

Quoting from the statement of purpose in the bill:

> It is the purpose of this part to establish a variety of employment, training and demonstration programs to explore methods of dealing with the structural unemployment problems of the Nation's youth. The basic purpose of the demonstration programs shall be to test the relative efficacy of different ways of dealing with these problems in different local contexts, but this basic purpose shall not preclude the funding of programs dealing with the immediate difficulties faced by youths who are in need of, and unable to find, jobs.

While we know that the problem of youth unemployment is a long-term problem, we are not sure what the long-term solution is. We have thus put those programs in as amendments to title III of the CETA legislation to emphasize that we will try these programs out, we will evaluate them, and will decide next year what the permanent program will look like.

The first program is what we refer to as the Sarasin projects. This section of the bill is taken in toto from the House bill and authorizes $172.5 million for 15–20 demonstration projects, to provide guaranteed jobs for economically disadvantaged youth between the ages of 16 and 19 who stay in school and get their high school diploma or its equivalent. The youths in the demonstration area will get jobs for up to 20 hours per week during the school year, and 40 hours per week during the summer.

A youngster is at a great disadvantage in the labor market without his high school diploma. This program will allow needy youngsters to stay in school, complete their education, and gain valuable work experience while doing so.

This proposal was the brainchild of the ranking minority member of the subcommittee, RON SARASIN, and has already drawn praise as one of the most innovative and promising features of the bill. It is a good example of the bipartisan nature of this bill, and an example of the contributions my friend from Connecticut has consistently made to the work of the committee.

I want to emphasize that the Secretary of Labor has the discretion to use a wide variety of mixes in testing this idea, and that we do not intend that he adhere to any regional allocation scheme in doing so. It should be tested in rural and urban areas, and can be done within subparts of a prime sponsor's area.

We do not expect that the program will be open to youths who move into an area only for the purpose of participating in it.

We also expect maximum use of the funds provided for the Sarasin projects. If the Secretary finds after 3 or 4 months, for example, that the number of participants has been underestimated, then additional, shorter-term projects should be funded.

This is a pilot project, and we expect that the Secretary will send out a request for proposals and otherwise expedite the launching of the various projects.

The second program authorizes $172.5 million for a wide variety of community conservation and improvement projects. Any prime sponsor is eligible to apply for funds for these projects.

This program encourages youths to remain in school while working on weatherization projects, repairs to low-income housing, neighborhood and local parks rehabilitation, cleanup projects, and other worthwhile projects.

This program was proposed in the Senate by Senators STAFFORD and RANDOLPH. We thought it was a good approach, and in fact had authorized these same projects under a different section of the House-passed bill. The House conferees agreed with the Senate that it should appear in the bill as a separate and distinct program.

The third program provides $100 million for discretionary projects to be selected by the Secretary of Labor. The Secretary has the ultimate responsibility for carrying out the Nation's employment and training programs, and, as we move into this difficult area of trying to come up with solutions to a very severe problem, we felt we should give him the flexibility to test out additional ideas.

The fourth program provides for a formula allocation of $603.7 million to prime sponsors to operate special youth programs for youths aged 14 to 21 who come from families whose income is less than 85 percent of the lower living standard budget, roughly $8,500 for a family of four.

Section 342(a) of the bill details a wide variety of approaches which can be tried with funds provided under this formula allocation.

The fifth program provides that 22 percent of the funds provided for each prime sponsor shall be used for work experience programs for in-school youths, to be jointly operated by prime sponsors and local education agencies. This proposal originated with Senators JAVITS and HUMPHREY, and the House conferees accepted it in the belief that the basic concept of trying to strengthen the relationship between manpower programs and educational institutions at the local level was a sound one.

In summary, Mr. Speaker, I believe we have brought back to the House a flexible

bill, and a bill which reflects the best thinking of the House, the Senate, and the administration. The conferees on both sides of the aisle are pleased with the results of the conference, and I urge my colleagues to support the conference report.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HAWKINS), the distinguished chairman of the subcommittee.

Mr. HAWKINS. Mr. Speaker, on June 16, 1977, conferees from the House and Senate reached agreement on legislation to authorize youth employment and training programs. H.R. 6138, the Youth Employment and Demonstration Projects Act of 1977 amends the Comprehensive Employment and Training Act by adding a new title VIII and a new part C to the title III. The Economic Stimulus Appropriations Act—Public Law 95–29—signed into law on May 13, 1977, provided $1 billion for year-round youth programs in anticipation of this legislation. The economic recovery package the President sent to Congress on January 31 requested $1.5 billion to be spent on the programs authorized in this bill. It is my understanding that the Labor-HEW appropriations bill did not contain the additional $500 million required for these programs as the committee was awaiting authorization legislation. As the apportionment of funds in the bill under consideration today was designed on the assumption of $1.5 billion in funding requested in the President's message, I anticipate that the supplemental appropriations bill for Labor-HEW will include the additional funds required for effective implementation of these programs.

Title I of H.R. 6138 creates a new title VIII to CETA and establishes a Young Adult Conservation Corps authorized for 3 years to employ young adults age 16–23 inclusive. These young people will be employed year-round to reduce the volume of labor intensive resource management work on our Nation's public lands, Federal, State and local. This program will be administered by the Secretary of Labor pursuant to interagency agreements entered into with the Secretaries of Interior and Agriculture. It is the intent of the conferees that these agreements will address all aspects of the administration of this program. It is clear that the Secretaries of Interior and Agriculture along with agencies affiliated with the U.S. Employment Service, CETA prime sponsors and other appropriate agencies will refer applicants to the Secretary of Labor. However, the Secretary of Labor has sole responsibility for referral of eligible applicants to the Corps centers. Corps members will be hired by the Secretaries of Interior and Agriculture from the list of eligible applicants referred by the Secretary of Labor from the original applicant pool. The YACC shall be open to youth of all economic backgrounds who are capable of carrying out the duties of the Corps and may be employed for up to three periods not to exceed a total of 12 months. They may receive academic credit for their participation if applicable.

The YACC Corps centers will be established by the Secretaries of Interior and Agriculture after consultation with the Secretary of Labor. The interagency agreements should address this procedure in detail to avoid any possible conflicts. It is also the intent of the conferees that the funds required by the Secretaries of Interior and Agriculture will be transferred to them in an expeditious manner to assure prompt implementation of the YACC program in the field.

Thirty percent of the funds available for this program are set aside for grants to States or local governments. The conferees expect that in most cases arrangements will be made with the States and that the States will coordinate arrangements with other eligible entities.

Although grants to State and local governments are the responsibility of the Secretaries of Interior and Agriculture, the bill provides certain labor standards which: First, will result in an increase in employment opportunities; two, will not result in displacement of currently employed workers; three, will not impair existing contracts or substitute Federal funds for work that would otherwise be performed; four, will not substitute YACC jobs for existing federally assisted jobs; and five, will not result in the hiring of a youth when any other person is on layoff from the same or any substantially equivalent job. The interagency agreements should provide for the active role of the Secretary of Labor in the stringent application of these provisions.

Title II of H.R. 6138 amends title III of CETA and creates a new part C with three major programmatic subparts authorized for 1 year. Although the youth unemployment problem is acute in nature and chronic in duration, these programs are authorized for short-term duration to demonstrate the effectiveness of a variety of approaches to the problem. The House Education and Labor Committee and the Senate Human Resources Committee intend, in the conduct of our general oversight of the CETA program, to examine the experience and information provided by these programs and to attempt a more comprehensive approach to the youth unemployment problem for the next fiscal year.

Youth incentive entitlement program. This subpart authorizes a pilot program in areas selected by the Secretary of Labor to test the efficacy of assuring employment and/or training to economically disadvantaged youth age 16–19 who are in school or willing to return to seek a high school diploma or its equivalency. The Secretary is given broad discretion to design the program to test a variety of models. It is certainly not intended that the Secretary should allocate funds on a purely regional basis but rather that he will select a variety of geographic areas, both urban and rural, experiencing different economic circumstances. An area selected for this pilot program need not be the entire jurisdiction of any one prime sponsor but may be only part of that jurisdiction. After the initial selection of areas to receive a pilot youth incentive entitlement, any funds remaining may be utilized for short-term projects lasting less than 1 year.

The eligible employment and training opportunities under this program shall be part-time during the school year for an average of 20 hours per week and full-time during the summer. In selecting prime sponsors to conduct pilot programs of this nature, the Secretary shall take into consideration the extent to which they will devote funds available under title I and the summer youth program under section 304(a) for the entitlement program. This subpart also describes the information to be included in a prime sponsor's proposal including assurances that local institutions and organizations have been consulted and that regular workers will be protected. The Secretary is required to report to Congress on the effect of this program. The conferees do not expect the report required on March 15, 1978 to be definitive in nature but to provide as much information as possible to assess the effectiveness of the program and to assist in the development of comprehensive youth legislation next year.

Youth community conservation and improvement projects program. This subpart authorizes the Secretary to approve community projects such as rehabilitation or improvement of public facilities, neighborhood improvements, weatherization and basic repairs to low-income housing. Youth to be employed shall be age 16–19 without regard to income but shall be youth who are experiencing severe handicaps in obtaining employment including but not limited to those who lack credentials such as a high school diploma or basic skills, women, minorities and veterans, those who are handicapped, those with dependents or those who have otherwise demonstrated special need. Seventy-five percent of the funds available for this subpart will be allocated to the States on the basis of the relative number of unemployed persons within each State with one-half of one percent assured to each State, Guam, the Virgin Islands, American Samoa, the Northern Marianas and the Trust Territory of the Pacific. The remaining funds are to be allocated as the Secretary deems appropriate.

Youth employment and training programs. This subpart authorizes employment and training and necessary supportive services to demonstrate the effectiveness of a variety of approaches to the youth unemployment problem. The majority of the funds available for this subpart are to be allocated to prime sponsors by formula with 22 percent of each prime sponsor's allocation to be available for programs for inschool youth pursuant to agreements between the prime sponsor and the local education agency. The remaining funds available for this subpart shall be available for the Secretary of Labor's discretion. Youth eligible for these programs shall be age 16 to 21 inclusive, shall be unemployed, underemployed, or in school and shall be from families whose gross annual income does not exceed 85 percent of the BLS lower living income standard. However, 10 percent of the funds may be used for identifiable programs open to youth of all

economic backgrounds to test the desirability of such a mix. The funds available for this subpart shall be distributed to CETA prime sponsors on a formula basis; 37.5 percent based on the total number of unemployed persons in the prime sponsor's jurisdiction; 37.5 percent based on the relative number of unemployed persons residing in areas of substantial unemployment and 25 percent based on the number of low-income persons in the prime sponsor's jurisdiction. Five percent of the funds available for this new part C to title III are set aside for Governors for special statewide services. Two percent is set aside for Native American programs and 2 percent for migrant and seasonal farmworker programs.

Attached to my statement for inclusion in the RECORD is a breakdown of the distribution of funds for the programs authorized by H.R. 6138.

Included in the conference agreement are three minor amendments to CETA. We have waived the provisions of section 4(e) which limits funds for titles III and IV to 20 percent of the total CETA appropriation. This waiver applies to part C of title III, the summer youth employment program under section 304(a) of title III and title IV. This waiver is required if we are to take this initiative to deal with the youth unemployment problem.

We also have included an amendment to insure the increased participation of Vietnam-era veterans under the age of 35 in CETA programs and an amendment that provides for special consideration for those with previous teaching experience when filling teaching positions with title II and VI funds.

Also included is an amendment which clarifies the eligibility requirement for the title VI program.

This measure is truely a bipartisan effort and I trust that Members from both sides of the aisle will join in its final passage.

The material follows:

TITLE I—MAINTENANCE OF EFFORT

The language of H.R. 6138 and the Statement of Managers clearly express the intent of Congress that new monies available for youth programs represent an addition to programs now supported under CETA. Section 346(2) states that applications for receipt of funds under subpart 3 must "include assurances that services to youth under (Title 1) should not be reduced because of the availability of financial assistance under this subpart."

Whereas substitution should be avoided, the Secretary of Labor, in writing regulations, may desire to allow some flexibility in cases where changing economic conditions may warrant changes in the local title 1 plan. The burden of proof must rest with the prime sponsor, however, contingent on approval of the Secretary.

Distribution of $1.5 billion under youth employment legislation

[Dollars in millions]

	Compromise
Young Adult Conservation Corps	$350
Other youth programs:	
Youth incentive entitlement (Sarasin) (15%)[1]	$172.5
Community improvement projects (Stafford) (15%)[1]	$172.5
Secretary's discretionary grants (12.5%)[1]	143.7
Native Americans 2% set-aside and migrants 2% set-aside	43.7
Subtotal: Secretary's programs (42.5%)[1]	[488.7]
Governors' statewide services (5%)[1]	57.5
Prime sponsors' allocations (52.5%)[1]	603.7
(Jointly administered in-school program Javits)	(132.8)
Subtotal: State and local programs (57.5%)[1]	[661.2]

Assumes $1.5 billion appropriation and distribution in accordance with the administration's budget request.

[1] Showing percentages of remaining $1.150 million budget request.

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

Mr. HAWKINS. I will be glad to yield to the gentleman from Washington.

Mr. MEEDS. Mr. Speaker, I rise in strong support of this conference report.

At the outset I would like to express my commendation to the gentleman from California (Mr. HAWKINS), who is the chairman of the subcommittee and who has worked tirelessly on this legislation. The gentleman has for quite a number of years been extremely interested in this very perplexing, chronic problem of youth unemployment.

I would also like to commend the chairman of the full committee, the gentleman from Kentucky (Mr. PERKINS), who has also been very helpful, and also the ranking minority member, the gentleman from Minnesota (Mr. QUIE), who has worked shoulder to shoulder with the other gentleman I have mentioned on these very difficult problems.

I would like, for the purpose of establishing or continuing legislative history, to ask the gentleman from California (Mr. HAWKINS) a question.

As the gentleman is well aware, the Young Adult Conservation Corps, which is in title I of this act and which is a part of this conference report, is patterned after the Youth Conservation Corps, which has been tremendously successful and which has been operated by the Forest Service in the Interior Department. In this legislation the Young Adult Conservation Corps is now operated, managed, or administered by the Labor Department through contracts or interagency agreements with the Department of the Interior and the Forest Service.

While establishing that this is the case as a result of this conference, the conference report, in the middle of page 34—and this incidentally was the Senate's proposal—states this:

The conferees intend that the two land management agencies, the Departments of the Interior and Agriculture, will have the responsibility for the day-to-day operation of the program.

It is certainly my hope—and I hope this is the intent of the gentleman from California (Mr. HAWKINS), the gentleman from Kentucky (Mr. PERKINS), and the gentleman from Minnesota (Mr. QUIE)—that the full thrust of this be given, and that indeed the management of these programs be handled through Interior and through the Forest Service, since they have so successfully in the past administered the Youth Conservation Corps.

What I am concerned about is that they might lose the thrust of this type of program. The Youth Conservation Corps is a program which shows a mix of social, economic, and racial backgrounds, and it is primarily a work program. It is my fear that this may be taken over by the Labor Department and be made into something it was not really intended to become.

Mr. Speaker, can the gentleman from California (Mr. HAWKINS) give me the assurance that he feels the same way I do about this matter?

Mr. HAWKINS. Yes. This means, may I say, that the language in the conference report is taken almost literally from the position that the gentleman intended in his testimony before the Subcommittee on Employment Opportunities.

I would quote the gentleman's language on March 31, 1977, which I think is exactly the position, certainly, of the chairman and of the committee of conference and their intent.

The language, quoted verbatim, says as follows:

I think there is a role in this program for the Department of Labor, which is the lead agency with regard to youth unemployment and which has indicated that it expects to fill a lead role, that is to say, to in effect ask for the funds, to disburse them to the other agencies, which will carry out the program.

I am fully in accord with that role for Labor, but I would suggest, indeed, very strongly suggest, that these programs can best be run on a day-to-day basis; and decisions with regard to what projects should be carried out, where they should be carried out, when they should be carried out, and the basic decisions with regard to these programs on the ground should be made by the Department of the Interior and the Department of Agriculture.

I think that, in essence, is the position of the conferees; but the actual management and the lead role and responsibility must be with one agency. That will be the Department of Labor because that is the lead agency with regard to employment of youth. However, the day-to-day management will be carried out by the other two departments; and I think that is the intent of the conferees; and certainly I think that conforms to the gentleman's intent in the original sponsorship of this program.

Mr. MEEDS. Mr. Speaker, I thank the gentleman.

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

Mr. HAWKINS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, the gentleman from Washington (Mr. MEEDS) raised a point I was very concerned about in the conference as well as here.

In the agreed-to conference report, I should point out that an interagency agreement will be reached between Interior, Agriculture, and the Department of Labor. In the writing of that interagency agreement, the Departments of

Interior and Agriculture at least have the opportunity to insist, for instance, that the candidates' list, the development of it, will be one that they can live with. It is true under the act that the only people who can go into the Young Adult Conservation Corps will come out of the list that will be provided by the Department of Labor; but in establishing that list, the Departments of Agriculture and Interior can have a voice in the interagency agreement; and I understand that they have been negotiating with the Department of Labor and perhaps right now are ready with their understanding as to that agreement.

Mr. HAWKINS. My understanding of the act and of the conference report is that the Department of Agriculture and the Department of the Interior can participate in referring applicants to the Department of Labor and that along with those two Departments, the employment service agencies and prime sponsors can likewise make such reference. The actual handling, however, of the list of applicants is by the Department of Labor, and I think that takes care of that responsibility.

When the Department of Labor makes the reference of these applicants, then, to the site under the management of the Department of the Interior or the Department of Agriculture, obviously they have the selection of those persons from the list of those who are referred to them by the Department of Labor, so that the simple responsibility is with the Department of Labor. However, the others may participate in the referral of applicants to the Department of Labor.

Mr. QUIE. Yes, but is it not true, I ask the chairman of the subcommittee, that before any of that is done, an interagency agreement has to be entered into?

Mr. HAWKINS. That is true. An interagency agreement would incorporate this broad policy into detailed procedures so that the policy would be carried out through an interagency agreement which must be entered into by all three Departments.

Mr. QUIE. That is right. Therefore, before they sign it, as far as I am concerned, does not the gentleman agree that it is up to the Departments of Agriculture and Interior to agree to make certain that anything they feel ought to be a part of it is presented, and once they sign the agreement, of course, they have no recourse then but to go along with the agreement?

Mr. HAWKINS. That is true. I believe the gentleman will remember that the testimony before the subcommittee was to the effect that these three Departments have worked rather cooperatively on the program. I think there is really no reluctance on the part of either the Department of Agriculture or the Department of the Interior as to this procedure. I feel strongly that the interagency agreement has already been worked out although it has not been signed. I think on the adoption of this conference report that it will be satisfactorily settled. I believe there is no objection to this procedure.

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

Mr. HAWKINS. I would be glad to yield to the gentleman from Washington.

Mr. MEEDS. Mr. Speaker, as the gentleman from California (Mr. HAWKINS) knows, one of the great strengths of the Youth Conservation Corps—and portions of that are adopted here—is that the Youth Conservation Corps is composed of a socio-economic and a racial mix. It was never intended to be a program for all rich youth or all poor youth or all black youth but to be a good mix of all of these things. It is certainly my intent, and it was my understanding of the intent of the gentleman from California and the gentleman from Kentucky and everybody else involved in it that the young adult conservation corps contained in this report today, or in this legislation, is to be that kind of a program. It is not to be a poverty program and it is not to be a program of all one kind or another of young people, but to be a good mix.

Is that the understanding of the gentleman from California?

Mr. HAWKINS. That is exactly our understanding. The criteria on eligible applicants spells it out, and it is open to all regardless of income. It is certainly the desire of the sponsors of the legislation as well as the conferees that this is a program that will be open to all youth regardless of socio-economic backgrounds.

Mr. MEEDS. Mr. Speaker, again I thank the gentleman from California (Mr. HAWKINS) for the efforts he has put forth in this very important legislation.

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

Mr. HAWKINS. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Speaker, I thank the gentleman for yielding.

I think all of us are terribly concerned about the youth unemployment, and particularly in our cities, the picture of unemployment of the youth in our country is tragic.

Has the committee considered how many more youths we might have employed had we not insisted on the minimum wage for all employment of these young people?

Mr. HAWKINS. We went thoroughly into that, and I am afraid an answer might be a very long one. I do not want to be facetious but may I say that there is a conflict between keeping activities at a minimum wage level in many programs and actually building into them careers, trying to make the work useful and not having the young people doing that which merits only a minimum wage.

It is certainly our feeling that the minimum wage will practically prevail at all times. There may be a few instances in which the activity may be that type which will get into construction activities, in which you may have young people who may be in a competitive position with other workers. We try to avoid that.

Mrs. FENWICK. But it is tragic that we cannot give employment to all the young people who want it. One of the reasons for that is that we use the money up in this more extravagant manner. Why could we not lower the amount of pay? Many of our young people live at home and have no rent to pay, and who are not in the position of maintaining a household, who could work for less.

Mr. HAWKINS. May I say that the gentlewoman from New Jersey (Mrs. FENWICK) is portraying a stereotyped kind of youth. However, 25 percent of the youth under the CETA program at the present time have dependents, and they are the heads of families. They are not just young people that may be pictured as merely a member of the family picking up a few extra bucks—if I may use that phrase. We are talking in many instances about the heads of families.

Mrs. FENWICK. How old are they?

Mr. HAWKINS. We are talking also about those who have dependents.

Mrs. FENWICK. What will the ages run to?

Mr. HAWKINS. The ages are 16 to 24. Twenty-four is the outside age limit under this bill, so we are getting up into the upper age limit. The gentlewoman says that there are some youths who may in some instances not be worth more than the minimum wage, and I would agree with the gentlewoman from New Jersey. I believe that throughout the bill that most of the activity will be confined to that which will pay certainly near the minimum wage. However, we must draft a bill to meet the situation of a youth who is approaching adulthood, who has dependents and who we hope will be led into some type of career and where that individual then will not depend on these programs.

Mrs. FENWICK. But for the 25 percent who have dependents, I agree with the gentleman entirely, one wage for 75 percent, and another one for those who have dependents because there are too many who are left out, too many who could not get in.

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

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

Mr. ASHBROOK. I thank the gentleman for yielding.

Could my colleague, the gentleman from California, indicate to the membership what the maximum pay would be for any youth under this bill, or is there any such thing as a maximum?

Mr. HAWKINS. I am sorry; I did not hear the question.

Mr. ASHBROOK. I am wondering if the gentleman from California can indicate to the membership what the maximum pay is that a recipient under this program could receive.

Mr. HAWKINS. The maximum would be for an individual who might conceivably be employed alongside of an individual earning the prevailing wage. I do not envision that happening very often, but let us say that it did happen. That individual obviously working for same employer, doing the same type of work alongside the other one, would be paid an equal wage. As I say, that is an unusual case. The bill provides generally for the minimum wage. It provides in some instances in which a construction worker might be engaged where an arrangement could be made by the union

involved and the prime sponsor or the employer, where he could happen to be under the Sarasin program, for example, that a new classification could be set up, and that individual could be paid less than the prevailing wage. So it works both ways, but it depends entirely upon an agreement that would be worked out.

Mr. ASHBROOK. If the gentleman will yield further, I guess what the gentleman is saying is that there is no real assurance of what the top wage could be. It could be conceivably within a certain percentage of what any prevailing wage would be in an area in that particular industry or for a particular job.

Mr. HAWKINS. I am saying only in an instance—and these would be very few instances—in which an individual would be paid the prevailing wage, it must be done by an agreement worked out with the union involved by agreeing to it, as well as the prime sponsor, and subject, of course, to the approval of the Secretary of Labor. We certainly hope that if the experience in the next 6 months indicates any abuse in that regard that we can tighten up on it, because this is only a temporary program, a stopgap program, until such time as we have an opportunity to really bring back to the Members a comprehensive youth bill. We had to work within the limitations of the administration's proposal, and I think we have tightened up extremely well from the administration's proposal that was introduced. I think we have given new direction to it. So I think from the gentleman's point of view as well as the point of view I would express that we have more protection by adopting this conference report than we would have by allowing the administration to proceed under the existing authority that it has in CETA to do so. So I think we are adding protection.

Mr. ASHBROOK. I thank my colleague. I hope when the program has run its course and we are looking back on it that that is the case. I thank the gentleman for his observation.

Mr. HAWKINS. I thank the gentleman for his comments.

Mr. QUIE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in support of the conference report on H.R. 6138, the Youth Employment and Innovative Demonstration Projects Act, I do so with some reluctance because of my deep concern about placing the Young Adult Conservation Corps under the authority of the Secretary of Labor. As many of us can recall, last session we passed a very similar program that unfortunately failed to meet the budget deadline in the Senate. This bill, like the conference agreement, established a Young Adult Conservation Corps. However, it placed the Corps under the authority of the Departments of Interior and Agriculture. It has long been my view that this is where the program ought to be located. It is as much designed to reduce the Nation's serious and massive backlog of conservation projects as it is to provide the Nation's young with employment opportunities. In many ways, the House bill of last session was an excellent solution to the combined problems of youth unemployment and our serious conservation needs. And it was to be operated in agencies which had the experience in operating both a conservation program and a program designed to involve youth in conservation. It was the House position again this year that the Departments of Interior and Agriculture, which now run the Youth Conservation Corps, would do a superior job in running an expanded effort.

Unfortunately, we were not too successful in holding our position.

While the conference agreement places the program under the authority of the Secretary of Labor, the language of the report specifically provides that the Secretary operate the program pursuant to interagency agreements with the Secretaries of Interior and Agriculture. Section 802 explicitly states that the "Secretary of Labor shall administer this title through interagency agreements with the Secretaries of the Interior and Agriculture."

All of the Secretary's administrative functions are, therefore, subject to interagency agreements, and, conversely, no part of the administration of the program can be done unilaterally, and no administrative function can be excluded, except by agreement, from this requirement.

For example, the conference report specifies that the selection of candidates be made from a list developed by the Secretary of Labor. However, section 802 requires that the procedure for selecting these candidates and their referrals will be made pursuant to an interagency agreement since this is, in every way, an administrative function. The law also specifically states that the Secretaries of Interior and Agriculture have the ultimate authority to select and place those referred from the Secretary of Labor's list of candidates in the various Corps centers.

I expect this arrangement to work out. This view does not come from the track record of previous administrations, however. The only experience we have in a similar interagency agreement has been the operation of the Job Corps, some of which has been worked through the Departments of Interior and Agriculture. The headaches that have resulted from disagreements between Labor, Interior and Agriculture makes me wonder why we have included the Department of Labor in this at all, and clearly we have not learned our lesson from the problems that have resulted from the operation of the Job Corps. However, I have been assured that this will not occur, but I will say that if we find that these agreements cannot be worked out then this House should revisit the Young Adult Conservation Corps a year from now and relocate it if necessary.

Outside of this one concern, I am pleased with the action of the conferees on the Youth Employment and Demonstration Projects Act. I believe the bill represents the House view that we ought to experiment and test certain assumptions before enacting a full-blown program. I am also pleased with the agreement arrived at on the application of the prevailing wage standards and I do believe that this conference report more clearly spells out the options available to local prime sponsors on the wage question. We have worked on this language for a considerable length of time, and I now believe that it is a fair and equitable solution to the problems of substitution and the need to make jobs available to young people.

Mr. Speaker, I would also like to take a moment to discuss a program now being completed by the Opportunities Industrialization Centers, Inc., of Philadelphia entitled the Career Internship Program—CIP. CIP has been operated by OIC under the auspices of the Office of Education and the National Institute of Education, and has operated out of an OIC-sponsored center in Philadelphia. The program has involved more than 250 of Philadelphia's hardest-core dropouts—ages 16–21—and has provided them with intensive motivational and career and job counseling, as well as intensive basic education and high school equivalency instruction.

This past May, NIE released its final report on this program. I have rarely seen such an enthusiastic evaluation. Of the 250 youths involved, more than 67 percent went on to continue their educations either by receiving a high-school equivalency certificate, or completing their regular high school, or going on to college. This was compared to a control group where only 13 percent accomplished similiar results. These promising results were achieved at a cost only slightly above the regular per-pupil cost in the Philadelphia school system or in the local vocational education program.

One of the important ingredients of this program has been the involvement of parents. One of the failings of our local urban school systems has been the negative attitude of parents toward the schools and their unwillingness to bear the responsibility of sound, basic education. The career intern program has succeeded in involving parents by producing results for their children whom they feel have been failed by the local school systems.

A second ingredient which is important is the involvement and cooperation of the local education agencies and the local school boards. It shows that local school officials are willing, if approached in the proper fashion, to look to alternative ways of approaching a very serious problem.

Clearly, the career intern program in Philadelphia has been the product of first, good planning. Second, good management, and third, high motivation of those involved. Obviously, it is not a program which can easily and readily be extended at the drop of a hat throughout the country. Nevertheless, prime sponsors who have the capacity and the interest to look at this approach, which is well documented in materials supplied by the National Institute of Education, ought to consider the possibility of establishing similar programs in their local communities with the help and advice of the

national office of the OIC and the Institute of Education.

It should be pointed out that OIC is not the only program that works through the theory of self-help and motivation. 70001, Limited, also operates an intensive high school equivalency program, counseling and job orientation program which have produced results similar to OIC's and can likewise work through prime sponsors.

The College of Human Services in New York has also developed a compelling approach. All of these efforts are ideally suited to both the youth incentive entitlement program and the general experimental provisions of subpart 3. If there was any year to test these various approaches, this is the year, and this is the program.

I urge the Members of this House to vote for passage of the bill, although I again want to point out my specific reservations concerning the administration of the Young Adult Conservation Corps.

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

Mr. SARASIN. Mr. Speaker, I rise in support of H.R. 6138 and strongly urge the Members of the House to vote favorably on the conference report. Although the bill does not contain everything the Members of this body would want, it nevertheless represents, in philosophy and content, the House views on the nature and purpose of the youth employment program.

I do believe, however, that we have to spell out some explanation of the changes the conferees made, and, in particular, in the langugae of subpart 1 of part C. As the Members of this House may recall, this is language which largely derives from H.R. 6044, a bill I introduced earlier this session. In brief, it entitles part-time employment or full-time summer employment to economically disadvantaged youths who return to high school or its equivalent.

This program establishes a series of pilot projects to test the efficacy of entitlement or guarantee and the effects that such entitlement will have on increasing school participation and reducing youth unemployment. However, we have made some changes from the original bill, allowing greater administrative flexibility and more experimentation. One of these changes pertains to the requirement of entitling youths to an average of 20 hours of work or training a week instead of the original requirement of a maximum of 20 hours per week. This will provide greater flexibility in administration and enable youths to work full time in between school periods, or to arrange for differing work schedules to meet the various requirements of employers, educators, and youths.

In addition, it should be reiterated that this entitlement does not just mean a job per se. It can include additional or on-the-job training in addition to regular schooling.

In the case where youths do receive such training as part of the entitlement, the Secretary is obligated to provide some form of allowance or stipend for such youths of no less than the minimum wage while engaged in that training. In effect, the youths are entitled during the school year to receive an average of 20 hours of either work or training at no less than the minimum wage. It does not mean that the wage provisions of the bill do not apply to work being done, but it does mean that whenever employment and training is offered that the youths are entitled to receive some form of allowance or stipend for the training portion.

A second matter should be cleared up. Section 328(b) of the youth incentive entitlement pilot program contains language that says no funds for employment shall be used through a nonprofit organization/association, et cetera which were previously provided by a political subdivision or local educational agencies in the area where the project exists. This language is in addition to language that currently exists under section 605(b) of CETA which states that no funds will be used to provide such services which are customarily provided only by a political subdivision or local educational agency.

It was not my intent in the writing of this bill to include any stricter provisions in this program, and I want to make clear that it is not the intent of this particular standard to in any way require any additional assurances in the operation of the youth incentive entitlement project than would occur in any other program operated under the conference report. The intention of the words "previously provided" is not to say that if a local educational agency or political subdivision no longer is providing service that it may have provided 10 years ago that this cannot now be provided. What it really is intended to say is that if a local educational agency or political subdivision ceases to provide a particular service in anticipation of funding under this bill, then that would be improper. It is not designed to prevent services from being rendered that have not been provided in the very recent past. I do believe that this can be worked out by regulation, and I would find nothing wrong in having a similar regulation, which applies to the community conservation improvement projects programs and to the general employment and training programs, applied to those under subpart 1.

A third concern which has been expressed to me by officials of the Administration is a failure in the bill to specifically set aside funds for evaluation of the pilot projects of the youth incentive entitlement pilot projects. Inasmuch as this is a demonstration program, and an experimental program, it is clear that the Secretary may set aside funds sufficient to provide the Congress with a judgment on the success or failure of the incentive entitlement projects and feel that he can, and has, the authority to do so.

Additionally, funds will also be needed to assist prime sponsors in planning. This program is not one that can easily be established overnight and will require careful and extensive development. The Secretary should set aside not more than 2 to 3 percent of the funds for planning, although I would prefer he utilize as much as possible from his discretionary account. Any planning assistance, however, should not be awarded until after the Secretary has established a preapplication process to screen out primes who have the capability and desire to operate a youth incentive entitlement program and will devote some of their own resources to the effort. And then, the Secretary should make it clear to prime sponsors that any such assistance does not mean that their final application will be approved.

A fourth concern is the need to assure that the Secretary full-funds each pilot project to truly test the effect of entitlement and not to spread the funds so thinly that pilot projects run short of funds during the fiscal year. Accordingly, the conferees have added language in the statement of managers which specifically allows the Secretary to set aside a certain percentage of the funds into a kind of escrow account to allow for changes in local conditions and possible increased enrollment when the program goes into effect. It would be my feeling that the Secretary must set aside an amount sufficient to full fund each pilot project throughout the year. This would prevent the Secretary from having to request more funds from the Congress later on down the line.

A further concern relates to section 327 of the bill which outlines the criteria for the Secretary's approval of a prime sponsor application for a youth incentive entitlement project.

In my view, the criterion which requires selecting prime sponsors from differing areas and conditions is first and foremost. We expect the Secretary to operate projects under a variety of different circumstances, and should include projects in urban or rural settings, in large and rural communities, with differing unemployment rates, in differing regions of the country. We do not expect the Secretary to farm the program out to the regional offices: or to divvy them up on a region-by-region basis. This will only confuse the administration of the program and prevent speedy evaluation.

The latter two criteria, that is, the extent to which funds are developed for other titles and job restructuring, are questions for negotiation. For example, if prime sponsors can utilize titles I and III funds for additional services to youth, they should be allowed to do so if these services will lead to a young person's being employed. And, in connection with the third criterion, if prime sponsors have been successful in placing youth in existing jobs, then this criterion should be considered accordingly, particularly if the jobs are located in the private or private non-profit sector.

In sum, outside of the first criterion, the latter two are subject to discussion by the Secretary and the prime sponsor applying for a project. The Secretary is not to establish a specific quota or requirement beforehand.

And, finally, the bill does provide for involving youths between the ages of 19

and 25. I believe at least one project should involve this latter age group.

I am naturally pleased that both Houses have agreed to include my concept, which I believe goes to the heart of the youth unemployment problem. Yet I am even more pleased that we are viewing this as an experiment. All too often ideas which sound beautiful in theory fail in practice, and at least we have the awareness to realize that before moving to enact a permanent program we should find out what works and what does not. I look forward to a close working relationship with the administration in getting this program underway and in resolving whatever problems might arise along the way.

The conference agreement contains several other provisions which are in need of clarification.

Section 341 of the bill requires that the new subpart 3 programs are explicitly designed to be "supplementary to but not replacing opportunities available under title I of this act." Section 346(2) further states "but services to youth under this title shall not be reduced because of the availability of financial assistance under this subpart."

This language is intended to prevent prime sponsors from substituting these new and experimental funds for existing youth services. At the same time, we do not wish to "lock" prime sponsors into every specific program they now operate. This would undermine the essential flexibility of CETA and prevent primes from making adjustments in their plans to meet changing conditions. Therefore, primes should have reasonable discretion to make specific programmatic changes and modest changes in title I youth programs, if approved by the Secretary and only if those changes can be shown to be necessary to meet changing local needs.

The conference report also contains revised language on the payment of the prevailing wage provisions. The bill now contains several options to pay less than prevailing wage. But I remain deeply disturbed by the precedent we have established. We may well be paying 16-year-old youths $7 or $8 an hour when there are thousands of fathers and mothers working for less. There is an estimated 6 million adults who now work for the minimum. And I am curious to learn whether the administration plans to pay prevailing wages in its welfare reform proposal—for more than a million and a half individuals. A year from now we can really see what effect these provisions will have in opening up jobs to the unemployed.

I am pleased that the conference agreed to extend the veterans provisions to age 35. The original language emphasized only those to age 27, thereby excluding almost all of those who actually served in combat.

The Washington Post recently—June 28, 1977—carried an article, "Veterans of a Lost War," by Colman McCarthy, which portrays the disturbing and unhappy histories of 346 veterans from the Cleveland area who participated in the war. As Mr. McCarthy points out, a study done by John P. Wilson of Cleveland State University reveals that of the 346 combat veterans, almost half of the blacks are unemployed, and nearly 40 percent of the whites; 41 percent have alcohol problems, and over 60 percent have drug problems and a disturbing number have very poor self-images.

Almost all studied were over age 27. Current government policy has failed to understand the unique readjustment problems of Vietnam-era combat veterans, and this is particularly true of CETA. What we need is not public service employment for these veterans but an improved understanding of their needs and better use of existing programs. The Veterans' Administration now operates under title 38, United States Code, a wide variety of programs. Yet these have been underutilized by combat veterans, largely because there are few individuals in the field who either understand the problems of such veterans or know how to encourage their participation. CETA could and should be used to help. As the conference report states:

> . . . the interests of Vietnam era veterans would be served by improving the coordination of CETA . . . programs . . . with . . . those authorized under title 38, U.S.C. . . . [and] . . . the conferees expect the Secretary to provide the necessary technical assistance and other resources needed to improve prime sponsors' awareness of existing veterans programs . . . and to increase prime sponsors' understanding of the unique readjustment problems of Vietnam-era veterans.

In addition, such assistance could, and ought to include better and more effective utilization of existing programs, such as the "split job" concept under chapters 31, 34, and 35 of title 38, United States Code, thereby enabling veterans to better utilize their readjustment benefits. Other avenues of assistance to be pursued might include first, cooperative programs between CETA and the Veterans' Administration, particularly in the area of technical, vocational, or professional training; second, cooperative efforts with institutions participating in the serviceman's opportunity college programs and with the veterans cost of instruction program with national and local business and labor organizations; third, community mental health centers to assist in personal readjustment and motivational counseling, and, finally, involvement of community-based organizations with veterans self-help programs which have a real understanding of the Vietnam combat veterans.

And, finally, some concern has been expressed that there is a vast potential for utilizing military training facilities in our youth employment programs. I see no problem with this, particularly since an underutilized military training facility is a waste of tax dollars that could be effectively used by CETA prime sponsors.

In closing, I believe this bill represents a fair compromise of both the House and Senate approaches. I suspect that because it is complicated, there may be some start-up problems, but I am optimistic these can be worked out. A year from now we should be in a position to enact a truly comprehensive approach to the youth unemployment problem. If not then we should wait until we have the "returns" in our experimental approach. Therefore, with all of this in mind I urge the Members of the House to support passage of the conference report.

Mr. STOKES. Mr. Speaker, I rise in support of H.R. 6138, the Youth Employment and Innovative Demonstration Projects Act of 1977, which will provide employment and training opportunities for youth.

I know of the desperate need for this legislation by the mayors, county officers, and Governors who are sincerely trying to help solve the youth unemployment problem in the Nation. In my State and in my own district, I have seen the destructive results of hopelessness and despair which in turn leads to increased delinquency and crime. I have been deeply troubled by the alarming increase in the rate of unemployment among all youth in general and among minority youth in particular.

Mr. Speaker, because of these problems, in 1976 I introduced H.R. 15750, the OIC Youth Job Creation and Training Act. The bill was cosponsored by 37 Members of Congress. This legislation focused on the self-help process developed by Dr. Rev. Leon Sullivan in the past 13 years through Opportunities Industralization Centers—OIC—in 200 communities in 50 States. It pointed out the value of the OIC prototype for an alternative system of urban career education. This system, called UNEC was funded by the National Institute of Education—NIE—which has rated the results as highly successful and exceptionally valuable to the Philadelphia and Pennsylvania school systems.

My 1976 bill was revised—to eliminate objections to exclusivity and focus on OIC—and reintroduced in 1977 as H.R. 7376, the National Community-Based Organizations Youth Job Creation and Training Act of 1977. This bill's broadened concept provided a special program for financial assistance to national community-based organizations of demonstrated effectiveness, in order to provide 1 million new jobs and job training opportunities, and other purposes. It included by name not only OIC, but also the National Urban League, Jobs for Progress, and the recruitment training program.

Mr. Speaker, both bills, H.R. 15750 and H.R. 7376, were designed to provide some of the same types of programs found in H.R. 6138.

H.R. 6138 provides that the Secretary and prime sponsors should give special consideration in carrying out innovative and experimental programs to community-based organizations which have demonstrated effectiveness in the delivery of employment and training services, such as OIC, and so forth. My bill, H.R. 7376, provided for consultation with community-based organizations too.

Mr. Speaker, because of the similarity between my bill and H.R. 6138, I wish to go on record as endorsing it and urging the continuation and expansion of the involvement of community-based groups as an integral part of our national employment and training delivery system.

It is my hope that with the help of leaders like Dr. Sullivan we can develop a coordinated effort using the resources of the traditional school system with the resources of industry and community-based groups who are closest to the youth themselves and who have a track record of effective service to youth.

Mr. Speaker, I urge my colleagues to support H.R. 6138. It is clear that the dropouts, the pushouts, and the leftouts among our young people can be helped to make their way into the mainstream of American life, as responsible taxpaying citizens earning their own way by working on good jobs and developing good careers.

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

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

Mr. ROUSSELOT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I know this is an insignificant question but I will ask it: How much does this bill cost?

Mr. QUIE. Your answer poses a bit of a problem since this is an authorization.

Mr. ROUSSELOT. What does the gentleman mean, it is a problem?

Mr. QUIE. Again, since this is an authorization bill, we cannot know exactly what the cost will be. This is up to the Appropriations Committee, which thus far has appropriated $1 billion.

Mr. ROUSSELOT. That is $1 billion?

Mr. QUIE. That is right, and we expect to have a supplemental for $500 million, but for now the figure is $1 billion.

Mr. ROUSSELOT. It is $1 billion. And how many youth will be employed as a result of this bill? What does the gentleman guess? I assume this was discussed some place as to how many would be employed. Does the gentleman know how many will be employed? Is that a bad question?

Mr. QUIE. Since this program includes a variety of experimental programs, and youth will be involved in part-time, or full-time work, or in training, a better question would be how many will be served. And again, it depends on the appropriations. But a $1 billion appropriation should serve at least 300,000 youth on a year-round basis—that is double what is happening under our public service employment program.

Mr. PERKINS. That is correct.

Mr. ROUSSELOT. Mr. Speaker, 300,000 for $1 billion? An excellent use of our resources.

Mr. QUIE. It will pay off.

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

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

Mr. WEISS. Mr. Speaker, special appreciation is due Chairman CARL PERKINS and subcommittee Chairman AUGUSTUS HAWKINS for their continuing leadership in the area of employment legislation. Without their efforts this bill would not be before us today.

If I may, Mr. Speaker, I would like to address my remarks to the "special veterans' provisions" which appear in the conference report but which were not contained in the House-passed version of this legislation.

As the Members will recall, on March 29, 1977, during our consideration of H.R. 2992, the CETA extension, there was some discussion about creating a special preference for younger—under age 27—Vietnam-era veterans. At that time, it was the position of the members of this committee that the Vietnam-era veteran might be better served under the special consideration section of title III of CETA.

The Senate amendments to H.R. 6138 contained a special consideration provision for veterans who are 27 years of age or younger with two specific requirements: First, prime sponsors are directed to establish local goals, taking into account the number of qualified eligible veterans, for placement in job vacancies in public service employment programs; and second, representatives of veterans' organizations are to be invited to serve as temporary members of prime sponsor planning councils, the States manpower service councils as well as the National Commission for Manpower Policy.

In conference I moved that the House accept the Senate provision with an amendment that the age level of the veterans to be considered be raised to 35 years and that assurances be made in the development of local goals that the number of persons in other special categories be considered for placement as well. The amendment was accepted.

The rationale behind raising the age eligibility level is quite simple: If the level were left at age 27, we would find ourselves failing to serve those who had served in combat in Vietnam. According to the Veterans' Administration, the average age, today, of the Vietnam-era veteran is 30.5 years. We felt that it would be improper and unfair to exclude the vast majority of Vietnam combat veterans from the provisions of the special consideration amendment.

The special veterans' provision which is contained in this conference report is in keeping with the basic design of CETA title III which provides in section 301 (a) for additional manpower services to "segments of the population that are in particular need of such services including * * * persons which the Secretary (of Labor) determines have particular disadvantages in the labor market." It is an amendment which merits the approval of the House.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

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

The SPEAKER 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 356, nays 58, not voting 19, as follows:

[Roll No. 438]

YEAS—356

Akaka	Annunzio	Beilenson
Alexander	Applegate	Benjamin
Allen	Ashley	Bennett
Ambro	Aspin	Bevill
Ammerman	AuCoin	Biaggi
Anderson, Calif.	Badillo	Bingham
Anderson, Ill.	Baldus	Blanchard
Andrews, N. Dak.	Baucus	Blouin
	Beard, R.I.	Boggs
	Bedell	Boland
Bolling	Gudger	Myers, John
Bonior	Guyer	Myers, Michael
Bonker	Hagedorn	Natcher
Bowen	Hamilton	Neal
Breaux	Hammer-schmidt	Nedzi
Breckinridge	Hanley	Nichols
Brinkley	Hannaford	Nix
Brodhead	Harkin	Nolan
Brooks	Harrington	Nowak
Broomfield	Harris	O'Brien
Brown, Calif.	Harsha	Oakar
Brown, Mich.	Hawkins	Oberstar
Broyhill	Heckler	Obey
Buchanan	Hefner	Ottinger
Burgener	Heftel	Panetta
Burke, Calif.	Hightower	Patten
Burlison, Mo.	Hillis	Patterson
Burton, John	Hollenbeck	Pattison
Burton, Phillip	Holtzman	Pease
Byron	Hubbard	Pepper
Caputo	Huckaby	Perkins
Carney	Hughes	Pettis
Carr	Hyde	Pickle
Carter	Ireland	Pike
Cavanaugh	Jacobs	Pressler
Cederberg	Jeffords	Preyer
Chappell	Jenkins	Price
Chisholm	Jenrette	Pritchard
Clausen, Don H.	Johnson, Calif.	Pursell
Clay	Johnson, Colo.	Quie
Cleveland	Jones, N.C.	Quillen
Cochran	Jones, Okla.	Rahall
Cohen	Jones, Tenn.	Railsback
Coleman	Jordan	Rangel
Collins, Ill.	Kasten	Regula
Conable	Kastenmeier	Reuss
Conte	Kazen	Rhodes
Corman	Keys	Richmond
Cornell	Kildee	Rinaldo
Cornwell	Kostmayer	Risenhoover
Cotter	Krebs	Rodino
Coughlin	Krueger	Roe
Cunningham	LaFalce	Rogers
D'Amours	Lagomarsino	Roncallo
Danielson	Latta	Rose
de la Garza	Le Fante	Rosenthal
Delaney	Leach	Rostenkowski
Dellums	Lederer	Roybal
Derrick	Leggett	Runnels
Derwinski	Lehman	Ruppe
Dicks	Lent	Ryan
Diggs	Levitas	Santini
Dingell	Lloyd, Calif.	Sarasin
Dodd	Lloyd, Tenn.	Sawyer
Downey	Long, La.	Scheuer
Drinan	Long, Md.	Schroeder
Duncan, Oreg.	Lott	Schulze
Duncan, Tenn.	Lujan	Sebelius
Early	Luken	Seiberling
Eckhardt	Lundine	Sharp
Edgar	McClory	Shipley
Edwards, Ala.	McCloskey	Sikes
Edwards, Calif.	McCormack	Simon
Eilberg	McDade	Sisk
Emery	McEwen	Skelton
Erlenborn	McFall	Slack
Evans, Colo.	McHugh	Smith, Iowa
Evans, Del.	McKay	Smith, Nebr.
Evans, Ga.	Madigan	Solarz
Evans, Ind.	Maguire	Spellman
Fary	Mann	Spence
Fascell	Markey	St Germain
Fenwick	Marks	Staggers
Findley	Marlenee	Stangeland
Fish	Marriott	Stanton
Fisher	Mathis	Stark
Fithian	Mattox	Steed
Flood	Mazzoli	Steers
Florio	Meeds	Steiger
Flowers	Metcalfe	Stokes
Foley	Meyner	Stratton
Ford, Mich.	Michel	Studds
Ford, Tenn.	Mikulski	Thompson
Forsythe	Mikva	Thone
Fountain	Milford	Thornton
Fowler	Miller, Calif.	Traxler
Fraser	Miller, Ohio	Treible
Frenzel	Mineta	Tsongas
Frey	Minish	Tucker
Fuqua	Mitchell, Md.	Udall
Gammage	Mitchell, N.Y.	Ullman
Gaydos	Moakley	Van Deerlin
Gephardt	Moffett	Vander Jagt
Giaimo	Mollohan	Vanik
Gibbons	Moore	Vento
Gilman	Moorhead, Pa.	Volkmer
Ginn	Moss	Walgren
Glickman	Mottl	Walsh
Gonzalez	Murphy, Ill.	Wampler
Goodling	Murphy, N.Y.	Watkins
Gore	Murphy, Pa.	Waxman
Grassley	Murtha	Weaver
		Weiss

Whalen	Wilson, Tex.	Yates
White	Winn	Yatron
Whitehurst	Wirth	Young, Alaska
Whitley	Wolff	Young, Fla.
Whitten	Wright	Young, Mo.
Wilson, Bob	Wydler	Young, Tex.
Wilson, C. H.	Wylie	Zablocki

NAYS—58

Abdnor	Dornan	Poage
Andrews, N.C.	Edwards, Okla.	Quayle
Archer	English	Roberts
Armstrong	Flynt	Robinson
Ashbrook	Goldwater	Rousselot
Badham	Gradison	Rudd
Bafalis	Hall	Satterfield
Barnard	Hansen	Shuster
Bauman	Holt	Skubitz
Beard, Tenn.	Ichord	Snyder
Brown, Ohio	Kelly	Stump
Burke, Fla.	Kemp	Symms
Burleson, Tex.	Ketchum	Taylor
Butler	Kindness	Treen
Clawson, Del	McDonald	Waggonner
Collins, Tex.	Mahon	Walker
Corcoran	Martin	Wiggins
Crane	Montgomery	
Daniel, Dan	Moorhead, Calif.	
Daniel, R. W.	Myers, Gary	
Devine		

NOT VOTING—19

Addabbo	Ertel	Rooney
Brademas	Flippo	Russo
Burke, Mass.	Holland	Stockman
Conyers	Horton	Teague
Davis	Howard	Zeferetti
Dent	Koch	
Dickinson	McKinney	

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Mr. Dickinson.
Mr. Brademas with Mr. Horton.
Mr. Addabbo with Mr. Holland.
Mr. Zeferetti with Mr. McKinney.
Mr. Russo with Mr. Koch.
Mr. Teague with Mr. Howard.
Mr. Rooney with Mr. Flippo.
Mr. Dent with Mr. Conyers.
Mr. Davis with Mr. Ertel.

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.

PERMISSION FOR COMMITTEE ON INTERNATIONAL RELATIONS TO SIT DURING 5-MINUTE RULE ON THURSDAY, JULY 21, 1977

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the Committee on International Relations may be permitted to sit during the 5-minute rule on Thursday, July 21, 1977.

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

There was no objection.

AUTHORIZING CORRECTIONS IN THE ENROLLMENT OF H.R. 6138

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 291) to authorize certain corrections in the enrollment of H.R. 6138.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 291

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 6138 the Clerk of the House of Representatives is hereby authorized and directed, in the enrollment of said bill, to make the following corrections: Namely, in section 804(b)(1), as added by section 101, strike out "this part" and insert in lieu thereof "this title"; in section 806(a), as added by section 101, strike out "this part" and insert in lieu thereof "this title"; in section 806(b)(3), as added by section 101, strike out "that the activities funded" and insert in lieu thereof "shall be employed in activities that"; in section 343(d)(2), as added by section 201, strike out "technical trade school" and insert in lieu thereof "technical or trade school"; in section 346, as added by section 201, insert the subsection designation "(a)" after "Sec. 346."; and in section 353(b)(6), as added by section 201, strike out "will be" and insert in lieu thereof "will not be".

Mr. HAWKINS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the concurrent resolution be dispensed with and that it be printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California for the immediate consideration of House Concurrent Resolution 291?

There was no objection.

Mr. HAWKINS. Mr. Speaker, this concurrent resolution is simply to make technical corrections as must be made in the enrollment of the bill H.R. 6138. I know of no objection to the resolution, and I ask for its approval.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HAWKINS. 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 on H.R. 6138.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 7171, AGRICULTURAL ACT OF 1977

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 666 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 666

Resolved, That upon the adoption of this resolution it shall be in order to move, sections 401(a), 401(b)(1), 402 and 303(a) of the Congressional Budget Act of 1974 (Public Law 93-344) to the contrary notwithstanding, that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7171) to establish more responsive programs for the benefit of farmers and consumers of farm products; to extend and improve the programs conducted under the Agricultural Trade Development and Assistance Act of 1954, as amended; and for other purposes, and all points of order against section 1334 of said bill for failure to comply with the provisions of clause 5, rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. Immediately after title XII is read, it shall be in order to consider an amendment striking out title XII and inserting in lieu thereof the text of the bill H.R. 7940, said amendment if offered shall be considered as original text for the purpose of amendment and shall be read for amendment by sections, and all points of order against said amendment for failure to comply with the provisions of clause 7 of rule XVI and clause 5 of rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment made in order under this resolution. After the passage of H.R. 7171, the House shall proceed to the consideration of the bill S. 275, section 303(a) of the Congressional Budget Act of 1974 (Public Law 93-344) to the contrary notwithstanding, and it shall be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 7171 as passed by the House.

The SPEAKER pro tempore. The gentleman from California (Mr. SISK) is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

AMENDMENT OFFERED BY MR. SISK

Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SISK: On page 2, line 21, insert after the period the following new sentence: "The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit."

Mr. SISK. Mr. Speaker, in explanation of this amendment, one sentence was inadvertently left out of the resolution, and this amendment is simply offered to correct that feature of the resolution.

The amendment was agreed to.

Mr. SISK. Mr. Speaker, House Resolution 666 provides for the consideration of H.R. 7171, the Agricultural Act of 1977. This is a fairly complex rule, containing several waivers. While there are a number of waivers, they are, for the most part, technical in nature.

The rule provides for 2 hours of general debate with the time equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture. The bill is to be read for amendment by title rather than by section.

The rule provides for several waivers of the Budget Act in order for the bill to be considered. This is necessary because H.R. 7171 contains violations of sections 303(a)(4), 401(a), 401(b)(1), and 402 of the Budget Act. Most of these violations, however, are merely technical since the Committee on Agriculture has indicated that it will offer floor amendments to correct all of the problems with one exception.

The one provision of the bill which will not be amended in order to meet Budget Act requirements concerns support levels for crop years beyond 1977. Section 303(a)(4) of the Budget Act prohibits the consideration of new entitlements to become effective in a fiscal year prior to the adoption of the first budget resolution of that year. For example, a bill containing a new entitlement to become effective in fiscal year 1979 cannot be considered in the House until the first budget resolution for fiscal year 1979 has been adopted.

H.R. 7171 sets target prices for certain commodities at one level for the 1977 crop, a higher level for the 1978 crop, and a yet higher level for the 1979 crop. Since support payments for a given crop year are made the following fiscal year, this provision creates some entitlements first effective in fiscal year 1978 for the 1977 crop, some in fiscal year 1979 for the 1978 crop, and some in fiscal year 1980 for the 1979 crop. Applying the requirements of section 303(a)(4) of the Budget Act, the fiscal year 1979 and fiscal year 1980 entitlements cannot be considered until after the first budget resolution for the appropriate fiscal year has been agreed to.

However, full compliance with the Budget Act in this regard would preclude consideration of new price support measures for a given crop year until after the crops are planted. Clearly, compliance in this case would be inconsistent with any sound farm policy. Consequently, the Budget Committee recommended that a waiver of section 303(a)(4) be granted. The Committee on Rules concurred with this recommendation and the rule contains the waiver.

As I stated earlier, the Committee on Agriculture has agreed to offer amendments to cure the Budget Act violations under sections 401 and 402 of the Budget Act. However, waivers are required in order for the bill to be considered.

Section 1315 of H.R. 7171 provides contract authority which is not limited "to such extent or in such amounts as are provided in Appropriations Acts," as required by section 401(a) of the Budget Act.

A number of provisions of the bill, including those relating to certain disaster payments, would violate section 401(b)(1) of the Budget Act because they would become effective upon enactment of the bill. Section 401(b)(1) provides that it shall not be in order to consider a bill containing new entitlement authority to become effective before the first day of the fiscal year which begins in the calendar year in which the bill is reported. Thus, the entitlement provisions in H.R. 7171 should not become effective before October 1, 1977—the first day of fiscal year 1978—since the bill was reported from committee in calendar year 1977.

Similarly, certain provisions of the bill contain authorizations that would become effective upon enactment of the bill. Since this could occur during fiscal year 1977, the provisions in question would violate section 402(a) of the Budget Act. This section provides that it shall not be in order to consider a bill authorizing the enactment of new budget authority for a fiscal year unless the bill has been reported by May 15 preceding the beginning of that fiscal year.

Mr. Speaker, this rule also waives points of order against the consideration of section 1334 of H.R. 7171 for failure to comply with the provisions of clause 5 of rule XXI which prohibits appropriations in a legislative measure. This is actually a technical violation since the language in question simply allows administrative funds to be used for transportation of non-Federal scientists to research meetings. The language appears on page 139, lines 22 to 25 of H.R. 7171.

The rule also makes in order the consideration of the text of H.R. 7940, the Food Stamp Act of 1977, in lieu of title XII of H.R. 7171. H.R. 7940 is to be considered as an original text for the purpose of amendment and it will be read for amendment by section. Two points of order are waived against the substitute. Clause 7 of rule XVI, the germaneness rule, is waived. This is necessary for two reasons: First, H.R. 7940 amends several laws which are not amended by the original bill, and second, H.R. 7940 is much broader than title XII of H.R. 7171. Clause 5 of rule XXI prohibiting an appropriation in a legislative bill is also waived. Again, this is a technical violation relating to the transfer of funds. The language in question appears on page 57 of H.R. 7940.

After passage of H.R. 7171, the rule makes in order the consideration of S. 275, the Senate Agriculture Act of 1977. A waiver of section 303(a) of the Budget Act is also granted for this bill because it, like the House bill, contains price supports for various commodities for fiscal year 1979 and fiscal year 1980.

Mr. Speaker, H.R. 7171 is a complex piece of legislation containing some 15 titles. It is the result of extensive consideration by the Committee on Agriculture. I do not plan to discuss at this point the various provisions of the bill as I am sure there will be ample opportunity for members to discuss those provisions during consideration of the bill. I urge my colleagues to adopt House Resolution 666 so that we might proceed to consideration of H.R. 7171, a vital piece of legislation not only for the agricultural community in this country but for the Nation as a whole.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. MOORHEAD).

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I rise not only in support of the rule but also in wholehearted support of the basic concept of H.R. 7171 and commend the chairman of the committee for his balanced approach in this legislation.

Mr. Speaker, I rise in support of a farm bill not because I am a representative of an agricultural district—my district is a strictly urban and suburban district.

Mr. Speaker, I rise in support of this legislation not because I am a member of the Agriculture Committee—I am not—I am a member of the House Banking, Finance and Urban Affairs Committee and more particularly as chairman of that committee's Subcommittee on Economic Stabilization whose primary function has been to monitor this Nation's continuing and serious inflation problem.

Based on the studies which I and the staff of the Economic Stabilization Subcommittee have made, we believe that, in the main, H.R. 7171 is not inflationary and will be of benefit to the consumers of urban areas such as I represent.

A healthy agrarian economy is essential to a healthy urban economy.

I hope that my friends from the rural areas will also agree that the reverse is true—that a healthy urban economy is absolutely essential to a healthy agricultural economy.

In this connection, farm legislation poses a unique problem of balanced assessment. It is the only significant case in which the law that we write can directly affect supplies and prices in an important sector of our economy while at the same time posing the problem of budgetary cost, which also bears upon inflation in its separate way.

Let me say at the outset that something must be going right. I can think of no better news for our people, and indeed for the people of the world, than the recent crop reports from the Department of Agriculture. We learned to our distress in the 1972–75 period that food prices are above all a function of supply. We did not get an explosion of prices at the supermarket until, for a variety of reasons ranging from Soviet purchases to poor weather, supplies of the major farm crops fell short of demand earlier in this decade. There is literally nothing on the inflation front of greater positive significance than ample crops in the United States, and I include in that statement all the other forces at work such as wage trends, the international exchange rate of the dollar, and the size of the budget deficit.

Now, fortunately, we have ample supply. Wheat is in hand and the feed grains and soybeans need only a reasonable amount of rainfall in the next 6 weeks. The declining commodity markets have been sending the message loud and clear, and it is a happy message for the crucial food component of our price indexes for at least 18 months to come. One major reason for this gratifying situation is our basic farm legislation, which is far superior to what it used to be.

The bill before us has many elements, some less desirable than others, but its salient feature is that it will continue the underlying philosophy begun in 1970 and carried to all the major crops in the 1973 act. This is the philosophy of a fairly low loan or support price; a higher and fictional target price, with accompanying cash payments to farmers as necessary to protect income and provide incentives to produce without affecting the price to the consumer; and a minimum of restrictions on production. I recognize that we shall probably have some limitations on wheat production for the next crop, but this reflects a truly huge surplus and does not change the underlying philosophy.

I am aware that the declining prices, which signal good news for consumers,

are hardly welcome to the grain producers. But while some of them are unquestionably suffering, we should remember the bulwarks to their income contained in present law and improved by this act. We can argue about the precise levels of loan and target prices, but the fact remains that the farmers are not left completely to the whims of an erratic free market.

The other side of the coin, of course, is budgetary cost. While the 1973 act has cost very little because of low supplies and high market prices until recently, the potential for sizable cost in the target price-cash payment system is there, and President Carter's concern is warranted. That issue is relevant to the specific provisions of this bill, crop by crop. I believe, for example, that the target prices for wheat and feed grains in the Senate bill are needlessly high and thus needlessly costly, and I think the same goes for the rice and cotton targets in the bill before us. But we should keep this matter in perspective.

In light of the various factors, how do we assess this bill? I believe that in those difficult gray areas of choice the urban Members of this house, whose concern, like mine, is primarily with the price level, should keep foremost in their minds the matter of supply. If it comes to a choice, it is worth spending more dollars as a kind of insurance policy that the crops will be planted. We should welcome, as one example, the new system contained in this bill of gradually moving up the target price for grains in line with the cost of production; what we want more than anything else is an assurance that those farmers out there will stay in business and plant the crops, and to do that they must have a reasonable prospect of making a profit.

We can also welcome other innovations in the bill such as the important and little noticed provision that opens up a special import quota for cotton if prices exceed a trigger point. This is a recognition that excessive price increases at a time of speculative boom can be bad for farmers as well as consumers. The Nation would have greatly benefited—including prices at the local clothing store—if we had had this provision 4 years ago.

I believe, as I mentioned, that the price targets are probably higher than they need to be in some cases. The Senate figure of $2.18 for corn, for example, could cost about $1.5 billion a year more than the House figure of $2.10 without much payoff in the form of greater insurance of a good crop. We do not need a cotton price as high as the 56 cents in the House bill, nor a target price of $8.40 for rice.

But overall, I believe we should welcome this bill and its underlying approach to the perennial farm problem. It maintains a good balance between assurance of supply and budgetary cost. This Nation has always had ample food, but we learned a few years ago what happens when domestic and world demand outruns a restricted supply. This bill provides, as much as legislation can, that we will not face that situation again. It is worth the price.

I urge adoption of the rule and passage of H.R. 7171.

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

Mr. Speaker, this is one of the most complicated rules to come before this House in this Congress. The rule includes eight waivers of points of order, and some of these waivers apply at several different points in the bill. Five of the eight waivers are made necessary because of violations of the Budget Act. In addition the rule makes it possible to combine two major bills, one dealing with agricultural programs and the other dealing with food stamps.

Mr. Speaker, I do not want to use any more time than necessary, and yet Members should be aware of the various provisions in this rule. Two hours of general debate are provided for the consideration of H.R. 7171, the Agricultural Act of 1977. The first lines of this rule include four waivers of the Budget Act. All of these waivers have the approval of the chairman of the Budget Committee.

Section 303(a) of the Budget Act is waived as it prohibits the consideration of new entitlements to become effective in a fiscal year prior to the adoption of the first budget resolution for that fiscal year. This requirement is violated by provisions in the bill which increase support levels for crop years beyond 1977. Full compliance with section 303(a) of the Budget Act would preclude consideration of new price-support measures for a given crop year until after the crops are planted. Such a result is not consistent with good farm policy, and therefore the waiver of section 303(a) is necessary.

Section 401(a) of the Budget Act is waived because it prohibits contract authority not subject to the appropriations process. Section 1315 of the bill provides contract authority which is not limited by appropriations, and therefore the waiver is necessary. In this letter approving this rule, the chairman of the Budget Committee stated that the Agriculture Committee has agreed to offer an amendment on the floor correcting this violation by subjecting the contract authority to limitations in prior appropriation acts.

Section 401(b)(1) of the Budget Act is waived because it prohibits new entitlements which become effective before the first day of the fiscal year beginning during the calendar year in which the bill is reported. Under this provision, no entitlements in this bill should take effect before October 1, 1977. There are entitlements in this bill which could take effect before October 1, 1977, and therefore the waiver is necessary. Again, the chairman of the Budget Committee has indicated that the Agriculture Committee has agreed to offer a floor amendment curing this Budget Act problem by making these sections effective on October 1, 1977.

Section 402(a) of the Budget Act is waived. This is the May 15 reporting deadline for authorizations. It is waived as there are authorizations in this bill which would become effective upon enactment. Since this could occur during fiscal 1977, the bill should have been reported before May 15, 1976, in order to comply with the Budget Act. Therefore the waiver is necessary. Again it is my understanding that the Agriculture Committee will offer floor amendments to cure the violation by making the provisions in question effective on October 1, 1977.

In addition to these Budget Act waivers, the rule waives points of order against the bill for failure to comply with clause 5, rule XXI, which prohibits appropriations on a legislative bill. The waiver is necessary because section 1334 of the bill allows administrative funds to be used for a new purpose without being appropriated for that purpose.

Under the rule H.R. 7171 will be read for amendment by titles instead of by sections. It is in order to offer H.R. 7940, the Food Stamp Act as an amendment to title XII of the agriculture bill.

Two waivers are necessary in order to allow the food stamp bill to be offered. First, part of the food stamp bill is not germane to the title which will be amended. Therefore it is necessary to waive clause 7, rule XVI, the germaneness rule, in order to allow the food stamp bill to be offered as an amendment.

In addition the food stamp bill transfers funds to new purposes, without the funds being appropriated for the new purposes. This violates clause 5 of rule XXI which prohibits appropriations on legislation. Therefore the waiver is necessary.

Finally, Mr. Speaker, in order to expedite going to conference, the rule makes it in order to insert the House-passed language in the Senate bill. And even at this point, one last waiver of the Budget Act is required. The Senate bill includes the same violation of section 303(a) of the Budget Act that was in the House bill. Therefore, it is necessary to waive section 303(a) of the Budget Act in order to permit consideration of the Senate bill.

Mr. Speaker, the length of this explanation only underscores the complexity of this rule. And yet if we are going to combine the agriculture bill and the food stamp bill in one package, this kind of rule is necessary.

Mr. Speaker, the problem with combining agricultural programs and food stamp programs is that the farmer always receives the blame for the whole cost of the bill, when in fact a large portion of the cost results from the food stamp program.

Mr. Speaker, while exact cost projections are impossible because of the numerous variables in both of these programs, the committee estimates that the agricultural programs will cost between $5 and $6 billion, while the food stamp program is estimated to cost $5.3 billion. Others have estimated that the cost of the food stamp bill will in fact be higher.

One of the most objectionable parts of this food stamp bill, Mr. Speaker, is the elimination of the purchase require-

ment for food stamps. Recipients of food stamps will no longer have to pay their own money to receive food stamps.

Mr. Speaker, I oppose the elimination of the purchase requirement for food stamps.

Mr. Speaker, I have two requests for time. I yield 1 minute to the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Speaker, I rise in opposition to the rule. The Committee on Rules is supposed to be traditionally the traffic cop of Congress. It is supposed to present us with a means to consider legislation in an orderly manner.

The gentleman from Ohio (Mr. LATTA) has just detailed the waivers and mangling of the Rules of the House that this rule entails. But I want to call to the attention of the House even more forcefully to the deep cynicism that allows a rule to come out that marries two disparate issues such as the food stamp program and Federal agricultural policy in one bill. Either of these two issues standing alone is of such great importance to the United States as a whole that it is a great disservice to every Member of this House to glue them together in this Rube Goldberg fashion, denying the rights of Members to consider each issue as it should be.

The food stamp issue alone has been studied by many Members of the House for a long period of time. The gentleman from Illinois (Mr. MICHEL) has more than 100 sponsors of his bill to bring about fundamental reforms; yet we are told by the provisions of this rule that we have got to cram it all together and consider it in this manner. I think that is not the proper manner in which to consider this legislation. I say that as one who represents a district in which national farm policy is of the greatest importance to the many people whose lives, directly or indirectly, depend on farming and related business. These same people have repeatedly indicated their support for far-reaching reforms in the food stamp program. This rule will not allow proper consideration of either of these important issues. I personally believe these issues have been joined for the sole purpose of gaining urban Members support for the farm portions of the bill, traditional log rolling at its worst.

Mr. Speaker, I urge defeat of the rule in its present form so that we may have a more orderly and proper procedure.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Idaho (Mr. SYMMS).

Mr. SYMMS. Mr. Speaker, I rise to speak in opposition to this rule. I think the rule is an unholy marriage between two different subjects. This is a mistake for the House to be trying to merge them here, today in this legislation. For that reason I oppose the rule.

Mr. PHILLIP BURTON. Mr. Speaker, will the gentleman yield?

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

Mr. PHILLIP BURTON. I thank the gentleman for yielding.

I am shocked.

Mr. LATTA. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Speaker, title XIV of the bill provides some important initiatives for the development and application of renewable energy resources for agriculture. This title includes the provisions of Farmers Home Administration farm ownership and operating loans to incorporate solar systems in farm buildings and operations, additional USDA research and extension efforts in the solar field, and a major new program for solar energy demonstration farm projects. The author of these provisions, the gentleman from California (Mr. BROWN) and the members of the House Agriculture Committee are to be commended for incorporating this new legislative authority into H.R. 7171.

Food and fiber production costs in this country have risen drastically as a result of energy price increases. This, along with the energy supply problems that have occurred in the past and may recur with more severity in the future are providing substantial incentives for the use of alternative energy sources. It has been estimated that as much as one-third of the total energy used directly in U.S. crop and livestock production goes into applications that may already be within reach of current technologies using other than fossil fuels as a form of energy. Irrigation alone may be using one-fourth of all energy going directly into agricultural production. The potential for energy substitution in agriculture is great and the need for further development is clear.

Solar energy and energy derived indirectly from solar radiation are significant renewable resources on which development efforts must be expanded. There are, however, other renewable resources beyond the bounds of solar that are showing great promise for a variety of applications. I fully understand that the committee intends the definition of the term "solar energy" to be a broad one. But, under the definition contained in H.R. 7171, solar energy is limited to solar heating and cooling, the growing of crops for various bimass technologies, and possibly wind power. However, the definition does not include biomass that utilizes garbage as a fuel; low-head hydroelectric dams that can run off of creeks, small rivers and irrigation ditches; electric vehicles; fuel cells; geothermal energy and other technologies that offer such great potential.

Adoption of alternative sources of energy does not occur unless those sources are reliable and economically competitive. Many of the technologies I have just mentioned are both. There is another factor, though, that is equally important—incentive. The incentive to apply the new technology must be there before it will be adopted.

We are all aware that, unfortunately, Farmers Home Administration has not actively perused solar energy programs until recently when HUD adopted their minimum standards for solar installation. However, Congress can take a major step forward toward assisting and encouraging responsible movement forward not only in the solar area but in the entire area of nonfossil energy by providing Farmers Home and their rural clients with adequate incentives for the adoption of workable alternative energy technologies. I will be offering an amendment to accomplish this. In addition to broadening the scope of title XIV to include all nonfossil forms of energy, my amendment will provide the necessary incentive to Farmers Home Administration by directing the Administrator to fund, on a priority basis, applications that include the use of nonfossil sources of energy.

Under my amendment, the Secretary of Agriculture would be required to coordinate with the Energy Research and Development Administration and other appropriate agencies to obtain assistance in acquiring the information necessary on nonfossil energy technology to enable Farmers Home Administration to develop equipment and performance standards which could be used as a basis for approval or denial of client applications. The Secretary would also be authorized and directed to foster the development of nonfossil energy technology and encourage its practical application through cooperative programs with ERDA and other agencies.

I believe this amendment will broaden and strengthen the provisions of title XIV in ways that will further our objectives for broad scale adoption of workable nonfossil energy technology, and I urge the support of my colleagues in this effort.

Mr. SISK. Mr. Speaker, I urge the adoption of this resolution. It is not without precedent to consider the agricultural extension along with food stamps. I think that it is a matter in which under this rule all elements can properly be considered and amendments will be in order, as well as a motion to recommit. Therefore, I question as to whether my friends have as much to cry about as they may feel.

Mr. Speaker, I urge the adoption of the resolution and move the previous question on the resolution as amended.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

Mr. SYMMS. 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 367, nays 38, not voting 28, as follows:

[Roll No. 439]

YEAS—367

Abdnor	Allen	Anderson, Calif.
Akaka	Ambro	Anderson, Ill.
Alexander	Ammerman	

Andrews, N.C.	Findley	Markey
Andrews, N. Dak.	Fisher	Marks
	Fithian	Marlenee
Annunzio	Flood	Martin
Applegate	Florio	Mathis
Archer	Flowers	Mattox
Armstrong	Flynt	Mazzoli
Ashley	Foley	Meeds
Aspin	Ford, Mich.	Metcalfe
AuCoin	Ford, Tenn.	Meyner
Badillo	Forsythe	Mikulski
Bafalis	Fountain	Mikva
Baldus	Fowler	Milford
Barnard	Fraser	Miller, Calif.
Baucus	Fuqua	Miller, Ohio
Beard, R.I.	Gammage	Mineta
Beard, Tenn.	Gaydos	Minish
Bedell	Gephardt	Mitchell, Md.
Beilenson	Giaimo	Mitchell, N.Y.
Benjamin	Gibbons	Moakley
Bennett	Gilman	Moffett
Bevill	Ginn	Mollohan
Biaggi	Glickman	Montgomery
Bingham	Goldwater	Moore
Blanchard	Gonzalez	Moorhead, Pa.
Blouin	Goodling	Moss
Boggs	Gore	Murphy, Ill.
Boland	Gradison	Murphy, Pa.
Bolling	Grassley	Murtha
Bonior	Gudger	Myers, John
Bonker	Guyer	Myers, Michael
Bowen	Hall	Natcher
Breaux	Hamilton	Neal
Breckinridge	Hammer-schmidt	Nedzi
Brinkley		Nichols
Brodhead	Hanley	Nix
Brooks	Hannaford	Nolan
Brown, Calif.	Harkin	Nowak
Brown, Mich.	Harrington	O'Brien
Broyhill	Harris	Oakar
Buchanan	Harsha	Oberstar
Burgener	Hawkins	Obey
Burke, Calif.	Heckler	Ottinger
Burleson, Tex.	Hefner	Panetta
Burlison, Mo.	Heftel	Patten
Burton, John	Hightower	Patterson
Burton, Phillip	Hillis	Pease
Butler	Hollenbeck	Pepper
Byron	Holtzman	Perkins
Carney	Hubbard	Pettis
Carr	Huckaby	Pickle
Carter	Hughes	Pike
Cavanaugh	Hyde	Poage
Cederberg	Ichord	Pressler
Chappell	Ireland	Preyer
Chisholm	Jacobs	Price
Clausen, Don H.	Jenkins	Pritchard
	Jenrette	Pursell
Clay	Johnson, Calif.	Quie
Cleveland	Johnson, Colo.	Quillen
Cochran	Jones, N.C.	Rahall
Cohen	Jones, Okla.	Railsback
Coleman	Jones, Tenn.	Rangel
Collins, Ill.	Jordan	Regula
Collins, Tex.	Kasten	Reuss
Conyers	Kastenmeier	Rhodes
Corman	Kazen	Richmond
Cornell	Kelly	Rinaldo
Cornwell	Keys	Risenhoover
Cotter	Kildee	Roberts
D'Amours	Kostmayer	Robinson
Daniel, Dan	Krebs	Rodino
Daniel, R. W.	Krueger	Roe
Danielson	LaFalce	Rogers
de la Garza	Lagomarsino	Roncalio
Delaney	Latta	Rose
Dellums	Le Fante	Rosenthal
Derrick	Leach	Rostenkowski
Devine	Lederer	Roybal
Dicks	Leggett	Rudd
Diggs	Lehman	Runnels
Dingell	Lent	Ruppe
Dodd	Levitas	Ryan
Downey	Lloyd, Calif.	Santini
Drinan	Lloyd, Tenn.	Sarasin
Duncan, Oreg.	Long, La.	Satterfield
Duncan, Tenn.	Long, Md.	Sawyer
Early	Lott	Scheuer
Eckhardt	Lujan	Schroeder
Edgar	Luken	Schulze
Edwards, Ala.	Lundine	Sebelius
Edwards, Calif.	McClory	Seiberling
Edwards, Okla.	McCloskey	Sharp
Eilberg	McCormack	Shipley
Emery	McDade	Sikes
English	McEwen	Simon
Evans, Colo.	McFall	Sisk
Evans, Del.	McHugh	Skelton
Evans, Ga.	McKay	Skubitz
Evans, Ind.	Madigan	Slack
Fary	Maguire	Smith, Iowa
Fascell	Mahon	Smith, Nebr.
Fenwick	Mann	Snyder
Solarz	Treen	Whalen
Spellman	Trible	White
St Germain	Tsongas	Whitehurst
Staggers	Tucker	Whitley
Stangeland	Udall	Whitten
Stanton	Ullman	Wilson, C. H.
Stark	Van Deerlin	Wilson, Tex.
Steed	Vander Jagt	Winn
Steers	Vanik	Wirth
Stokes	Vento	Wolff
Stratton	Volkmer	Wright
Studds	Waggonner	Wylie
Stump	Walgren	Yatron
Taylor	Walsh	Young, Fla.
Thompson	Wampler	Young, Mo.
Thone	Watkins	Young, Tex.
Thornton	Weaver	Zablocki
Traxler	Weiss	

NAYS—38

Ashbrook	Frenzel	Myers, Gary
Bauman	Frey	Quayle
Broomfield	Hagedorn	Rousselot
Brown, Ohio	Hansen	Shuster
Burke, Fla.	Holt	Spence
Caputo	Jeffords	Steiger
Clawson, Del	Kemp	Symms
Conable	Kindness	Walker
Corcoran	McDonald	Wiggins
Coughlin	Marriott	Wilson, Bob
Crane	Michel	Wydler
Cunningham	Moorhead, Calif.	
Derwinski		
Dornan	Motti	

NOT VOTING—28

Addabbo	Fish	Rooney
Badham	Flippo	Russo
Brademas	Holland	Stockman
Burke, Mass.	Horton	Teague
Conte	Howard	Waxman
Davis	Ketchum	Yates
Dent	Koch	Young, Alaska
Dickinson	McKinney	Zeferetti
Erlenborn	Murphy, N.Y.	
Ertel	Pattison	

The Clerk announced the following pairs:

Mr. Burke of Massachusetts with Mr. Horton.

Mr. Addabbo with Mr. Dickinson.

Mr. Rooney with Mr. McKinney.

Mr. Brademas with Mr. Koch.

Mr. Zeferetti with Mr. Howard.

Mr. Russo with Mr. Flippo.

Mr. Teague with Mr. Ertel.

Mr. Dent with Mr. Holland.

Mr. Davis with Mr. Conte.

Mr. Murphy of New York with Mr. Badham.

Mr. Pattison of New York with Mr. Ketchum.

Mr. Waxman with Mr. Ketchum.

Mr. Yates with Mr. Erlenborn.

Mr. Stockman with Mr. Young of Alaska.

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FOUNTAIN. Mr. Speaker, the CRT indicates that I am not recorded on rollcall No. 437, the military construction bill. I would like the RECORD to show that, had I been recorded, I would have voted for the bill.

AGRICULTURAL ACT OF 1977

Mr. FOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7171) to establish more responsive programs for the benefit of farmers and consumers of farm products; to extend and improve the programs conducted under the Agricultural Trade Development and Assistance Act of 1954, as amended; and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7171, with Mr. EVANS of Colorado in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

Mr. BAUMAN. Mr. Chairman, reserving the right to object, I do so only to ask the distinguished chairman of the Committee on Agriculture this question: If the first reading is dispensed with, is it then the gentleman's intention that the Committee will rise?

Mr. FOLEY. If the gentleman will yield, it is my intention that if the first reading of the bill is dispensed with, I will move that the Committee do rise.

Mr. BAUMAN. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the first reading of the bill is dispensed with.

There was no objection.

The CHAIRMAN. Under the rule, the gentleman from Washington (Mr. FOLEY) will be recognized for 1 hour, and the gentleman from Virginia (Mr. WAMPLER) will be recognized for 1 hour.

The Chair recognizes the gentleman from Washington (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. WEAVER) having assumed the chair, Mr. EVANS of Colorado, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7171) to establish more responsive programs for the benefit of farmers and consumers of farm products; to extend and improve the programs conducted under the Agricultural Trade Development and Assistance Act of 1954, as amended; and for other purposes, had come to no resolution thereon.

ANNUAL REPORT OF SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION FOR 1976—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. WEAVER) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Public Works and Transportation:

To the Congress of the United States:

I herewith transmit the Annual Report of the Saint Lawrence Seaway Development Corporation for 1976. This re-

port has been prepared in accordance with Section 10 of the Saint Lawrence Seaway Act of May 13, 1954. This report covers the period January 1, 1976 through December 31, 1976, prior to the commencement of my term of office.

JIMMY CARTER.

THE WHITE HOUSE, *July 19, 1977.*

TWO NEW RESCISSIONS PERTAINING TO FOREIGN MILITARY CREDIT SALES PROGRAM AND GENERAL SERVICE ADMINISTRATION'S FEDERAL BUILDINGS FUND, AND ONE NEW DEFERRAL RELATING TO DEPARTMENT OF DEFENSE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 95–188)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

In accordance with the Impoundment Control Act of 1974, I herewith propose two new rescissions totalling $96.1 million in budget authority and report one new deferral of $12.5 million in budget authority.

The rescission proposals pertain to the foreign military credit sales program and the General Services Administration's Federal Buildings Fund. The new deferral relates to the Department of Defense, Uniform Services University of the Health Sciences.

I urge the Congress to act favorably on the rescission proposals.

JIMMY CARTER.

THE WHITE HOUSE, *July 19, 1977.*

RESCISSIONS RELATING TO PROCUREMENT FUNDS FOR B–1 BOMBER AND SHORT-RANGE ATTACK MISSILE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 95–187)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

In accordance with the Impoundment Control Act of 1974, I herewith propose rescission of $462.0 million in procurement funds appropriated to the Department of Defense for the B–1 bomber. In addition, I am proposing rescission of $1.4 million provided to the Department of Defense for procurement of the short range attack missile (SRAM–B).

The details of the proposed rescissions are contained in the attached reports.

JIMMY CARTER.

THE WHITE HOUSE, *July 19, 1977.*

A SUCCESSFUL PROGRAM IN INTERNATIONAL COOPERATION

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

Mr. PRICE. Mr. Speaker, in 1958 the Joint Committee on Atomic Energy proposed and the Congress adopted legislation encouraging international cooperation in the peaceful uses of nuclear energy. The legislation, known as the Euratom Cooperation Act of 1958, instituted a cooperative program between the United States and a group of six European nations to develop the peaceful uses of nuclear power. We were outstandingly successful in attaining the objective of encouraging the peaceful uses of nuclear power as a review of the situation in Europe will disclose.

The degree of success we attained is indicated by the title of an article in the July 1977 issue of Nuclear Engineering International. The title of the article to which I refer is "Europe Outpacing U.S." I would like to include the article at the conclusion of my remarks for the information of all of those interested in the peaceful uses of nuclear energy.

I would like to highlight a few of the accomplishments in this successful international cooperation program. Under the program, the first system for safeguarding nuclear material from diversion for other than peaceful purposes was developed. Of course, such safeguards only have meaning when they are applied on an international basis.

Under the Euratom program, the technology for the safe use of nuclear energy in the civilian economy was advanced both in Europe and the United States. Our industry was advanced a great deal under the program while at the same time, the benefits of the peaceful atom were brought to our foreign friends.

The group of nations who worked with on this program are now advancing at a faster rate than we are in realizing the benefits of nuclear energy. The nine nations that comprise what is now known as the European Economic Community, have made the financing of electricity producing facilities, especially nuclear, a priority goal in their energy program. As indicated in the article which follows, the European Community is now expanding their nuclear capacity at a faster rate than we are.

The importance which the Europeans attach to this prime energy source is also indicated in the buildup of the equipment industry in Europe to supply the increased nuclear generating capacities. This increased industrial capacity, of course, is taking over from American industry. The American share of the European market has, in fact, dropped from 64.5 percent in 1967 to 54 percent at the beginning of 1977.

In my view, the important point these developments convey is that the United States can provide and in fact has provided, the leadership for the peaceful uses of nuclear energy under properly safeguarded conditions. My concern is that the policy now being advocated is tending to isolate the United States from the international community and, thereby, foreclosing our ability to contribute to the safeguarding of nuclear material. I have expressed my views on this matter in a statement which is printed on page 19861 of the June 20, 1977 RECORD.

Excerpt from Nuclear Engineering International, July 1977, follows:

EUROPE OUTPACING UNITED STATES

New statistics published by the EEC Commission in Brussels illustrate the growing need in Europe for reliable supplies of enriched uranium.

At the end of last year 57.9 per cent of the EEC's nuclear power was produced by reactors using enriched uranium and 39.2 per cent from natural uranium.

But taking into account current nuclear building programmes dependence on enriched uranium will soon rise to 86 per cent.

The table below (top) shows nuclear power stations under construction and in service in the community at the end of 1976.

The Commission's survey says that when current construction programmes are completed reactors of between 600 MW and 999 MW will account for 56.9 per cent of the EEC's capacity.

Despite many set-backs, the countries of Western Europe are expanding their nuclear capacity at a faster rate than the U.S.

America's share of overall nuclear equipment fell from 64.5 per cent in 1967 to 54 per cent on Jan. 1, 1977 while W. Europe's share rose from 22.3 to 26.3 per cent.

The bottom table shows the nuclear capacities and growth rates on a world scale.

NUCLEAR STATIONS BEING BUILT IN THE EEC

	Total		In service		Under construction	
	MW	Percent	MW	Percent	MW	Percent
			1976		1977	
			MW	Percent	MW	Percent
Total power	61,338	100.0	16,931	100.0	44,407	100.0
Natural uranium reactors	6,633	10.8	6,633	39.2		
Enriched uranium reactors	52,727	86.0	9,800	57.9	42,927	96.7

Average rate of increase, percent

	Total		In service		Under construction	
	MW	Percent	MW	Percent	MW	Percent
			1976		1977	
			MW	Percent	MW	Percent
BWR	8,493	13.8	2,171	12.8	6,322	14.3
PWR	37,266	60.8	6,552	38.7	30,714	69.2
Advanced	532	0.9	194	1.1	338	0.8
AGR	6,463	1.5	833	5.2	5,535	12.5
Fast reactors	1,978	3.2	498	2.9	1,480	3.3

Average rate of increase, percent

COMPARISON OF NUCLEAR CAPACITY GROWTH RATES ON WORLD SCALE

United States	50,831	64.5	217,818	54.0	15.7
Western Europe	17,591	22.3	106,201	26.3	19.7
Eastern Europe	5,468	6.9	30,108	7.5	18.6
Other countries	4,926	6.3	49,393	12.2	25.9
World total	78,816	100.0	403,520	100.0	17.7

CAPTIVE NATIONS WEEK: DOUBLE STANDARD ON HUMAN RIGHTS

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

Mr. McDONALD. Mr. Speaker, each year since 1959, the President of the United States, in accordance with traditional American concern for human rights and the wishes of this House, has declared the third week of July to be commemorated as "Captive Nations Week."

This year, for the first time, our President has ignored the captive nations and enslaved peoples of the world held hostage by the Communist powers.

This sudden neglect is made even more appalling by the President's well known, publicly expressed concern for human rights. We had every reason to believe that a Presidential proclamation of Captive Nations Week would be forthcoming. However, only last Friday, one Greg Treverton of the National Security Council, acting as an administration spokesman advised the National Captive Nations Committee that no proclamation would be forthcoming.

The excuse given by Greg Treverton was incredibly cynical: he said that as the President's position on human rights was well known, it was unnecessary for him to honor the tradition of Captive Nations Week. This ridiculous and insulting statement was repeated to my staff yesterday, July 18, by designated Assistant Secretary of State Patricia Derian who added,

> I vaguely recollect recommending that the President issue a proclamation in support of captive nations, but I'm not overly concerned that he hasn't. It's not as if we were sending money to Chile.

This "radical chic" double standard shows more concern for a handful of Marxist terrorists locked up in Chile than it does for the millions in the Soviet slave labor camps and in the forced labor camps of Red China, Vietnam, Cambodia, Laos, and Cuba and the tens of millions murdered in the name of Communist imperialism.

I intend to make a longer statement during the Special Order on Captive Nations Week tomorrow, but I feel it is necessary to express my shame at the callous disregard for human rights' in the Communist-dominated countries by this administration.

I urge my colleagues, particularly those of my own Party, to join with me in asking the President to fulfill his responsibility to America's traditions of freedom and hold to the duty imposed upon him by Public Law 86–90 passed by joint resolution in 1959.

ALABAMA DOES CARE ABOUT ITS RURAL POOR

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

Mr. EDWARDS of Alabama. Mr. Speaker, yesterday we were treated once again to an anti-South article, this one written for the Washington Post by Colman McCarthy. It was Alabama's turn this time as subject of an uncalled-for story about the people of my State. It left the impression that Alabama just does not care about its rural poor. Nothing could be further from the truth.

Well, Mr. Speaker, we certainly know we are not perfect. We know we have much to do for our people. We know that we have people who live in poverty. And we do not need Colman McCarthy to tell us about it. But we have made great progress and we will continue to go forward notwithstanding Mr. McCarthy.

In Mobile County, for example, the county from which Mr. McCarthy launched his tirade, new industry is coming in great numbers. We have attracted $1 billion in new industry over the last 4 years, an amount equal to all the new industry brought into Mobile County over the last 50 years. The Tennessee-Tombigbee Waterway which so many antiprogress types have fought is now under construction through one of the poorest sections of this country, and thousands of jobs will be created in rural Alabama. Some 3,500 of these jobs will be available in Mobile County by the mid-1980's. Monroe County, a very rural county in southwest Alabama led the entire State last year with over $300 million in new industry, accompanied by new job opportunities for the rural poor.

An oil refinery under black ownership is getting underway in Tuskegee with the full support of our State government and our congressional delegation.

Plowing behind mules may offend Mr. McCarthy but it surely beats sitting around feeling sorry for ourselves. Eating okra may turn Mr. McCarthy's stomach, but it is standard fare all over the country. It is served almost daily in our Nation's Capital. And cutting wood for papermills may not seem like fun to Mr. McCarthy but it is big business in rural Alabama, and it surely beats waiting for the next welfare check.

Yes, the spirits of our people "are marked by resilience and stubborn faith in their own capabilities," and we do not expect outsiders of Mr. McCarthy's persuasion to understand that at all.

But our people do have that faith, and they believe in the present and in the future. The early 1960's referred to by Mr. McCarthy are times of the past in Alabama, and our people know it. Our rural poor are impatient for a piece of the pie, as are all poor people, but they know that the leaders of our State are working night and day to improve their lot. In the meantime, they are not looting their neighbor's stores or burning local businesses when the lights go out.

I am proud of our people. I am proud of the progress that we in Alabama are making. And I am doubly proud of the ability of our people to survive amid poverty, to plow behind mules, to enjoy okra, to provide wood for papermills, to express their resilience and stubborn faith in their own capabilities in such a way that even Colman McCarthy can see it.

There is a "new South" in rural Alabama today, a new spirit and a new progress that Colman McCarthy evidently cannot see. We are no longer waiting for change, we are working for it.

TRIBUTE TO HERBERT W. JOHNSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. BROYHILL) is recognized for 60 minutes.

Mr. BROYHILL. Mr. Speaker, all members of the North Carolina congressional delegation lost a real friend with the untimely passing on July 6 of Herbert W. Johnson, director of the Winston-Salem Regional Veterans' Administration Office. For more than 31 years, Herb, as we all knew him, served the veterans of North Carolina and across this Nation in an outstanding manner. He will be sorely missed by all of us.

I have had the privilege of knowing Herb since I was first elected to serve in the House of Representatives in 1962. He had been appointed as assistant director in the Winston-Salem office the year before and shortly after my election he offered his services to assist my staff and me in any way he could. This established the foundation of our friendship, and the service and cooperation he gave to my staff and me continued until his death 2 weeks ago.

In 1972, Herb's accomplishments and outstanding qualifications were recognized by the Administrator of Veterans Affairs and he was appointed as director of the Winston-Salem office. Herb and I continued our close relationship and I always felt I could call him personally with any problems or difficulties that might arise. During his tenure, Herb not only served in the best interests of the Veterans' Administration but he served in the best interests of individual veterans as well. He was constantly cognizant of the problems and needs of veterans and he never refused to speak to any veteran who called on him personally. His unselfish devotion to helping needy veterans and their survivors will not be easily forgotten.

It was only a short time ago that several farm co-op veteran students in my congressional district applied for additional educational benefits. They had previously completed farm co-op training but felt that their requests were justified since many new courses had been added to the curriculum that would benefit them. Herb called me to say that he believed that these benefits could not be authorized under current regulations but he wanted the Central Veterans' Administration office to review his decision to insure that every possible consideration was given to these individual veterans. Several weeks later, Herb called to say that he had been notified by the Central Office that these benefits could be granted and he stated he was pleased he asked for the review. Few men would ask their superiors to look over their actions but Herb did. He was a humble man and a very fine director.

This was typical of Herb, he always wanted each Member of Congress to know about any problems or difficulties veterans in his district were experiencing. Many, many times he alerted our offices

even before these problems were brought to our attention by the individual veterans. Herb's untiring dedication and devotion to the veterans of our State paid off in the excellent reputation that the Winston-Salem office had among other regional offices and veterans groups everywhere. I have always reminded veterans in my district of how fortunate they were to have their regional office under such fine guidance and leadership.

Herb's job did not end at 5. Many, many nights he worked on the problems of veterans and their families. Then, remarkably, he also found time to be a civic leader in the community. He was an active member of the American Legion, VFW, AMVETS, and the Winston-Salem Chamber of Commerce. He served as the Federal Coordinator for the Combined Federal Campaign for Forsythe County and he was also a member and past president of the Twin City Kiwanis Club, the North Carolina Federal Personnel Management Council, and the Winston-Salem Federal Council. Herb also served as a member of the Governor's Committee on Jobs for Veterans and was the director of the Winston-Salem Urban League. Herb's high caliber of achievement was displayed in his civic dedication.

Nothing meant more to Herb than doing his very, very best in service to our Nation's veterans. I know that his colleagues in the Winston-Salem office and every one who knew him joins with me in this tribute to a man who was such a fine example of a devoted unselfish civil servant. His tireless efforts in behalf of the veterans in North Carolina and across this Nation will not be forgotten.

My heartfelt sympathy is extended to Herb's wife, Mary, and his son, John. I have lost a real friend.

Mr. FOUNTAIN. Mr. Speaker, I would like to associate myself with remarks of my distinguished colleague, the gentleman from North Carolina (Mr. BROYHILL) over the death of Mr. Herbert Johnson. The veterans of North Carolina lost a respected friend recently with the passing of Herbert W. Johnson, director of the Veterans' Administration Regional Office in Winston-Salem, N.C.

For over 17 years, Herb Johnson ably served the veterans of the Winston-Salem region. His over three decades of service with the Veterans' Administration and his knowledge of North Carolina and its people gave him a special insight into the veterans of our area and the many problems which they often encounter after their service discharges.

In helping veterans with matters related to employment training, education, or health, Herb Johnson gave unselfishly of himself. He was always willing to go the extra mile in making sure that each and every veteran got a fair shake. On countless occasions, Herb Johnson's personal attention to a veteran's problem resulted in an expeditious, often favorable, disposition of that veteran's case.

Mr. Speaker, Herb Johnson will be missed by both me and my staff. But, more importantly, his loss will be felt the heaviest by his survivors and by all the many veterans with whom he has come into contact through the years.

My staff joins me in expressing our sincerest condolences to Mrs. Johnson and the family.

Mr. PREYER. Mr. Speaker, so often we hear the complaint that Government workers are not responsive to the needs of the average man on the street who has to find his way through the maze of Government regulations. There was one very great exception to this criticism in the person of Herb W. Johnson, director of the VA Regional Office in Winston-Salem, N.C., until his sudden death on July 6, 1977, of a heart attack.

Herb Johnson was that rare individual with the unique capabilities of administering the programs of a large regional office and at the same time giving individual attention to the problems of each veteran whose case came before him. My office staff and I have dealt with Herb Johnson on matters affecting veterans for approximately 8 years, and we always found him to be not only immediately attentive to the query but also completely dedicated to the cause of resolving the issue to the benefit of the veteran if at all possible under the law and rules and regulations of the Department.

He was a man of the highest integrity, dedicated to the service of his fellow man in general and to the veteran in particular. Herb Johnson will be greatly missed by those who worked for and with him and by those for whom he so diligently labored for 31 years—the veteran.

Our heartfelt sympathies are extended to Herb's family as are our thanks for his dedicated service.

Mr. JONES of North Carolina. Mr. Speaker, I am sure many Members of Congress were saddened to learn of the untimely passing of Herb Johnson, director of the Veterans' Administration Regional Office in Winston-Salem, N.C. All Members through necessity from time to time are called upon to contact the various, multiple agencies of this Government. In most cases the agencies are courteous and attempt to satisfy our requests. But those Members who had occasion to contact the Winston-Salem, N.C., Veterans' Office I am sure, will agree that no one could have been any more understanding and cooperative than Herb Johnson. Although I did not have the pleasure of knowing him intimately, I could not help but feel that he was a personal friend based on our multiple telephone conversations.

Certainly the Members of Congress have lost a dear friend and the military veterans likewise, for he seemed to give every case his personal attention and usually went the extra mile.

To his family and his many friends, I offer my condolences, and sincerely feel that I have lost a personal friend.

Mr. NEAL. Mr. Speaker, countless thousands of North Carolinians have been saddened by the death of Herbert W. Johnson. At the time of his passing, Mr. Johnson was director of the regional office of the Veterans' Administration in Winston-Salem. He had served in that capacity, and as assistant manager of that office, for 17 years. His career with the Federal Government spanned more than 31 years, not including 3 years of active duty with the U.S. Navy during World War II.

Herb Johnson spent most of his adult life in the bureaucracy, yet one would never describe him as a bureaucrat. He was a public servant in the finest sense of that word. Any member of the North Carolina and South Carolina delegations can attest to the integrity with which he administered the affairs of the regional office. I, perhaps more than any member of the delegations, know of his personal accessibility, because during most of my first term, the district congressional office and the VA office were in the same building. There was never a time when Herb Johnson was not available. There was never a problem too trivial to merit his attention; never a situation so complicated that he ducked his responsibility to deal with it. If it could be done, within the law, Herb Johnson did it. If it could not be done, Herb told you why regulations would not permit it.

It was inevitable, with such a large constituency, that Herb Johnson became known to thousands of veterans, their dependents, and their kinsmen. I believe he was seen by them as a man of impartiality, fairness, and compassion. Those few who harbored grievances did not lay the blame at Mr. Johnson's door. They regarded him as their friend and their advocate.

His reputation as a citizen in his own community was an enviable one. He was very active in service and civic organizations. He was a member of The American Legion, Veterans of Foreign Wars, and AMVETS. He was a member of the Winston-Salem Chamber of Commerce, past president of Twin City Kiwanis Club, and a director of Winston-Salem Urban League. He was a member and past president of the North Carolina Federal Personnel Management Council, and past president of the Winston-Salem Federal Council. He served on the Governor's Committee on Jobs for Veterans and was a member of Ardmore Baptist Church.

He was, in many ways, the Federal Government's most visible representative in North Carolina. His devotion to duty and the compassion and understanding with which he carried out the tasks inherent in his position greatly enhanced the image and reputation of the Federal Government, and the Veterans' Administration in particular.

We who worked almost daily with Herb Johnson's office shall certainly miss him. So, too, I am sure, will the thousands of North Carolinians and South Carolinians who benefited from his exceptional service, and his many friends and acquaintances who simply knew and admired the character of this extraordinary man.

Mr. MARTIN. Mr. Speaker, with a sense of genuine loss, I wish to take this opportunity to pay tribute to Herbert W. Johnson who served our Government over an extended number of years and most recently with the Veterans' Administration as regional director of the office in Winston-Salem. His untimely passing has taken from us a dedicated and highly esteemed individual.

We, in the North Carolina delegation,

have lost a friend, one who was devoted to duty and one who executed his responsibilities in a highly exemplary manner, responding with diligence to the tremendous volume of inquiries relating to veterans' matters as they were received from our constituencies.

Herb Johnson will be missed not only by us, by his capable and cooperative staff and those who were closely associated with him in his work, but also by the community which he served willingly and to which he made outstanding contributions. His generous activities are well known and widespread.

My deepest sympathy is conveyed to his family. They will be blessed with comforting and treasured memories in the years to come.

Mr. HEFNER. Mr. Speaker, a most tragic event occurred during the recent district work period. I was stunned to hear of the death of Herbert W. Johnson, director, Veterans' Administration Regional Office in Winston-Salem, N.C. Herb, as we all called him, spent his entire adult life, following his Navy service in World War II, in behalf of veterans and their families.

In his several capacities of leadership, he demonstrated a dedication and devotion which will be difficult to surpass. I came to know Herb personally three years ago and can state without hesitation that he has left a void in the ranks of veterans whose cause has suffered an irrevocable loss. Let us look at the record of a wonderful man who will be sorely missed.

Herb was born in Huntsville, Ala., and moved to North Carolina at an early age. He was graduated from Black Mountain High School and Mars Hill College. He also attended American University, Washington, D.C. He served in the U.S. Navy from November 29, 1942 to November 26, 1945. He completed over 30 years of service with the Federal Government.

He joined the Veterans' Administration on February 25, 1946 in the Roanoke, Va. regional office as a training officer in the Vocational Rehabilitation and Education Division. In 1948, he transferred to the Veterans' Administration Regional Office in Baltimore, Md. as chief, training facilities section. In July, 1950, he transferred in the same position to the Pittsburgh, Pa. regional office. In February, 1953, he was promoted to administrative officer, Veterans' Administration Central Office in Washington, D.C. where he served until he was promoted to assistant manager of the Winston-Salem Regional Office in March, 1960. He served in this capacity until May 1972 when he was appointed director of the regional office.

Herb was active in service and civic organizations. He was a member of the American Legion, Veterans of Foreign Wars, AMVETS, Winston-Salem Chamber of Commerce, Federal Coordinator for Combined Federal Campaign for Forsyth County. He was a member and past president of the North Carolina Federal Personnel Management Council, member and past president of the Winston-Salem Federal Council, member of the Governor's Committee on Jobs for Veterans, and was a director of the Winston-Salem Urban League. He was a member of the Ardmore Baptist Church.

No Member of Congress or veteran could ask for more dedicated service. The fine talent of Herb Johnson is reflected in every activity of the regional office. He was tenacious when need be, compassionate at all times.

Herb had the faith to accept what life decreed and to carry on through acclamation or adversity. He always gave his best but never compromised his principles. His first obligation was to the veteran and he was true to that cause above all. Many who have worked with him will continue in his tradition, but none can replace him.

I extend my deepest sympathy to Herb's wife Mary and his son, John.

My friend is gone. I shall miss him.

Mr. ANDREWS of North Carolina. Mr. Speaker, I am privileged to join my colleagues today in paying memorial tribute to the late Herbert W. Johnson, director of the Veterans' Administration Regional Office in Winston-Salem, and one of North Carolina's truly fine public servants.

The fact that nearly everybody who knew or came into contact with him called him simply "Herb" is in itself a testimonial to the warmth and character of the man.

Those members of my congressional staff who worked most closely with Herb Johnson were unstinting in their admiration and affection for him as a person, and in their respect for his devotion to duty. He was, they say, an unassuming man—always willing to go that extra mile for North Carolina's veterans, and who was fervent in his desire to help those who were sick, aged, or disabled.

Perhaps the most fitting tribute of all to his memory is the legacy he leaves to those countless veterans who know a better way of life because of Herb Johnson's quiet but unending efforts to make it so.

Herb will be sorely missed here, but the vast contributions he made to our State and her people will remain—as a living monument to his greatness.

Mr. WHITLEY. Mr. Speaker, I wish to join my colleagues in paying respect to a man who has served ably and well as a public servant. Herbert W. Johnson, known to many of us as "Herb," passed away suddenly in Winston-Salem, N. C., week before last. For more than 30 years, Herb had worked for the Veterans' Administration, concluding his career as manager of the Winston-Salem Regional Office of the Veterans' Administration for 5 years prior to his death.

Herb served with distinction and dedication in a difficult position. It is not easy to administer fairly and impartially the laws which Congress has passed which relate to the benefits of veterans and still give sympathetic and humane consideration to the personal needs of individual veterans.

I am sure that each of us who is a Member of this body has encountered a situation or many situations where his natural sympathy for the needs of individuals has made him want to extend benefits in cases where he realized the veteran did not meet the technical requirements of the law and we have also seen other types of cases where a veteran who met the technical requirements received benefits in defiance of the intent of the law.

Herb Johnson did an outstanding job in insuring that reasonable and sympathetic consideration was given to the claim of every veteran and that in each case of genuine need benefits were provided in all situations where they were authorized by law. He also worked diligently to avoid awarding benefits or continuing benefits to those who did not meet the legal requirements for eligibility, and to eliminate the possibility of fraud. Herb Johnson personified the kind of public servant every civil service employee should be. All of us who knew him extend our sympathy to his family and express to them our gratitude for his service to the Nation.

Mr. GUDGER. Mr. Speaker, I wish to associate with the remarks of others here who have eulogized Herbert W. Johnson, deceased, of late the director of the Veterans' Administration Regional Office, Winston Salem, N.C. Herbert W. Johnson deserves commemoration and a place in the permanent records of the Congress of the United States. Almost his entire mature life was spent in the service of his country. For 3 years he served in the U.S. Navy from November 29, 1942 to November 26, 1945. Thereafter in February 1946 he joined the Veterans' Administration in Roanoke, Va.

In the service of the Veterans' Administration he received promotion after promotion. He served for 2 years at the VA Regional Office in Baltimore, Md., as chief of its training facilities section. He served from July 1950 to February 1953 in the same position at the VA regional hospital in Pittsburgh, Pa. And thereafter he served for 7 years as administrative officer of the VA central office here in Washington, D.C. In 1960, he was promoted to become assistant manager of the Winston Salem, N.C. regional office in which capacity he continued to serve until May 1972 when he became director of that regional office.

Herb Johnson was not only a distinguished naval veteran himself, but in his entire postwar career he was a veteran's veteran. He spent much time attending local, State, and national meetings of the veterans' organizations of which he was a member—the American Legion, the VFW, the AMVETS. He was equally concerned about the civic affairs of the communities in which he lived. For example, he served on the Winston Salem Chamber of Commerce as president of its Twin City Kiwanis Club and as member and president of the Winston Salem Federal Council. He was equally active in State affairs, serving as a member of the Governor's Committee on Jobs for Veterans and as president of the North Carolina Federal Personnel Management Council.

You will note that 10 times in the preceding comments I have used the word "served." This is appropriate because the life of Herbert Johnson was a life of service to community, State, and Nation. But in another capacity, he served with equal earnestness. I refer to the service which

he rendered to each individual whose case required his attention. It was an outstanding characteristic of this man that in the discharge of his duties as an officer of the Veterans' Administration he took a personal interest in each case under his supervision. He made sure that every veteran's claim received just and sympathetic attention, and as director of the regional office in Winston-Salem during the years which he served he was responsible to some degree for the handling of the claims of some 617,000 veterans.

Herb Johnson was born in Black Mountain, within my congressional district, the son of Rev. J. J. Johnson, a distinguished minister of the Gospel in that community. He attended the public schools of Buncombe County, in which county I reside, and he graduated from Mars Hill College, a leading Baptist educational institution, located in my district.

The people of western North Carolina are grateful for the exemplary life and achievements of this devoted public servant, this native son, whose attainments greatly honor the community in which he was born and grew into manhood.

Herbert Johnson—an extraordinary man, a loyal and dependable friend, a person of sterling character. He endeared himself to many by his life of unselfish service. He will be greatly missed.

GENERAL LEAVE

Mr. CORCORAN of Illinois. 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 therein extraneous matter, on the subject of the special order taken today by the gentleman from North Carolina (Mr. BROYHILL).

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

There was no objection.

AN UNATTENDED HUMAN RIGHTS ISSUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FISH) is recognized for 10 minutes.

Mr. FISH. Mr. Speaker, I wish to express the seriousness with which I view a direct violation of the fourth amendment to the Constitution of the United States, and to deplore the seeming lack of urgency in dealing with it.

Knowledgeable sources have confirmed that the Russians have placed within the Soviet Embassy in Washington, and in other locations in this country, intricate devices that are capable of intercepting long-distance telephone calls transmitted through the air by microwaves or ultra-high frequency radio signals, a system that handles more than two-thirds of domestic long-distance calls. By the use of advanced computers, information of interest to the Soviet Union is filtered out of the hundreds of thousands of phone calls made by U.S. citizens made available to them each day.

The existence of Soviet surveillance devices in the United States, Mr. Speaker, brings our most confidential governmental, economic, and corporate information under Soviet scrutiny. The fact that this practice has been known to prior administrations is no ground to condone it today.

It is unfortunate that within our Government there are those who gain access to information through an invasion of privacy, but when discovered the guilty are prosecuted. When an injustice is committed by a foreign government, however, no resolution can be reached in a court of law, nor can the accused be punished. Therefore, the U.S. Government is looked to by the people to bring an end to the practice.

John F. Kennedy demonstrated in handling the Cuban missile crisis of 1962, that responsibility for courageously stating our country's demands falls to the President of the United States.

Soviet eavesdropping is a crime, violating our fourth amendment rights against unreasonable search and seizure. The fourth amendment reads:

> (t)he right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated . . .

A crime is being committed at this very moment, and the infuriating fact is that the instruments of invasion are here in the United States. The Constitution of the United States is the supreme law of the country. Public officials are sworn to defend it, American citizens are expected to abide by it, and foreign nations should respect it. The creators of the fourth amendment felt it important that every American be free of unreasonable search and seizure, no matter who the intruder was.

President Carter, well aware of the injustice being committed against citizens of the United States, has adopted a strange ambivalence inconsistent with what appears to be one of his administration's major concerns—human rights.

To protect the national security against further infiltration, the administration has drawn up plans for an intricate and expensive system of coding and decoding that would secure the Executive's privacy. Does the administration construe the fourth amendment to mean that only the executive branch of Government shall be granted security against unreasonable search and seizure, leaving the American people subject to foreign surveillance? Soviet eavesdropping, as the President claims, may not be an act of aggression, but it clearly is an invasion of the privacy of U.S. citizens.

If the reason for Presidential reticence is that we practice domestic eavesdropping on a scale approaching the massive Soviet effort, then this, too, is extremely disturbing and depressing.

I strongly and respectfully urge the President to stand firm and consistent to his commitment to human rights, and insist that the Soviets discontinue their surveillance of American phone calls.

LEGISLATION TO CREATE AN OFFICE OF SPECIAL PROSECUTOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Delaware (Mr. EVANS) is recognized for 5 minutes.

Mr. EVANS of Delaware. Mr. Speaker, I am today introducing legislation to create an Office of Special Prosecutor to investigate the recent allegations of bribery and other improper activities between foreign governments and Members of Congress.

Although the introduction of this legislation has been prompted by the cascade of reports that South Korean lobbyists may have improperly influenced Members of Congress, my bill would direct the new special prosecutor to investigate the whole area of foreign involvement with Members of Congress.

Yesterday, I, along with many of my colleagues, called on President Carter to appoint a special prosecutor. I did so because I am convinced that the House of Representatives simply cannot investigate itself in this matter. The slow-moving probe of the Ethics Committee, coupled with the resignation this past weekend of Committee Counsel Philip Lacovara has erased any confidence that might have been present in the committee.

Unfortunately, President Carter has, for whatever reasons, decided not to appoint a special prosecutor, preferring to place his confidence in the institution which has yet to show any progress whatsoever.

I believe the President is wrong. The only way to guarantee a fair, impartial, and independent investigation of these allegations is to have a group of individuals probing the charges who owe no political allegiance to anyone.

I also believe that the scope of the allegations already made regarding criminal activities between Members of Congress and the South Korean Government representatives have gone far beyond the ability or even the responsibility of the Ethics Committee to investigate. The Committee on Standards of Official Conduct was set up to deal with individual transgressions of Members of Congress, not to act as the investigatory body for a full range of criminal charges. It simply cannot, in my judgment, deal in a prompt and satisfactory way, with the wide spectrum of charges that have been made.

The Office of the Special Prosecutor worked with the Watergate investigation. It can work again. The success of the Watergate probe was due in large measure to the work of the Special Prosecutor, working in concert with other groups such as the Ervin committee, the House impeachment inquiry, the Justice Department, and the press.

Speaker O'NEILL has guaranteed the independence of the new Ethics Committee counsel. This statement itself is the best argument I know of for a prosecutor who is independent of the Congress. No matter what promises the Speaker makes, the independence of anyone cannot be guaranteed unless that person is taken from under the thumb of others. It was not so long ago that Richard Nixon promised Archibald Cox independence, a promise which went up in smoke during the Saturday Night Massacre.

Mr. Speaker, the public's level of confidence in Congress is distressingly low,

and unless we indicate to the American people that we are serious in getting to the bottom of these serious allegations, that confidence will shrink to zero.

It is time to put aside the old, established way of doing things around here. The "ol' boy" system cannot and should not be allowed to frustrate this inquiry. We need a special prosecutor now.

I ask unanimous consent that a copy of my bill be printed at the conclusion of these remarks.

H.R. 8412

A bill to require the President to appoint a Special Prosecutor to investigate and prosecute acts by agents of foreign governments to influence elected and non-elected officials and employees of the United States

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 "Congressional Integrity Act of 1977".

SEC. 2. The President shall, within 30 days of enactment of this Act, cause to be appointed a Special Prosecutor to serve in the Department of Justice.

SEC. 3. The Special Prosecutor shall investigate, prepare, and conduct prosecutions with respect to, acts by agents of foreign governments designed to buy influence for such governments from elected officials and employees of the United States by providing to such officials and employees money, gifts, free trips and other matters of value.

SEC. 4. (a) Notwithstanding any other provision of law, a special prosecutor appointed under this Act shall have, with respect to all matters in such special prosecutor's prosecutorial jurisdiction established under this Act, full power, and independent authority—

"(1) to conduct proceedings before grand juries and other investigations;

"(2) to participate in court proceedings and engage in any litigation, including civil and criminal matters, as he deems necessary;

"(3) to appeal any decision of a court in any case or proceeding in which such special prosecutor participates in an official capacity;

"(4) to review all documentary evidence available from any source;

"(5) to determine whether to contest the assertion of any testimonial privilege;

"(6) to receive appropriate national security clearances and, if necessary, contest in court, including, where appropriate, participation in in camera proceedings, any claim of privilege or attempt to withhold evidence on grounds of national security;

"(7) to make applications to any Federal court for a grant of immunity to any witness, consistent with applicable statutory requirements, or for warrants, subpenas, or other court orders, and for purposes of sections 6003, 6004, and 6005, of title 18, a special prosecutor may exercise the authority vested in a United States Attorney or the Attorney General;

"(8) to inspect, obtain, or use the original or a copy of any tax return, in accordance with the applicable statutes and regulations, and for purposes of section 6103 of title 26, and the regulations issued thereunder, a special prosecutor may exercise the powers vested in a United States Attorney or the Attorney General;

"(9) to initiate and conduct prosecutions in any court of competent jurisdiction, frame and sign indictments, file informations, and handle all aspects of any case in the name of the United States; and

"(10) to exercise all other investigative and prosecutorial functions and powers of the Department of Justice, the Attorney General, and any other officer or employee of the Department of Justice, except that the Attorney General shall exercise direction or control as to those matters that specifically require the Attorney General's personal action under section 2516 of title 18.

"(b) A special prosecutor appointed under this chapter shall receive compensation at a per diem rate equal to the rate of basic pay for level IV of the Executive Schedule under section 5315 of title 5.

"(c) For the purposes of carrying out the duties of the office of special prosecutor, a special prosecutor shall have power to appoint, fix the compensation, and assign the duties of such employees as such special prosecutor deems necessary (including investigators, attorneys, and part-time consultants). The positions of all such employees are exempted from the competitive service. No such employee may be compensated at a rate exceeding the maximum rate provided for GS-18 of the General Schedule under section 5332 of title 5.

"(d) If requested by a special prosecutor, the Department of Justice shall provide to such special prosecutor assistance which shall include full access to any records, files, or other materials relevant to matters within his prosecutorial jurisdiction, and providing to such special prosecutor the resources and personnel required to perform such special prosecutor's duties.

"(e) A special prosecutor may ask the Attorney General or the division of the court to refer matters related to the special prosecutor's prosecutorial jurisdiction. A special prosecutor may accept referral of a matter by the Attorney General, if the matter relates to a matter within such special prosecutor's prosecutorial jurisdiction as established by the division of the court. If such a referral is accepted, the special prosecutor shall notify the division of the court.

"(f) To the maximum extent practicable, a special prosecutor shall comply with the written policies of the Department of Justice respecting enforcement of the criminal laws which have been promulgated prior to the special prosecutor's appointment."

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

PRESIDENT'S SUGAR PROGRAM ILLEGAL

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, the payments ordered by President Carter to sugar processors and producers constitute an illegal act according to the Comptroller General of the United States.

The administration was unwise to try to put over a scheme that had never been the subject of hearings, was never alluded to in the consideration of the Agriculture Act of 1949, and was not included in budget recommendations.

It was adventurism pure and simple. If it had been permitted to stand, who knows how far the executive could go without so much as a wink at the legislative branch. Fortunately, the Comptroller General has called a halt to it with his finding that the administration's program is illegal. Mr. Staats states very clearly:

The proposed program is not, in our view, authorized under 7 U.S.C. 1447 [and] the Department may not do indirectly what it cannot do directly.

I appeal to the President to rescind immediately his decision authorizing the payments. So far as I know, no President has ever proceeded with expenditures in contravention of views expressed by the Comptroller General. To do so would plainly be illegal.

Instead, the administration should now formulate a legislative proposal concerning sugar policy, let the Congress hold hearings and work its will. That's the time-tested and only proper way to consider the current hardship for sugar producers and what our Government should do about it.

The payments were expected to be made from Commodity Credit Corporation funds, which would put them beyond the usual discipline of the Comptroller General. Under normal procedure an adverse finding by the GAO would enable the Comptroller General to take exception to an expenditure. Such finding would effectively stop the disbursement.

Text of the letter from Mr. Staats follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., July 19, 1977.

Hon. PAUL FINDLEY,
House of Representatives.

DEAR MR. FINDLEY: This is in response to your letter dated June 15, 1977, which was also signed by the Honorable Edward R. Madigan, House of Representatives, concerning the Department of Agriculture's proposed regulations which would establish a price support payments program beginning with the 1977 sugar crop.

In this regard, you say that the proposed sugar regulations issued on June 14, 1977, are a classic example of an administrative agency trying to do indirectly what it cannot do directly. You refer to the current law as not permitting direct payments to sugar producers, but that the proposed regulations would get around this by providing that the processor would pay the producer the full amount of the support payment received, after deduction for administrative expenses. You indicate that there is also dubious legal authority for the proposed sugar plan because the current law requires that any payments shall be for the purpose of price support and you believe that the payments will not in any way increase, support or stabilize market prices, but will only provide income support.

You also question the legal basis for requiring a processor to carry out the program. You inquire as to what method of enforcement is available to the Department of Agriculture?

Finally, you question the legality of this type of "domestic subsidy" under our Government's international agreements, including the General Agreement on Tariffs and Trade (G.A.T.T.).

We have reviewed the opinion of the Department's Acting General Counsel which you included with your letter. We have also written to the Secretary of Agriculture in order to obtain his views on these matters. Due to the time constraints you have placed on our response, we met with certain officials of the Department of Agriculture to obtain such information and expression of views as we needed to prepare a quick response to your inquiry. While we have not received the written views of the Department we understand the Department's reply would confirm the views expressed by Department officials.

With regard to price supports for agricultural commodities, 7 U.S.C. § 1421 (1970) provides in pertinent part as follows:

"(a) The Secretary [of Agriculture] shall provide the price support authorized or re-

required herein through the Commodity Credit Corporation and other means available to him.

"(b) Except as otherwise provided in this Act, the amounts, terms, and conditions of price support operations and the extent to which such operations are carried out, shall be determined or approved by the Secretary. The following factors shall be taken into consideration in determining, in the case of any commodity for which price support is discretionary, whether a price-support operation shall be undertaken and the level of such support * * *. (1) the supply of the commodity in relation to the demand therefor, (2) the price levels at which other commodities are being supported * * * (3) the availability of funds, (4) the perishability of the commodity, (5) the importance of the commodity to agriculture and the national economy, (6) the ability to dispose of stocks acquired through a price-support operation, (7) the need for offsetting temporary losses of export markets, (8) the ability and willingness of producers to keep supplies in line with demand * * *.

"(e) Whenever any price support or surplus removal operation for any agricultural commodity is carried out through purchases from or loans or payments to processors, the Secretary shall, to the extent practicable, obtain from the processors such assurances as he deems adequate that the producers of the agricultural commodity involved have received or will receive maximum benefits from the price support or surplus removal operation."

Section 1447, title 7, U.S. Code (1970) provides for price support levels of nonbasic agricultural commodities as follows:

"The Secretary is authorized to make available through loans, purchases, or *other operations* price support to producers for any nonbasic agricultural commodity not designated in section 1446 of this title at a level not in excess of 90 per centum of the parity price for the commodity." (Emphasis added.)

The program proposed by Agriculture in its regulations has the stated objective of supporting prices in the market place for sugarbeet and sugarcane producers through payments made to sugar processors. In support of the proposed payments program for 1977 crop of sugar specific reference is made to the eight applicable factors enumerated in 7 U.S.C. § 1421(b). In this regard it is stated that the price received by producers in the United States is a function of the world market price which is currently depressed and therefore the price received by domestic producers is below their cost of production. Price support payments are said to be limited to two cents a pound for several reasons including that the effect of larger payments would be to support the world market price for sugar which would mean an unlimited outlay of currency from the U.S. Treasury.

Section 1435.3 of the proposed regulations (42 Fed. Reg. 30409 (June 14, 1977)) refers to a determination by the Secretary of Agriculture that the level of price support for 1977 crop sugar will be no more than 13.5 cents a pound and that if the national average market price is less than 11.5 cents a pound, the price support payment rate shall not exceed two cents a pound. Under section 1435.5, at the end of each marketing quarter, after the Department of Agriculture has determined the national average price for sugar received by processors in that marketing quarter, it will announce the rate of payment for sugar marketed in the quarter. Payments will be made to a processor on eligible sugar marketed by it during the marketing quarter.

Section 1435.6 provides for a written contract between the processor and the producer stipulating the producer's share of proceeds for the sale of sugar in the market place and the method of payment of the proceeds. The processor shall agree to pay the producer the full amount of the price support payment after deduction for administrative expenses incurred in carrying out its obligations under the program.

Section 1435.9 of the proposed regulations provides that the processor will only be allowed to deduct from the payments actual administrative expenses directly incurred as the result of distributing payments to producers and fulfilling other requirements of the program. Allowable costs may include increased labor, automated data systems use, postage, and the processing of bank drafts. It would not include general administrative and overhead expenses incurred in the processors normal operations.

The Secretary of Agriculture, under 7 U.S.C. § 1447 may make price supports available to sugar producers by means of loans, purchases or "other operations." With regard to "other operations," the Department of Agriculture's Acting General Counsel, in a memorandum to the Secretary, dated April 6, 1977, a copy of which was enclosed with your letter, states as follows:

"The term 'other operations' as stated in Section 301 [7 U.S.C. § 1447] would permit the Secretary of Agriculture to make payments to processors of sugar who pay support prices to sugar producers. Such payments would assure that producers would receive the support prices in the market place for their sugar at a time when processors could not otherwise afford to pay the support price in view of market prices for the processed product. The phrase 'other operations' would not, however, authorize direct payments to producers by the Secretary, since such payments would not support the price which the producers received in the market place for their sugar. This conclusion is supported by extensive legislative history."

After reviewing the pertinent legislative history, the Acting General Counsel concludes.

"* * * the phrase 'other operations' as contained in the Agricultural Act of 1949, as amended, would not allow the Secretary to make payments to producers of sugar beets and sugar cane, but would permit payments to processors of sugar in order to support the price received by producers for sugar in the market place."

We have reviewed the statute and legislative history discussed in the Acting General Counsel's memorandum and concur that the Department may not make direct payments to producers. Hence, whatever else it may encompass, we agree that the statutory term "other operations" was not intended to include direct payments to producers.

Under the proposed program, after the end of the previous marketing quarter, payments are to be made to processors who have agreed that after deduction for administrative expenses, the full amount of the payment is to be paid to the producers. It appears that while the payment is made by the Government to the processor, the processor's function is akin to that of a trustee for the benefit of the producers, and to act as an agent of the Government in determining the amount due to each producer who has sold eligible sugar to it, and in forwarding such payments to the individual producers. It is indeed difficult to distinguish the effect of the proposed program from that of a program of direct producer payments made on the basis of the amount of sugar marketed. Accordingly, the proposed program is not, in our view, authorized under 7 U.S.C. § 1447 as the Department may not do indirectly what it cannot do directly.

In any event we have substantial doubt that the proposal represents a price support program as contemplated by 7 U.S.C. §§ 1421 and 1447. As we understand the proposed program, at the end of each marketing quarter the Department of Agriculture will determine the national average price for sugar for the quarter, and based on this determination, payments, not to exceed two cents a pound, will be authorized to be paid to the processors for the benefit of the sugar producers, provided the market price does not exceed the designated support price (of, for example, 13.5 cents a pound for crop year 1977). The actual rate of payment per pound will be the amount by which the national average market price is less than the designated support price.

The stated objective of the proposed program is to support prices in the market place for sugarbeet and sugarcane producers through payments made to sugar processors. However, the proposed program is unlike traditional price support programs in which the Government stands ready to purchase a commodity at a given price, and in which it in effect establishes a floor in the market place which those desiring to purchase the commodity, must pay. Under the proposed program purchasers in the market place would pay the current price for sugar, for example, 11.5 cents a pound. At a later date, with a designated support level at 15.5 cents a pound, the producers would receive 2 cents a pound from the Government (less the processors' administrative expenses). It thus appears that the additional payment received by producers does not support or increase the market price but rather makes payments to processors for the benefit of the producers, as if the market price actually were higher.

In other words, the proposed program seems to provide, in essence, the equivalent of direct payments to producers, and we fail to see how the payments contemplated under the program would support the market price of sugar.

For the foregoing reasons, we are doubtful that the proposed program may be considered as a price support program as contemplated by 7 U.S.C. §§ 1421(e) and 1447.

With regard to processor participation in the proposed program, we have been informally advised by an official of the Department's Office of General Counsel, that he is aware of no means of compellisg a processor to take part in the program. However, since producers would presumably bring their sugar to processors whose participation in the program would result in substantial additional payments to producers, it would appear that processors would for economic reasons voluntarily participate in the program. Once part of the program, after having entered into written agreements with producers stipulating their share of proceeds from the sale of sugar and the method of payment, the processor would be required to submit reports and certifications to Department of Agriculture which would probably conduct local spot checks of the processor's activities under the program.

Finally, you question the legality of the proposed program under G.A.T.T. or other of our Government's international agreements. The above agreement (61 Stat. part (5) and (6), T.I.A.S. No. 1700, 55–61 U.N.T.S) which was concluded on October 30, 1947, and entered into force for the United States on January 1, 1948, provides in pertinent part as follows:

"ARTICLE XVI—SUBSIDIES

"Section A—Subsidies in General

"1. If any contracting party grants or maintains any subsidy, including any form of income or price support, which operates directly or indirectly to increase exports of any product from, or to reduce imports of any product into, its territory, it shall notify

the contracting parties in writing of the extent and nature of the subsidization, of the estimated effect of the subsidization on the quantity of the affected product or products imported into or exported from its territory and of the circumstances making the subsidization necessary. In any case in which it is determined that serious prejudice to the interests of any other contracting party is caused or threatened by any such subsidization, the contracting party granting the subsidy shall, upon request, discuss with the other contracting party or parties concerned, or with the contracting parties, the possibility of limiting the subsidization."

Under this provision if the U.S. grants a subsidy including any form of income or price support which operates to increase sugar exports or decrease sugar imports into the country, the Government is required to notify the other contracting parties. Upon request, the U.S. also must discuss the possibility of limiting the subsidization with any party that believes its interests have been seriously prejudiced. It is not clear to us at this point if the proposed program would increase exports and reduce imports of sugar into the United States; you may wish to raise this question with the Department of Agriculture officials. Of course if there were an increase of the market share of domestic producers, the U.S. Government would be obligated to inform the other parties regarding the program and upon request to discuss possible limitations on the extent of the subsidy. We are not aware of provisions of any other international agreement which might invalidate the proposed program.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. TRIBLE) is recognized for 5 minutes.

Mr. TRIBLE. Mr. Speaker, earlier today I was absent on official business when two rollcall votes were taken. Had I been present I would have voted as follows:

On rollcall No. 433, adoption of the conference report on H.R. 7554, Housing and Urban Development-independent agencies appropriation bill, fiscal year 1978 I would have voted "yea."

On rollcall No. 434, the vote on the Jupiter Probe amendment in disagreement, I would have voted "no," therefore supporting the program.

CREDIT LAWS—THE CONSUMERS' SHIELD

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, in recent months consumers have shown an increasing level of confidence in the American economy. American consumers have demonstrated this confidence through increased spending at all levels.

Consumer spending accounts for nearly two-thirds of the Nation's gross national product. In May, consumer credit buying expanded by $2.53 billion. This increase is the third largest increase ever, according to the Federal Reserve Board. Polls measuring consumer confidence in the economy have reflected significant increases in buyer confidence, and June's figures indicate that this trend is continuing.

As chairman of the Consumer Affairs Subcommittee of the House Banking Committee I would like to express my belief that this increased consumer confidence is due, in part, to the credit legislation which originated in the Consumer Affairs Subcommittee. This legislation has proven itself to be beneficial to the consumer as well as to financial institutions and business enterprises.

One example of a law which stimulated the use of credit is the Equal Credit Opportunity Act amendments which became effective in March of this year. This law prohibits discrimination in the granting of credit to the elderly as well as discrimination based on sex, marital status, race, color, religion, and national origin. As a result, for the last 4 months, creditworthy citizens, who once were denied credit simply because they had reached a certain age, have been applying for loans knowing that their age would not be held against them.

Other examples of the diligent efforts of the members of the Subcommittee on Consumer Affairs in the area of consumer credit protection are the Truth in Lending Act, the Fair Credit Reporting Act, the Fair Credit Billing Act, and the Truth in Leasing Act. These laws have provided consumers with new rights and protections in their credit and financial dealings, where previously they had none, and have helped consumers to save valuable time and money.

The granddaddy of all consumer credit legislation is the Truth in Lending Act which has been in existence since 1968. The Truth in Lending Act has led to a greater understanding by the consumer of the obligations assumed when signing loan contracts. The requirements that there be standardized quotations of interest rates, as annual percentage rate, and that lenders disclose other information relating to the cost of credit, have permitted the consumer to make a more informed choice when seeking credit. The fact that consumers are able to obtain adequate information as to the full cost of credit, makes it easier for families to manage their money. The disclosures may at first appear complex to some people, but after experience is obtained the terms become meaningful and essential to the consumer's protection. The fact that consumer credit buying is on the increase indicates that these laws have made the consumer increasingly aware of his options.

In spite of all of the good that these laws have done there are proposals being put forth designed to change them. I view such proposals with great caution because they may cut back on consumer protections currently part of the law.

It is important, when making changes in any type of legislation, to keep in mind that legislation's fundamental purpose. The detrimental effects of tampering with any law must be carefully measured especially when that law has proven to be as effective as the Truth in Lending Act. The Truth in Lending Act was passed with one overriding goal—to help the consumer deal with the problems he encounters when seeking credit.

I would like to make it clear that while I support legitimate truth in lending simplification I am wary of any measure designed to weaken the basic premise of the law. It is our responsibility to protect the consumer by giving him the knowledge and the means to protect himself. In this way America will continue to prosper and grow.

HOUSING SUBSIDIES OR WELFARE SLUMS?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. AUCOIN) is recognized for 5 minutes.

Mr. AUCOIN. Mr. Speaker, in an age which government involvement, especially by the Federal Government, has come increasingly under suspicion, it is a marvel that there is broad support for Federal housing programs, but it exists, nevertheless. That support extends from housing advocates for the poor to advocates for industries that build the housing.

This broad support is the result of programs that yield tangible returns for dollars spent. There are intangibles that accrue, too—revitalized cities, stabilized neighborhoods, and better economic and racial mixes of people.

Federal housing programs have not always been on target and they have not always been administered with an eye toward making them work. There have been failures as well as successes. But on the whole, Federal housing programs have been for the public good and deserve continued efforts to refine them so they meet the evolving challenges of each new age.

Given this viewpoint, I—as a member of the Housing Subcommittee—am shocked that the Office of Management and Budget has advanced a suggestion to scrap virtually all Federal housing programs and redirect that money through a reformed welfare system. Surely the OMB cannot seriously be considering correcting minor faults by making a major error. Yet, unbelievably, this seems to be the case.

I must wholeheartedly agree with Senator JOHN SPARKMAN of Alabama whose many years in the U.S. Senate give him a unique perspective on Federal housing programs. He called this OMB suggestion an echo of a discredited policy advanced by former President Nixon.

I would go a step further and call it a farce—a simplistic, myopic plan that fails to take into account the broad economics of housing production and housing availability.

It fails to assess the value of existing housing and community development strategies.

It fails to reckon with the need to target the production of housing for low-income Americans.

It fails to recognize the importance of Federal housing programs to the housing industry and to supporting industries—such as the forest products industry which is so important to my State of Oregon.

This thoughtless suggestion falls so far short of producing any positive result that I believe it should be dismissed out of hand. Time wasted on arguing over the suggestion would be better spent perfecting existing Federal housing programs.

I cannot conceive of a Democratic administration literally throwing up its hands on a longstanding national commitment to provide decent housing for Americans. The so-called cash-in proposal suggested by OMB will put money into the hands of low-income people for housing, but will not exert any control over what kind of housing they get. Jack Shriver, president of the National Association of Housing and Redevelopment Officials, accurately outlines the mess that would be created by saying—

> In effect, this would put government assistance into the hands of slum landlords . . . and encourage them to keep the slums as they are.

I do not believe such an action would keep faith with the principles the Democratic Party espouses and I would not be a party to allowing it to happen.

The economic factors involved in the production of housing are fundamentally different than those of other consumer services. There is a much higher cost/risk factor, especially with housing designed for low- and moderate-income families. Coupled with this fact of life is the very real presence of skyrocketing housing costs caused by a number of factors, such as mushrooming land costs, the higher cost of money, more expensive building materials and higher labor costs. The cost of producing or rehabilitating housing has reached the point that an intolerably large number of Americans—including many young families with good incomes—cannot afford to buy a home. Low-income people, worst off of all, cannot afford to rent even barely decent housing.

Great strides have been made and more need to be made to combat the growing unaffordability of housing. The OMB, stretching the truth to the breaking point, claims that Federal Government housing programs are inefficient and thus contribute to increased housing costs. I would counter by predicting the cash-in proposal would be one of the most inflationary measures ever tried because it would not produce housing.

Presumably, OMB would leave intact the community development block grant program which is aimed at assisting low- and moderate-income people by attacking slums and blight and providing a stimulus to community redevelopment. But the community development block grant program never was intended to be a housing program and it could not shoulder the sole responsibility of stimulating production of the housing needed to meet the demand of our Nation's people.

Further, the community development block grant program is limited in the kinds of areas to which it can be applied. Housing programs are less limited. Indeed, Federal housing programs are working in inner cities, in suburban areas and in rural areas. Federal housing programs are designed to meet a wide variety of problems. Taken together, housing programs and the community development block grant program form an increasingly coordinated strategy to achieve social goals such as urban revitalization, neighborhood preservation, and racial and economic integration. That strategy also is working to prevent urban sprawl, thus saving energy and making more efficient the delivery systems for transportation, utilities and other public services.

Finally, I want to underline the disastrous effect I believe the cash-in proposal would have on the housing industry, and ultimately, on the entire economy. At a time when our Nation is trying to fight unemployment, this action would be counterproductive. No single action could be more effective in bringing the housing industry, and the industries that depend on it, to a swift demise. And when the cash-in plan fails—as it certainly would—who would receive the industry? Undoubtedly the Government, with costly, wasteful incentives. How would the death of this industry, and the loss of payrolls and thus the loss of tax revenue square with the President's notion that welfare reform is to be accomplished without an increase in cost?

I believe every idea should have its day in court. In this case, I do not think a long trial is necessary. An immediate verdict can be rendered that the case for this idea is insufficient to prolong the argument.

The Carter administration would be well advised to drop this absurd notion. It promised the people more in the field of housing, and the people deserve to get what they were promised.

Adverse comment on the OMB proposal has been widespread. One of the clearest, sharpest analyses appeared as an editorial in the Boston Globe on July 16, 1977, which noted that the cash-in plan "would pit the poor against the poor and, in time-honored fashion, ask them to take what they need out of what little they already have." I herewith submit that editorial in its entirety to illustrate further the foolhardiness of the OMB proposal.

STORM SIGNAL AT HUD

It is distressing news that the Carter Administration is even considering paying for a revamped welfare program with money that otherwise would be used for housing subsidies. While the proposal will surely be shot down before it gets much farther from the Office of Management and Budget, the fact that it could be made at all reveals a distinct danger—that rank pragmatism is about to be palmed off as urban policy by Bert Lance and his associates at OMB.

The approach, outlined in an OMB memo to HUD as one of three ways to mesh housing programs to the new welfare system now under construction, would pit the poor against the poor and, in time-honored fashion, ask them to take what they need out of what little they already have. President Carter has stated emphatically that no new welfare system can cost any more than the old one.

Given that jarring injunction, it is not surprising that Secretary Joseph Califano of the Department of Health, Education and Welfare and his associates should be looking at HUD and its $4.9 billion in housing subsidy funds.

They can argue, as did officials of the Nixon and Ford Administration, that the subsidy programs are wasteful and inefficient, that much of the money doesn't go to the poor at all but to middle-income people. They can also argue that the simplest and most direct way to help the poor is to subsidize them directly through the welfare check and let them find their own housing and that the housing problem is at bottom an income problem divorced from the problem of housing production.

Under this rationale, the government has no duty to stimulate the housing industry through subsidy programs. Helping provide a better market is stimulation enough.

The problem with such arguments is that they don't address either the realities of the urban conditions or the complexities of housing policy. They also overlook the crippling effect the loss of the subsidy programs would have on central cities and on the attempts, centered within HUD, to develop an urban policy that would open up housing opportunities while strengthening existing neighborhoods.

Subsidy programs are essential to any urban policy. They allow HUD to target funds where they are needed, to replace worn out slums, to build afresh on vacant lots or to salvage dwellings that would otherwise deteriorate and slip from the housing market.

The programs also provide thousands of new housing units that can make an enormous qualitative difference in the lives of millions of people.

The Carter Administration may argue that those units would be built anyway. The past indicates they would not be and that specialized industry capable of providing those units would fall apart, just as it did after the Nixon-declared moratorium on HUD programs in 1973.

Also destroyed would be HUD, the agency charged with the special responsibility as the advocate of urban America. Not only would HUD's Secretary Patricia Harris be left powerless without either money or programs, but cities like Boston and New York and Philadelphia would be left without a place to turn within the Administration.

That, of course, is not about to happen. But what can result from the internal struggle between HUD and OMB is a serious weakening of the Harris position within the Cabinet where she was originally slated to be the prime architect of the new urban strategy. Another result is a draining off of creative energies better directed at solving urban problems than compounding them.

LABOR LAW REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON. Mr. Speaker, on the opening day of the 95th Congress, I introduced H.R. 77, an omnibus bill to amend the National Labor Relations Act. As I explained at that time, the purpose of my bill was to cure certain inequities and deficiencies in the act which have led to the frustration of national labor policy.

These failings in the law have been constantly and dramatically called to my attention during my 15 years as chair-

man of the House Labor-Management Subcommittee. During that time I have spoken to literally thousands of working men and women who have told me of the terrible injustices they have suffered only because they wanted to exercise rights allegedly promised to them 40 years ago in the Wagner Act.

Several such workers were present with me this morning—workers who have been waiting over 20 years for redress of their legal rights. Mrs. Thelma Swan and her son Raymond Swan are living examples of the adage that "justice delayed is justice denied." This Nation cannot afford to permit such denials of justice to continue.

The staff report issued by my subcommittee at the end of the 94th Congress details many of those failings in the present law and makes certain recommendations for change. Those needed changes fall into two major categories: First, provisions which would expedite the processes and procedures of the National Labor Relations Board and eliminate the opportunities for delay in enforcement of workers' rights, and second, provisions which would strengthen the remedies available to the National Labor Relations Board in order to take the profit out of violation of the law and thereby encourage compliance with legal obligations.

Several specific proposals to accomplish those twin aims were included in H.R. 77. Since the opening day of the 94th Congress, my staff has been working with the staffs of Senators WILLIAMS and JAVITS and representatives of the Carter administration through the Department of Labor, as well as representatives of the American labor movement in an effort to refine and polish those proposals.

We have taken into account the views of many individuals and many constituencies and we have made adjustments to our original proposals in an effort to accommodate legitimate criticisms and alternative suggestions for accomplishing our basic goals.

We now have a bill which both Senator WILLIAMS and I are quite satisfied with and which has the wholehearted support of the administration. Identical bills are being introduced in both Houses today.

I believe this bill will go a long way toward insuring the right of working people to organize and bargain collectively as was guaranteed them so long ago. I believe that particularly in the South, where opposition to union organizing has been most virulent, this bill will make it more difficult for recalcitrant employers to frustrate and defeat their employees' rights. As a result, I hope this bill will also help protect workers in other parts of the country by doing away with open-shop havens which entice industry with the siren song of cheap and docile labor.

The thrust of the Thompson-Williams labor reform bill is identical to H.R. 77. It would provide three new remedial weapons for the NLRB, it would expedite representation elections, it would generally speed up the Board's processes, and it would make judicial enforcement of Board orders more expeditious.

A brief summary of the bill's provisions is attached.

As I mentioned earlier, I view this bill as the culmination of my 15 years as chairman of the Labor-Management Subcommittee. I believe it is the most important piece of legislation to protect the right of workers to organize since the Wagner Act 42 years ago. I am pleased that this bill has the total support of the President and his administration, and I am hopeful that we will be able to secure its passage in the House before we adjourn for the year.

We had earlier announced tentative plans to begin hearings on the labor reform package on July 25. We shall proceed with that plan and I anticipate intensive hearings over the 2 weeks prior to the August 6 recess.

In addition, I plan to hold a day of hearings on this bill on August 9 in Roanoke Rapids, N.C. Roanoke Rapids is the home of the J. P. Stevens Co. It is no secret that J. P. Stevens has become the model for antilabor employers throughout the country. J. P. Stevens and its lawyers have "written the book" on how to use every loophole and inadequacy in the law to prevent and forbid union organization and collective bargaining.

We have, over the years, been told horrendous tales by J. P. Stevens employees about their frustrations in attempting to exercise their fundamental rights as American workers to organize unions and bargain collectively. We will offer, on August 9, an opportunity to J. P. Stevens to respond to those charges. I sincerely hope that the company's representatives will accept our invitation.

The text of the bill and an explanation of its provisions follow:

H.R. 8410

A bill to amend the National Labor Relations Act to strengthen the remedies and expedite the procedures under such Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Labor Reform Act of 1977".

(b) Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Labor Relations Act.

SEC. 2. (a) Section 3(a) of the National Labor Relations Act is amended to read as follows:

"SEC. 3. (a) The National Labor Relations Board (hereinafter called the 'Board') created by this Act prior to its amendment by the Labor Management Relations Act, 1947, and by the Labor Reform Act of 1977, is hereby continued as an agency of the United States, except that the Board shall consist of seven instead of five members, appointed by the President by and with the advice and consent of the Senate. Of the two additional members so provided for, one shall be appointed for a term of five years and the other for a term of six years. Their successors, and the successors of the other members, shall be appointed for terms of seven years each, excepting that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom that individual shall succeed. The President shall designate one member to serve as Chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause."

(b)(1) The third sentence of Section 3(b) is amended by striking "three" and substituting "four".

(2) Section 3(b) is further amended by inserting after the third sentence the following new sentence: "The Board shall within 90 days after the date of enactment of the Labor Reform Act of 1977 establish a procedure, upon conditions stated in the rule, pursuant to which a quorum of a group designated pursuant to the first sentence of this subsection may, in appropriate cases, upon motion of the prevailing party in a decision of an Administrative Law Judge after a hearing under section 10(b), summarily affirm such decision. A motion and the response thereto shall be filed with the Board and presented to a quorum of a group designated pursuant to the first sentence hereof within 30 days after the decision of the Administrative Law Judge.".

SEC. 3. Section 6 is amended to read as follows:

"SEC. 6. (a) The Board is authorized to make, amend, and rescind (in the manner prescribed by subchapter II of chapter 5 of title 5, United States Code) such rules and regulations as may be necessary to carry out the provisions of this Act.

"(b)(1) The Board shall within twelve months after the date of enactment of the Labor Reform Act of 1977 issue regulations to implement the provisions of section 9(c)(6) including rules—

"(A) which shall, subject to reasonable conditions, including due regard for the needs of the employer to maintain the continuity of production, assure that if an employer or employer representative addresses the employees on its premises or during working time on issues relating to representation by a labor organization during a period of time that employees are seeking representation by a labor organization, the employees shall be assured an equal opportunity to obtain in an equivalent manner information concerning such issues from such labor organization;"

"(B) For classes of cases in which either the distance from the Board's regional office to the election site or the number of employees involved in the election make it infeasible to comply with the time limits stated in subsection (c)(6)(a) of Section 9, to extend to a maximum of 14 days the period for directing an election stated in that subsection, and to a maximum of 21 days the period for the holding of such an election stated in that subsection.

"(C) to facilitate agreements concerning the eligibility of voters; and

"(D) to govern the holding of elections in cases in which an appeal has not been decided prior to the date of the election.

"(2) The Board shall, to the fullest extent practicable, exercise its authority under subsection (a) of this section to promulgate rules declaring certain units to be appropriate for the purposes of collective bargaining.

"(3) A rule or regulation issued by the Board with respect to the subject matter set forth in paragraphs (1) or (2) of this subsection shall be judicially reviewable only in a proceeding under section 10 of this Act and only on the grounds that the Board prejudicially violated the requirements of subchapter II of chapter 5 of title 5, United States Code or that a rule or regulation of the Board is arbitrary or capricious, contrary to a specific prohibition of this Act, or of the Constitution. The failure of the Board to comply with the time requirements set forth in paragraph (1) of this subsection, or to institute a rule-making proceeding with respect to the subject matter set forth in paragraph (2) of this subsection, within a reasonable period of time after a request for such a rule-making procedure has been filed with the Board pursuant to section 553(e) of title 5, United States Code, to complete such a procedure within a reasonable period after its institution, may be reviewed at the behest

of any aggrieved party only in the United States Court of Appeals for the District of Columbia Circuit. The United States Court of Appeals for the District of Columbia Circuit shall have jurisdiction to grant appropriate relief.

SEC. 4. Section 9(b)(3) is amended by striking ", or is affiliated directly or indirectly with an organization which admits to membership, employees other than guards." and substituting "non guard employees of the same employer at the same location, or if such organization is directly affiliated with any national or international labor organization which represents non guard employees of the same employer at the same location".

SEC. 5. Section 9(c) is amended by adding at the end thereof the following new paragraph:

"(6) (A) Notwithstanding any other provisions of section 9, whenever a petition shall have been filed, in accordance with such regulations as may be prescribed by the Board, by an employee or group of employees or any individual or labor organization acting in their behalf alleging that their employer declines to recognize their representative as the representative defined in subsection (a) in a unit appropriate for the purposes of collective bargaining under a rule established by the Board pursuant to section 6 or a decision in the applicable industry, that a majority of the employees in that unit have designated that individual or labor organization as their representative defined in subsection (a), and that no individual or labor organization is currently certified or recognized as the exclusive representative of any of the employees in the bargaining unit defined in the petition, the Board shall investigate such petition. If the Board finds that the unit there specified is a unit appropriate for the purposes of collective bargaining under a rule established by the Board pursuant to section 6 or a decision in the applicable industry, and if the Board has reasonable cause to believe that a question of representation affecting commerce exists and that the other conditions specified in this subsection have been met, the Board shall within seven days after the filing of the petition direct an election by secret ballot not more than 15 days after a petition is filed under this subparagraph and shall so notify the representative named in the petition and the employer.

"(B) In any proceeding under this subsection in which the Board directs an election by secret ballot, and which is not governed by subparagraph (A) of this paragraph, the board shall direct the election on a date not more than 45 days after the filing of the petition and shall inform the representative named in the petition, the employer, and all other interested parties of the election date not less than 15 days prior to the election except that where the Board determines that the proceeding presents issues of exceptional novelty or complexity, the Board may direct the election on a date not more than 75 days after the filing of said petition.

"(C) After an election conducted pursuant to subparagraphs (A) or (B) of this paragraph is completed, the Board shall promptly serve the parties with a tally of the ballots.

"(D) (i) Any party to the election conducted pursuant to subparagraphs (A) and (B) of this paragraph may, within five days after such election, object to the election on the ground that conduct contrary to a rule relating to election declared by the Board pursuant to its authority under section 6 or conduct contrary to a rule of decision declared by the Board in a proceeding under section 10 did affect the result of the election.

"(ii) With regard to challenged ballots, the Board shall, where such ballots are sufficient in number to affect the outcome of the election, investigate the challenges and serve a report upon the parties on challenges.

"(iii) The Board shall move expeditiously to resolve any issues raised by the objections or regarding eligibility and to certify the results of the election, provided that an objection that an election was conducted under subparagraph (A) instead of subparagraph (B) shall not be a basis for setting the election aside.".

SEC. 6. Section 9(d) is amended by inserting immediately before the period at the end thereof a comma and the following: "except that no such certification shall be set aside unless the Board in issuing such certification prejudicially violated the procedural requirements of this Act or of subchapter II of chapter 5, United States Code, or acted arbitrarily or capriciously, or contrary to a specific prohibition of this Act or of the Constitution".

SEC. 7. The first sentence of subsection (10)(b) is amended to read as follows:

"(b) Whenever—

"(1) it is charged that any person has engaged in or is engaging in any such unfair labor practice, or

"(2) it is charged that any person has engaged in or is engaging in a willful violation of—

"(A) any final order of the Board entered pursuant to subsection (c) of this section and which is not and has not been the subject of a proceeding under subsection (e) or (f) of this section, or

"(B) any final order of a court of appeals of the United States entered in a proceeding under subsection (e) or (f) of this section, prohibiting interference with, restraint or coercion of employees in the exercise of the rights guaranteed in section 7 or discrimination against employees to encourage or discourage membership in a labor organization,

and that said violation occurred within three years of the entry of the order violated,

the Board, or any agent or agency designated by the Board for such purposes, is authorized to issue and cause to be served upon such person a complaint stating the charges. Such complaint shall contain a notice of hearing before the Board or member thereof, or before a designated agent or agency, at a place therein fixed, not less than five days after the serving of such complaint. No complaint shall be issued based upon any unfair labor practice or willful violation of a final order occurring more than six months prior to the filing of the charge with the Board and the service of a copy thereof upon the person against whom such charge is made, unless the person aggrieved thereby was prevented from filing such charge by reason of service in the armed forces, in which event the six-month period shall be computed from the day of his discharge.".

SEC. 8. Section 10(c) is amended by—

(1) inserting "(1)" after "(c)";

(2) striking out the fifth sentence of paragraph (1) (as redesignated by this section) and inserting in lieu thereof the following: "If upon the preponderance of the the testimony taken the Board shall not be of the opinion that the person named in the complaint has engaged in or is engaging in any such unfair labor practice, or has willfully violated or is willfully violating a final order as specified in subsection (b) of this section, then the Board shall state its findings of fact and shall issue an order dismissing the said complaint.";

(3) by adding at the end thereof the following new paragraphs.

"(2) If upon the preponderance of testimony taken the Board shall be of the opinion that the allegation in the complaint that a person has willfully violated or is willfully violating a final order as specified in subsection (b) of this section has been sustained, then the Board shall state its findings of fact and shall issue and cause to be served on such person an order certifying the identification of that person to the Secretary of Labor. Notwithstanding any other law, unless the Secretary of Labor determines that because of unusual circumstances the national interest requires otherwise, the Secretary shall certify the identity of such person to the Comptroller General. The Comptroller General shall distribute a list to all agencies of the United States containing the names of persons certified by the Secretary of Labor pursuant to this subsection. Notwithstanding any other law, no contracts shall be awarded to such person during the three-year period immediately following the date of the Secretary's certification, unless the agency of the United States concerned, after notice and opportunity for hearing to all interested parties, certifies to the Secretary of Labor that there is no other source for the material or services furnished by the person affected by the Board order.

"(3) In a case in which the Board determines that any person has engaged in an unfair labor practice within the meaning of subsection (a)(3) or (b)(2) of section 8 which deprives an employee of employment while employees in a bargaining unit which includes that employee are seeking representation by a labor organization or during the period after a labor organization has first been recognized as a representative defined in subsection (a) of section 9 in such unit until the first collective bargaining contract is entered into between the employer and the representative, the measure of backpay for the period until a valid offer of reinstatement is made shall be double the employee's wage rate at the time of the unfair labor practice. In a case in which the Board determines that an unlawful refusal to bargain prior to the entry into the first collective bargaining contract between the employer and the representative selected or designated by a majority of the employees in the bargaining unit has taken place, the Board may award to the employees in that unit compensation for the delay in bargaining caused by the unfair labor practice which shall be measured by the difference between (i) the wages and other benefits received by such employees during the period of delay, and (ii) the wages and fringe benefits such employees were receiving at the time of the unfair labor practice multiplied by the percentage change in wages and other benefits stated in the Bureau of Labor Statistics, Average Wage and Benefit Settlements, Quarterly Report of Major Collective Bargaining Settlements for the quarter in which the delay began. If the Secretary of Labor certifies to the Board that the Bureau has, subsequent to the effective date of the Labor Reform Act of 1977, instituted regular issuance of a statistical compilation of bargaining settlements which the Secretary determines would better effectuate the purposes of this subsection than the compilation specified herein, the Board shall, in administering this subsection use the compilation certified by the Secretary.".

SEC. 9(a) The third sentence of subsection 10(e) is amended by inserting the following immediately before the period at the end thereof a comma and the following: "nor shall any objection be considered by the court unless a petition for review pursuant to subsection (f) of this section has been timely filed by the party stating the objection".

(b) The first sentence of subsection 10(f) is amended by

(1) inserting "within 30 days" after "by filing", and

(2) inserting before the period at the end

thereof the following: "except that if a petition for review has been timely filed, any other party to that Board proceeding, aggrieved by the order, may, within 15 days of service on it of said petition, file a further petition for review.".

SEC. 10. The first sentence of section 10(1) is amended to read as follows:

"(1) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of—

"(1) subsection (a)(3) or (b)(2) of section 8 which deprives an employee of employment while employees in a bargaining unit which includes that employee are seeking representation by a labor organization or during the period after a labor organization has first been recognized as a representative defined in subsection (a) of section 9 in such unit until the first collective bargaining contract is entered into between the employer and the representative, or

"(2) subsection 4 (A), (B), or (C) of section 8(b) or section 8(e) or section 8(b)(7), the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred.".

SEC. 11. Section 10(m) is amended by inserting "under circumstances not subject to section 10(l)," after "section 8,"

SEC. 12. Except as otherwise specifically provided in this Act, the amendments made by this Act shall take effect 60 days after the date of enactment of this Act.

FACT SHEET: LABOR REFORM ACT OF 1977

The Labor Reform Act of 1977 embodies several procedural and remedial changes to the National Labor Relations Act which are designed to correct two major problems that have arisen under the current Act: (1) delays in the processing of both election petitions and unfair labor practice cases, and (2) the inadequacy of the remedies which the National Labor Relations Board may invoke against violators of the law, particularly when violations occur during the critical period before a collective bargaining relationship is first established. The bill addresses these problems by (1) restructuring the operation of the Board to minimize delay in election and unfair labor practice proceedings without sacrificing the protections of due process, and (2) creating more effective remedies which will become meaningful deterrents to violations of the law. Specifically the bill provides for—appropriate bargaining units to be established to the fullest extent practicable by rulemaking; and election deadlines imposed on the Board—

(a) Where the unit is covered by a rule or decision, and where the union produces authorization cards from more than half of the unit employees, the election must be held within 15 days after the filing of a representation petition. This period may be extended to 21 days in certain circumstances.

(b) Where the unit is covered by a rule or decision, and where the union produces authorization cards from more than 30% of the unit employees, the election must be held within 45 days from the filing of a representation petition.

(c) Where the Board determines that the issues involved in the representation case are of exceptional novelty or complexity, the election may be delayed as long as 75 days from the date the representation petition was filed—

When employers make campaign speeches or other communications to employees on plant premises or during working time, employees to be given opportunity to receive information from union in equivalent manner, consistent with maintenance of production, details to be established by rulemaking within one year;

Whenever an employee is discharged during an organizational campaign or during a period after an election but prior to the entering into of a first collective bargaining contract, the Board must seek reinstatement of that employee through a court injunction under section 10(1) of the Act;

Employees discharged for protected activities during an organizational campaign or during a period after an election prior to a first collective bargaining contract must be reimbursed at double their wage rate with no deductions for income or behavior in their interim;

Where a party is found guilty of refusing to bargain in good faith for a first collective bargaining contract, the Board may award damages to the employees based upon an objective statistical measure of wage gains under collective bargaining agreements;

The expansion of NLRB from 5 to 7 members, with 7-year terms;

Quorum of 2 Board members may summarily affirm an Administrative Law Judge's unfair labor practice decision within 30 days after the ALJ's decision upon the motion of the prevailing party, procedure to be established by rulemaking within 90 days;

Any party seeking judicial review of a final order of the Board must file in court within 30 days of the Board order; otherwise the Board will obtain automatic court enforcement of its order;

Employers who the Board finds have willfully violated a final order of the Board, or of the Court where the Board's order was contested within the last 3 years to be debarred for three years unless the Secretary of Labor finds that the national interest requires otherwise or agency finds firm is sole source of material or service;

Separate units of guards may be represented by any local union, except for a local that admits into membership other employees of the same employer at the same location or a local that is affiliated with a national or international union that represents other employees of the same employer at the same location.

ENERGY AND TAXES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. COTTER) is recognized for 10 minutes.

Mr. COTTER. Mr. Speaker, as my colleagues know, the Ways and Means Committee recently completed markup of the tax portions of the National Energy Act. I explained the results of the committee's work in the Hartford, Conn., Courant, and I would like to share that article with my colleagues.

[From the Hartford Courant, July 15, 1977]

ENERGY AND TAXES

(By Congressman BILL COTTER)

The Ways and Means Committee has completed its draft of President Carter's National Energy Act. Every American should try to understand this legislation because it will change our standard and style of living.

In its final form, our bill is close to the President's original version. The committee decided to adopt most of his major proposals because we agreed that America's wasteful consumption of finite energy resources cannot go on forever.

Connecticut residents don't need to be convinced that there is an energy crisis. Last winter's uncontrolled escalation in the price of home heating oil was proof enough that the country needed a long-range energy policy.

But the crisis has been building since the end of World War II. During the fifties and sixties, America's unprecedented economic expansion and material prosperity made us more and more dependent on foreign oil. While U.S. companies enjoyed a monopoly over the exploitation of Middle Eastern oil, few Americans were worried. But as nationalistic governments began in the sixties to assert more and more control over their natural resources, American companies eventually lost their monopoly. We soon discovered the price of our dependence on imported oil.

The Arab oil embargo of 1972–73 hurt us more deeply than the temporary inconvenience of long lines at the gas pump. Since the embargo, Connecticut homeowners have seen the price of home oil swell by more than 300 per cent. At the same time, the high energy bill of American farmers has been passed on to the consumer in the supermarket.

But even before 1972, Connecticut was paying a higher home fuel bill than almost any other state in the country. With no energy reserves of its own, the state has long been dependent on foreign oil. Between 1959 and 1972, when foreign oil was cheaper than domestic, tariffs and quotas forced up the price of imported oil and compelled Connecticut distributors to buy more of the expensive domestic oil than they wanted.

Therefore, OPEC price increases since 1972 have only added to a state fuel bill that already was higher than the rest of the country.

The President's energy bill is less than perfect, but it gives Congress a basic working document with which a national energy policy can be enacted. Some of its most important provisions—energy taxes and credits—went to the Ways and Means Committee.

Taxes and credits are the clout behind the President's "carrot and stick" approach to the energy crisis. Some taxes, for example, are designed to discourage wasteful consumption of oil and natural gas by raising the price of these two fuels. Tax credits are provided to make it easier for industries and utilities to convert to coal, which is cheaper and more plentiful. Credits also will help consumers insulate their homes and purchase equipment for solar and wind energy.

The new energy taxes will raise revenue, and part of the committee's job was to decide how this money should be spent. Much of it will be returned to consumers in the form of rebates, which should keep the taxes from dampening economic growth. Some of the rebates are also intended to correct the social inequities that otherwise would result from the energy plan.

During the committee's month-long drafting work on the bill, two decisions were made that will affect Connecticut residents directly: tax rebates for users of home heating oil and a tax exemption for Connecticut utilities and industries.

The President's proposed wellhead tax on domestic crude oil has been called the "centerpiece" of his energy plan. This particular tax, which the committee adopted, is supposed to discourage oil consumption by raising domestic oil prices to the world level.

Under the President's proposal, the revenues from the wellhead tax would be rebated back in two ways: one general rebate for all consumers, and one rebate specifically for the purchase of home heating oil.

The President's rebate concept was equitable and fair. The general rebate would return tax money taken out of the economy and therefore avoid the recessionary impact of a major new tax. The home oil rebate would protect low- and middle-income consumers who already are paying more than they can afford for a basic necessity.

Without the home oil rebate, the wellhead tax would have increased the nation's residential fuel bill by $1.4 billion in 1980 alone. In Connecticut, the 1980 price tag would have been $64 million.

Home heating oil is not a wasteful luxury Since other provisions of the energy bill were designed to protect homes heated with electricity or natural gas, the home oil rebate was a logical way to help another group of consumers.

However, this rebate was almost killed when some committee members decided it was a special favor to New England. They persuaded the committee to delete the provision from the bill. Only four members dissented.

Two weeks later, the home oil rebate was back. The committee changed its mind when it learned there were homeowners dependent on home heating oil in 14 states outside New England, including Wisconsin, Michigan, Illinois, Ohio, Virginia and North Carolina. The issue, as I pointed out during the committee's debate, was clearly not one of "favoritism" to New England.

The "Cotter amendment," which put the rebate back into the bill, was passed on a 20 to 14 vote. By 1980, the amendment would be worth approximately $150 a year to the average home oil consumer. At the same time, it preserves the general rebate that goes to all consumers.

Both rebates would need Ways and Means approval again next year when the committee hopes to rewrite the tax code.

The home oil rebate is consistent with a basic principle in the Carter energy plan: Although everyone will have to make sacrifices, America's future energy policy should be fair to all regions and consumers.

The second important decision for Connecticut came after the committee voted to tax natural gas and oil burned by industries and utilities. The tax would be supplemented by a tax credit to help the industries and utilities convert to coal.

These were good proposals, but they posed a threat to states like Connecticut, where federal clean air standards forced utilities to discontinue coal, a major pollutant, in favor of cleaner fuels like oil. Connecticut utilities therefore faced a dilemma: burn oil, pay a heavy federal tax and pass the costs on to the consumer, or convert back to coal and risk violation of federal air quality standards.

In Connecticut, where air pollution is second only to Los Angeles, this was a serious problem. The committee therefore decided that utilities and industries forced by government order to burn oil or natural gas would not have to pay the tax.

In addition to these two decisions, the committee voted to:

Provide tax credits for homeowners and renters who install insulation and equipment for solar or wind energy.

Repeal various federal taxes on school and transit buses.

Grant tax credits for the purchase of electric automobiles and to encourage the development of geothermal energy.

Tax "gas guzzling" automobiles.

The "gas guzzler" tax was delayed until the 1979 model year. The committee took this step because General Motors has a head start on its competitors in the development of the small, gas-saving cars the tax is designed to favor. A one-year delay will give GM's rivals a chance to catch up and preserve competition in the industry. When it is imposed, however, the tax will be heavier for the most wasteful cars than the Administration's original proposal.

In its final form, the Ways and Means version of the energy bill will save slightly less than the President's version. White House energy experts, who worked closely with the committee during the long drafting sessions, have said they are basically pleased with the committee's product.

Most Ways and Means members believe they have written an equitable bill that will reduce energy waste without imposing unfair hardships on low- and middle-income consumers or on certain regions of the country. Every effort was made to limit the legislation's effect on the country's economic recovery.

The committee's work and the work of other House committees now goes to an Ad Hoc Energy Committee. The bill then faces action on the House floor and in the Senate.

The Ways and Means Committee has not written a perfect energy bill, and we believe that the legislation, once enacted, will need revision in the future. Even the most optimistic analysts of the President's original bill conceded that it could not significantly reduce our dependence on OPEC oil even after 1985.

But in spite of these doubts, we will have a national energy policy for the first time in our country's history. Future Congresses will have the opportunity to criticize and change this policy as the need becomes evident.

ANNOUNCEMENT OF HEARINGS ON ILLEGAL ALIENS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. EILBERG) is recognized for 5 minutes.

Mr. EILBERG. Mr. Speaker, I wish to announce that the Subcommittee on Immigration, Citizenship, and International Law of the Committee on the Judiciary has scheduled 2 days of public hearings July 27 and 28 to consider the problem of illegal aliens in general as well as proposed legislation to combat this problem.

The hearings will be held in room 2237 Rayburn House Office Building and will commence at 9:30 a.m. on both Wednesday and Thursday.

These will be the first in a series of hearings to be held on this subject and it is our intent to receive testimony only from Members of Congress during next week's hearings.

Those Members who are interested in testifying before the subcommittee on either of the aforementioned dates should address their requests to the Committee on Judiciary, room 2139, Rayburn House Office Building, or contact the subcommittee staff at 225–5727.

TRIBUTE TO DR. WILLIAM EDWARD FARRISON

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. BURKE) is recognized for 5 minutes.

Mrs. BURKE of California. Mr. Speaker, I would like to bring to the attention of my colleagues the record of an outstanding individual, Dr. William Edward Farrison.

Recently North Carolina Central University named its communications building after Dr. Farrison, who retired from the faculty in 1970 after 31 years as a teacher and 20 as chairman of the English department. The Farrison-Newton Building is only the third structure that has been named after a living person.

Dr. Farrison has made a tremendous contribution to the university community and has won the affection and admiration of his colleagues, friends and associates. It gives me special pleasure to compliment his fine career and achievements.

Miss Pauline Newton, an assistant professor of English is the cohonoree of the $2.5 million communications building.

NO "FREE RIDE" ON THE WATERWAYS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 15 minutes.

Mr. ALEXANDER. Mr. Speaker, The Washington Post carried a very pertinent viewpoint in its issue of July 19 regarding the issue of our inland waterways. The author, Harry N. Cook, is executive vice president of the National Waterways Conference, Inc.

In an effort to inform my colleagues of the value and benefits provided to the public and the relatively limited public investment in the waterways as a transportation system, I am commending it to my colleagues:

NO "FREE RIDE" ON THE WATERWAYS

(By Harry N. Cook)

After following T. R. Reid's continuing coverage of the saga of S. 790 in The Washington Post, many readers must be saluting efforts of New Mexico's Sen. Pete Domenici (R) to end the waterway users' "free ride" on the "federally built and [federally] maintained waterways." In fact, each of the articles must lead readers to wonder why on earth Congress hasn't gotten around to enacting waterway tolls in almost 200 years of federal government.

There are many reasons why not. I want to address just two of them. These are, first, that the federal taxpayer foots the entire bill for the inland navigation system and, second, that waterways have been unduly favored by transportation subsidies.

Even when defined in the narrowest sense, as a series of dredged channels and navigation structures to control depths, the waterways are not wholly federal projects. The U.S. Water Resources Council determined that non-federal interests currently provide seven per cent of the construction costs and eight per cent of the operation, maintenance and repair costs of in-channel navigation improvements. Non-federal expenditures include provision of lands, easements and rights-of-way, and dredged-material disposal sites.

But navigable channels alone do not make usable waterways. Before a waterway can be productive, extensive non-federal investment is required for onshore facilities such as wharves, terminals, docks, warehouses, elevators, special cargo-handling equipment, fire, water and sewer services, highway connections and railroad spurs. Much of this investment comes from private-sector users and beneficiaries of the waterway system, including port authorities and communities.

Port-related investments often total 20 to 40 percent of the federal cost of inland-waterway improvements. Thus, waterways are hardly projects of the federal govern-

ment. Rather, the federal investment serves as the "seed money" to attract large investments by states, localities and the users themselves.

These shippers, in return, have made a financial commitment stimulated by the federal investment that first made the channels navigable. Since 1952, some 10,000 plants have been built or substantially expanded along the nation's inland waterways. This expansion represents a capital investment exceeding $171 billion.

When the inland-waterway system is viewed as the complex transportation system and critical component of America's industrial and governmental economy that it truly is, the non-federal and especially the "user" contribution to the system's viability has been enormous. It far outstrips the modest $5 billion that the federal government has spent since 1824 on construction, operation and maintenance of navigation channels.

The federal government has always assisted all the major transportation modes: railroads, highways and airways as well as waterways. All are the beneficiaries of subsidies and other programs totaling in the billions of dollars. However, the lion's share of federal assistance has gone to highways, railways and airways.

While highway users do pay fuel taxes, it is important to note that government expenditures for streets, roads and highways that are not recovered from the users amounted to $4.3 billion in 1973, a typical year. In other words, in a single year, the total unrecovered government investment in highways, roads and streets almost equalled the 150-year total unrecovered government investment in inland-waterway construction, operation and maintenance.

Likewise, the cumulative waterway subsidy was exceeded by a single program of federal aid to the nation's railroads—the $6.4 billion Rail Revitalization and Regulatory Reform Act. A century ago, American railroads received perhaps the largest government subsidy in history: land and right-of-way grants totaling 9.4 percent of the continental United States. In more recent times, railroads have been the beneficiaries of various programs having the effect of subsidies: grade-crossing elimination, the Regional Rail Reorganization Act, a 1974 act to refinance the Railroad Retirement Act, inauguration of the quasi-governmental Amtrak passenger service. In addition, railroads are the beneficiaries of special federal tax relief.

Frequently, the statement is made that railroads must build, operate and maintain their own rights-of-way, while barge and truck rights-of-way are furnished by the federal government. There is one important difference, however. Waterways are public ways, open to all, and the competition is fierce. Because they own private rights-of-way, railroads control the traffic that moves over their tracks and the freight rates that are charged. To have a similar situation on the waterways, the federal government might consider granting a particular bargeline company exclusive rights to operate on, for instance, the Ohio River. If that line had the right to control all the traffic on the Ohio River and the rates charged, it is entirely probable that it could maintain the waterway, pay taxes on it and make a profit, too. But the line surely could not do all this without raising rates substantially. And who would pay? Clearly, the taxpayers and consumers.

The point is that waterways have been neither alone nor at the forefront in receipt of national support. The inland waterways move 16 percent of the nation's cross-country freight at a cost of less than two per cent of the total freight transportation revenues.

A waterway-user charge might be designed to recover revenues at a certain level for the government. Advocates in government have suggested 100 per cent cost recovery. But consumers of transportation services would actually pay several times the intended amount. They would pay again as water-competitive rail rates increased. Railroad spokesmen have estimated that water-compelled rail rates depress rail earnings by approximately $500 million a year. It is reasonable to assume, therefore, that imposition of waterway-user charges—freeing railroads from the constraint of lower water rates—would cost rail shippers as much as $500 million annually in higher rail rates.

These considerations suggest the wisdom of a careful and exhaustive study of the economic impact of waterway-user charges before rushing into inadequately considered legislation.

LOBBYIST OPPOSING CLASS ACTION SECTION OF H.R. 3816

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. ECKHARDT) is recognized for 5 minutes.

Mr. ECKHARDT. Mr. Speaker, in past special orders, I have described some of the inconsistencies and duplicity of lobbyists in opposing the class action section of H.R. 3816, the Federal Trade Commission amendments. Today, I would like to focus on the behavior of the chief lobbyist for the Business Roundtable, who apparently sees no inconsistency in lobbying against this provision on the grounds that it would clog the courts, while he argues against closing the courthouse doors in his capacity as a lobbyist for another organization.

This lobbyist has argued that the class action section of H.R. 3816 would clog the courts and unduly line the pockets of opportunistic attorneys.

It is ironic that this same lobbyist also represents the Association of Trial Lawyers of America. In that capacity, he opposes no-fault auto insurance, arguing that the victims of automobile accidents should not be denied their rights to sue.

It is not unusual, of course, for a lawyer to take two conflicting positions for two separate clients, but when he is making both of his arguments in the public arena as a lobbyist, it is quite appropriate to point out the inconsistencies.

How is it that consumers making claims that they have been cheated in the marketplace clog the courts, but personal injury claimants do not? Incidentally, no-fault legislation permits full recovery for most permanent disability or serious bodily impairment and certain economic, hospital, and medical recovery for all injured persons.

However, it is not my purpose here to argue for or against no-fault insurance. I merely state that one insisting on all traditional rights for auto collision victims is in a poor position to deny any effective recovery to the thousands of consumers who are cheated in the marketplace daily.

How is it that trials which consolidate the cases of many consumers cheated in the same way in a single suit can be said to be more burdensome and time-consuming than the many separate claims of persons alleging personal injury?

How can it be argued that lawyers conducting class actions—thus avoiding a multiplicity of suits—are overpaid at 17 percent of the amount involved when personal injury attorneys bringing a multitude of suits are taking one-third or one-half of the recovery for themselves?

A lawyer best serves his client and the social system when it is possible for him to make a decent fee without overburdening his client by taking an inordinately great amount of the recovery. Every practicing lawyer knows that most consumer frauds involve too small an amount to make it worthwhile to try the customer's case. H.R. 3816 simply affords a means by which consumers may bring their cases in court in a practical and efficient way. I am sure that most of the trial lawyers of America would agree with the principles that underlie this bill. Of course, the Business Roundtable, which looks upon the judicial process as a nagging inconvenience to unrestrained business conduct, would disagree.

LEGISLATION TO REFORM THE SOCIAL SECURITY RETIREMENT TEST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. HAMILTON) is recognized for 30 minutes.

Mr. HAMILTON. Mr. Speaker, no one in this Chamber can doubt that life is becoming more difficult each day for millions of older Americans. Members of Congress ought to be especially sensitive to their problems. Who among us has not received touching letters from elderly constituents who live alone, who cannot get adequate social services or who cannot make ends meet on a meager income? Who among us has not sensed the helpless—or what is worse, hopeless—tone of such letters? As Members of Congress we bear a certain responsibility for the unacceptable conditions in which too many elderly people find themselves. It is incumbent upon us to identify and to understand the causes of their problems. It is our obligation to take whatever corrective steps we can and to set things right with America's aged.

Our easy access to information on the elderly does not permit us to claim ignorance of the causes of their problems. The dramatic social changes of the past few decades, especially the weakening of traditional family bonds in a society whose younger members have become increasingly mobile, have forced many older people to live alone without the aid and comfort of relatives. Deprived of the company and spiritual support that a closely knit family provides, they live out their final years in numbing isolation. Tied by choice or necessity to the familiar places in which they have passed so many years, they remain behind in America's hard-pressed rural areas and decaying inner cities. The statistics on their numbers are fairly precise, but the depth of their feelings of abandonment can only be guessed at.

The striking demographic changes of the past few decades, namely, a greater lifespan and a lower birth rate in all regions of the Nation, are also complicating the situation of the elderly. Any community of people suffers if its numbers increase too rapidly, and the community of the aged is no exception. One look at the statistics on aging in America leaves no room for doubt that the Nation's population is growing older at a profoundly rapid rate.

At the turn of the century, only one in every 25 Americans was aged 65 years or more. Today, 1 in every 10 Americans falls into this age category. If present trends continue, the proportion will reach one in every eight by the year 2000 and one in every six by the year 2030. In the absence of vigilance and action, this sort of increase in the numbers of a community inevitably results in the deterioration of social services in that community. Our society, which is geared to the needs and desires of the young, does not have sufficient retirement homes, hospitals or recreational facilities for the elderly. Likewise, it does not count among its members enough practitioners of the professions that serve the elderly. Worst of all, its public and private programs to assist the elderly are not adequate to meet the demands placed on them. Overcrowding, neglect and despair are the ultimate consequences.

There is one final factor which aggravates older people. I am referring, of course, to the rampant inflation that has wracked the American economy in the past few years. Runaway prices have hit everyone hard, but older people on a fixed income have been most cruelly hurt. Aside from the erosion of purchasing power—purchasing power which cannot be recouped if income is fixed—inflation harms the elderly in other ways. First, they must dispose of an increasingly greater share of their income in order to live, and so they cannot accumulate savings or make investments as a hedge against inflation. Furthermore, the necessities of life on which they spend most of their income, that is, food, shelter and medical care, are items whose prices rise the fastest of all.

Aged Americans are victims of an economic syndrome that pushes them into a more precarious position each year. It is already the case that a substantial portion of the elderly do not receive enough income to support themselves. Those who live alone or with nonrelatives tend to be the poorest of any single identifiable group in America. Nearly 60 percent of them receive less than $3,000 per year. Among the elderly as a whole, approximately one in six is officially classified as poor. Despite pensions, insurance programs and earnings, more than 3 million of them live in conditions of abject poverty.

It seems to me that there have been in Congress a gratifying appreciation of the problems of older people. Indeed, the 94th Congress was a watershed of legislation beneficial to them. Two major tax bills—the Tax Reduction Act of 1975 and the Tax Reform Act of 1976—contained helpful provisions. Some housing and credit discrimination problems were addressed in the Housing Authorization Act of 1976 and the Equal Credit Amendments of 1976, respectively. The improvement of health care was the object of two important bills—the Health Revenue Sharing and Health Services Act of 1975 and the Health Maintenance Organization Amendments of 1976. In addition, Congress passed the far-reaching Older American Amendments of 1975 as well as much other legislation of lesser impact.

No one can or should detract from such accomplishments. Just like the measure of a man, however, the measure of a legislature is often better taken with an eye to what was omitted and left undone. To the disappointment of millions of older people, the 94th Congress made no significant efforts in the area of social security reform. The social security program, a hallmark of the American spirit and perhaps the single most valuable program for the elderly ever enacted by Congress, continued to evade congressional examination. The success of the program in achieving its goals was not assessed; glaring deficiencies that have developed in the 42 years of its existence were not corrected. To my way of thinking, social security reform is a touchstone of concern for the elderly. No Congress, no matter how impressive its record, can boast of its concern for the elderly if it fails to ask serious questions about social security reform. I intend to ask some such questions today.

It is safe to assume that every Member of Congress knows something of the so-called retirement test, an integral part of the formula by which social security benefits are computed. The test is applied to all social security beneficiaries except disabled workers, disabled children of retired, disabled or deceased workers, and persons aged 72 years or more. At the present time the test specifies that beneficiaries may earn $3,000 per year before they begin to lose benefits at a rate of $1 for every $2 in earnings.

Besides this annual measure of retirement there is a monthly measure. Beneficiaries receive full benefits in any month during which they do not earn in excess of $250, regardless of the sum of their earnings in previous months. Only income from self-employment and wages count as earnings. A different retirement test is applied to beneficiaries who do not reside in the United States.

For many years now the retirement test has been the object of vigorous criticism. The limitations it provides have been attacked as an unnecessary, harsh and unfair disincentive to work. While there is truth to such charges, we should not think that the test was created in order to inconvenience older people. Forward-looking policymakers originally conceived the social security program first and foremost as a system of insurance. Much like the payments one receives when insured property is damaged or destroyed, social security benefits were intended to replace earnings lost when the principal wage earner of a family retired, was disabled, or died. Consequently, just as the insurer of property has tests to determine whether an insured loss has in fact taken place, so the Government had tests to determine whether a potential social security beneficiary had in fact suffered an insured loss of earnings. In the absence of such a loss, that is, in the case where a potential beneficiary was still receiving income from self-employment or wages, eligibility for benefits was not established. Income from such sources as savings, investments, and so forth, which a person was not working to earn, was not included for an obvious reason: the test was for retirement, not total income.

So the social security program was originally conceived, and in light of the original conception a retirement test was consistent. It is not a necessary feature of an insurance program, however, that it pay benefits only when an insured loss has occurred. For example, some life insurance programs, the so-called "investment plans," provide annuities to participants who have suffered no insured loss. Although the social security program could have been conceived along such lines, it is likely that it was not so conceived for a number of reasons.

In 1935, the year in which the program began to operate, Congress saw a definite advantage in a test that would push older workers into retirement. Younger workers, whose employment opportunities were strictly limited, could move more easily into the world of work. Also, Congress was justifiably worried that the limited funds available to the program might be spread too thin if those who did not suffer an insured loss were given benefits nonetheless. Moreover, Congress desired to protect a labor union movement that was none too strong in those years. Labor union representatives convinced Congress that automatic payments without a retirement test might depress wages by creating a pool of elderly workers who would willingly take jobs at low pay. The upshot of such considerations was a social security program—with a retirement test—which provided benefits only in case insured earnings were lost.

But changing times have had a clear effect on the original conception. The retirement test, which initially allowed no benefits to be paid for a month during which the potential beneficiary worked, has been liberalized in 11 separate instances since 1939. The liberalizing moves have included raises in the exempt limit of earnings, elimination of the test for persons of advanced age, establishment of the annual measure of retirement and reductions in the schedule of penalties. The test has never once been tightened. Thus, in responding to the need to improve the social security program and to keep it current, Congress has been moving in a single direction: Away from the idea of pure insurance—one gets benefits because one has suffered a loss—and toward the idea of pure entitlement—one gets benefits because one is entitled to them. The fact that there has been wide-

spread support for each of the liberalizing moves indicates that the conception behind the social security program is changing. Members of Congress should welcome this change and should search for fiscally responsible ways to encourage it.

I myself believe that it is once again time for Congress to liberalize the retirement test. To that end I am offering legislation which would weaken the test in two ways. First, the bill would assist those beneficiaries who receive less than the maximum benefits by allowing them to earn without penalty the difference between their benefits and the maximum benefits plus the exempt limit. Second, the bill would assist all beneficiaries by raising the exempt limit from $3,000 to $4,800. Both provisions would take effect for the taxable year beginning after December 31, 1977.

To see exactly what consequences the bill would have, suppose that it had gone into effect at the beginning of the present year. A person who retired at age 65 and who received the maximum benefits of $4,654.80 per year would have been able to add $4,800 to his benefits, thus bringing to $9,454.80 his total unpenalized income. A similar retiree who received the minimum benefits of $1,284.80 per year would have been able to add $8,170 to his benefits, thus bringing to $9,454.80 his total unpenalized income. Finally, a similar retiree who received the average benefits of $2,703.60 per year would have been able to add $6,751.20 to his benefits, thus bringing to $9,454.60 his total unpenalized income. The bill, then, would have established a uniform unpenalized income ceiling of $9,454.80 for such beneficiaries in place of current ceilings for them ranging from a high of $7,654.80 to a low of $4,284.80, with an average of $5,703.60. If the bill were enacted this year, the uniform unpenalized income ceiling for such beneficiaries would be slightly higher than $9,454.80 due to projected increases in social security benefits. There would be other ceilings for other categories of retirees, but all retirees in the same category would have a uniform ceiling. It is estimated that the bill would help at least 2 million older people, 1.4 million of whom lose all or part of their benefits and 600,000 of whom work only part time, or not at all, in order to stay below current limits. Those elderly capable of work, especially those in receipt of smaller benefit, would be able to achieve an adequate income without sacrificing any part of their hard-earned, well deserved benefits. At the current minimum wage, earnings of $4,800 represent slightly more than 1 year's work.

Before I close I would like to detail a few reasons why this legislation should be supported. To begin, two of the problems which originally motivated Congress to enact the retirement test, that is, the problems of making room for younger workers and of protecting wage levels, are no longer compelling. As concerns the first problem, economic conditions have improved vastly since the Depression and the forced retirement of older workers is no longer required.

Although it is not yet performing at peak efficiency, the expanding economy is creating jobs to accommodate both older and younger workers. Recent legislation to stimulate public hiring has further brightened the employment outlook. In addition, it should be remembered that a high level of competition for jobs between older and younger workers has never been conclusively documented. In fact, we know that these groups of workers often seek different kinds of employment because they have different needs. As concerns the second problem, a much stronger labor union movement and a comprehensive minimum wage statute already provide ample protection for most workers' wage levels. In any case, if more protection is called for then it can be either supplied by Congress or won through collective bargaining in a way that does not work to the disadvantage of economically powerless older people.

The third problem which originally motivated Congress to enact the retirement test is a bit more troublesome. I am referring, of course, to the problem of spreading too thin the limited funds available to the social security program. At a time when the program is on uncertain financial footing, is it fiscally responsible to draft legislation that would make greater demands on limited funds? Congress must proceed carefully in its reform of the retirement test inasmuch as small changes in the test can entail large expenditures of funds. For example, an increase in the exempt limit to $7,500—a common suggestion—would cost $3.6 billion in the first year and higher sums in subsequent years. Outright elimination of the test would cost $7 billion in the first year and higher sums in subsequent years. Therefore, I do not favor either a sizable increase in the exempt limit or the outright elimination of the test at the present time. Before such steps are taken Congress should address the serious problem of adequate funding for the social security program. No elderly person would be served if too generous benefits were to cause the program to collapse.

The bill I offer, however, can be considered fiscally responsible for two reasons. It has a moderate price tag when compared with many other bills to reform the retirement test. First-year costs would be slightly less than $3 billion. Also, because the bill would provide special relief to beneficiaries whose monthly benefit checks are small—the beneficiaries who most often require some public subsidy or assistance to survive—increased expenditures under the social security program would be offset by reduced expenditures under public subsidy and assistance programs. It is difficult to say just how much would be recovered but the sums could be substantial. For instance, 2.3 million social security beneficiaries receive supplemental security income at an annual cost of $3.5 billion. Another 3.5 million beneficiaries receive food stamps at an annual cost of $1.2 billion. A recovery of 64 percent of this $4.7 billion annual expenditure would completely offset increased expenditures under the social security program. I believe that the opportunity to have an unpenalized yearly income of over $9,500, when combined with the desire of many older people to get off the welfare rolls and onto the payrolls, would make complete recovery a live possibility.

There are other important arguments in favor of the legislation I offer. For one, there is no question but that the retirement test prompts premature withdrawal from the work force. Data of the Bureau of the Census indicate that droves of workers quit their jobs at age 65 in spite of the fact that few workers need to retire for reasons of health. It is a mistake to believe that most of these people want to stop working. Studies have shown that there is a sharp increase in work force participation among people aged 72 years or more, the exact opposite of what one would expect if these people stopped working because they wanted to. The reason for this increase is clear enough: the retirement test no longer applies at age 72.

The personal tragedy of enforced idleness is bad enough in itself. Gerontologists tell us that it can have devastating psychological effects on the elderly. It is not, however, the only cost of the retirement test. I have seen estimates that the enforced idleness of the elderly has resulted over a 12-year period in a gross national product 2.4 percent lower than it otherwise would have been. One might expect a loss of this magnitude if one considered the caliber of people being barred from productive labor. Older workers are frequently the most expert, experienced, and highly trained in their occupations. Many employers have noted that they are also the most reliable. It is sheer folly not to take advantage of such assets.

The retirement test is unacceptable on another ground: it is discriminatory in that it hits hardest at those who need their social security benefits most. On the one hand, those whose retirement income consists in a small benefit check each month are faced with the grim dilemma either of losing all their benefits through work or living in the poorest of conditions as public wards. The retirement test makes the social security program virtually worthless to such beneficiaries. On the other hand, those whose retirement income derives from large savings, investments, et cetera, are faced with no dilemma at all. The retirement test allows such beneficiaries a full compensation which they may not even need.

To compound the unfairness, the monthly measure of retirement permits the payment of nearly full compensation to those who are able to earn large amounts of retirement income in short periods of time. Such beneficiaries may earn substantial sums in a month or two and may draw their full benefits the rest of the time. It is obvious that the retirement test should not be a major part of a program one of whose main aims is the protection of the destitute.

Mr. Speaker, there is one final argument against the retirement test. To put it briefly, the test promotes a set of values for which Congress and the public have shown remarkably little sym-

pathy. It punishes productivity and rewards idleness. At a time when Congress is ready to eliminate work disincentives from welfare and unemployment compensation programs, the retirement test stands as a monument to inconsistent thinking. The inconsistency spills over into other areas of legislative concern. For example, Congress may very well put an end to mandatory retirement practices throughout the Nation. If this happens, then we shall be telling older workers that they can stay on the job and lose all their social security benefits in the process. I do not relish the thought of explaining such a contradiction to my elderly constituents. We cannot have it both ways. We cannot build up a policy with one hand and tear it down with the other hand. We must continue to weaken the retirement test in a fiscally responsible way. The legislation I offer should be considered.

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 to include extraneous matter:)

Mr. HILLIS, for 1 hour, on July 27.

Mr. BROWN of Ohio, for 1 hour, on July 27.

Mr. EVANS of Delaware, for 5 minutes, on July 19.

Mr. MARTIN, for 5 minutes, today.

Mr. FINDLEY, for 5 minutes, today.

Mr. TRIBLE, for 5 minutes, today.

(The following Members (at the request of Mr. VOLKMER) to revise and extend their remarks and include extraneous matter:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. AUCOIN, for 5 minutes, today.

Mr. THOMPSON, for 5 minutes, today.

Mr. COTTER, for 10 minutes, today.

Mr. EILBERG, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today.

Mrs. BURKE of California, for 5 minutes, today.

Mr. PEPPER, for 5 minutes, today.

Mr. ALEXANDER, for 15 minutes, today.

Mr. GUDGER, for 5 minutes, today.

Mr. ECKHARDT, for 5 minutes, today.

Mr. HAMILTON, for 30 minutes, today.

Mr. WIRTH, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SISK, to revise and extend his remarks in the body of the RECORD in connection with the consideration of H.R. 7171 immediately following the Agriculture Committee chairman.

(The following Members (at the request of Mr. CORCORAN of Illinois), and to include extraneous matter:)

Mr. ABDNOR in two instances.

Mr. BROWN of Ohio in two instances.

Mr. MARTIN in two instances.

Mr. PURSELL.

Mr. HYDE in two instances.

Mr. MICHEL.

Mr. HAGEDORN.

Mr. LAGOMARSINO.

Mr. WHALEN.

Mr. BROWN of Michigan.

Mr. ANDERSON of Illinois.

Mr. CRANE.

Mr. DORNAN in two instances.

Mr. MARLENEE in two instances.

Mr. SNYDER in two instances.

Mr. KEMP in two instances.

Mr. DERWINSKI.

Mr. BROOMFIELD.

Mr. ASHBROOK in three instances.

Mr. STEIGER.

Mr. TREEN.

Mr. STEERS.

Mr. PRESSLER in two instances.

(The following Members (at the request of Mr. VOLKMER) and to include extraneous matter:)

Mr. AKAKA.

Mr LONG of Maryland in two instances.

Mr. CARNEY.

Mr. ANDERSON of California in three instances.

Mr. GONZALEZ in three instances.

Mr. ALEXANDER.

Mr. MCDONALD in two instances.

Mr. RISENHOOVER.

Mr. MURTHA.

Mr. SISK.

Mr. FRASER.

Mr. MAZZOLI.

Mr. KILDEE.

Mr. MINISH in two instances.

Mr. EILBERG.

Mr. TEAGUE.

Mr. KOSTMAYER.

Mr. RODINO.

Mr. PEPPER.

Mr. HANNAFORD.

Mr. BRECKINRIDGE.

Mr. DOWNEY.

Mr. JOHN L. BURTON.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1496. An act to amend title 18, United States Code, to make a crime the willful destruction or attempts to destroy the trans-Alaska pipeline system; to the Committee on the Judiciary; and

S. 1502. An act to amend title 18, United States Code, to make a crime the willful destruct'on of any interstate pipeline system; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. THOMPSON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2502. An act to extend certain oil and gas leases by a period sufficient to allow the drilling of an ultradeep well;

H.R. 5970. An act to authorize appropriations during the fiscal year 1978, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, to authorize the military training student loads, and to authorize appropriations for civil defense and for other purposes; and

H.R. 7552. An act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1978, and for other purposes.

ADJOURNMENT

Mr. VOLKMER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 20, 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:

1959. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council Act No. 2–54, to regulate land disturbing activities to prevent accelerated soil erosion and sedimentation and to prevent sediment deposit in the Potomac River and its tributaries, including the sewer system of the District of Columbia, and for other purposes, pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1960. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council Act No. 2–56, to amend the Good Samaritan Act of the District of Columbia, to establish a program for the certification of emergency medical technician/paramedics, and for other purposes, pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1961. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council Act No. 2–59, to revise the rates charged for medical and mental health services provided by the District of Columbia, and for other purposes, pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1962. A letter from the Assistant Secretary of Health, Education, and Welfare for Management and Budget, transmitting notice of a proposed new system of records for the Department of Agriculture, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1963. A letter from the Secretary of the Interior, transmitting the final report on the addition of the Santa Fe Trail to the National Trails System, pursuant to section 5(b) of Public Law 90–543 (H. Doc. No. 95–189); to the Committee on Interior and Insular Affairs and ordered to be printed.

1964. A letter from the Assistant Secretary of the Interior, transmitting notice of a proposed refund for excess payments on leases by Union Oil Co. of California, Mobil Oil Corp., and Gulf Energy and Minerals Co., United States, pursuant to section 10(b) of the Outer Continental Shelf Lands Act of

1953 (Public Law 83–212); to the Committee on Interior and Insular Affairs.

1965. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the intention of the Department of State to consent to a request by a friendly government for permission to transfer certain U.S.-origin military equipment to a third party, pursuant to section 3(a) of the Foreign Military Sales, as amended; to the Committee on International Relations.

1966. A letter from the Administrator, Federal Energy Administration, transmitting a report on changes in market shares of retail gasoline marketers during March of 1977, pursuant to section 4(c)(2)(A) of the Emergency Petroleum Allocation Act of 1973; to the Committee on Interstate and Foreign Commerce.

1967. A letter from the Administrator, Federal Energy Administration, transmitting a report on market shares of distillate fuel oil and residual fuel oil in March of 1977 by refiner-marketers and independent marketers, pursuant to section 4(c)(2)(A) of the Emergency Petroleum Allocation Act of 1973; to the Committee on Interstate and Foreign Commerce.

1968. A letter from the Administrator, Federal Energy Administration, transmitting a report on the economic impact of energy actions, pursuant to section 18(d) of Public Law 93–275; to the Committee on Interstate and Foreign Commerce.

1969. A letter from the Chairman, Federal Trade Commission, transmitting the Commission's annual report on cigarette labeling and advertising, pursuant to section 8(b) of the Public Health Cigarette Smoking Act (84 Stat. 89); to the Committee on Interstate and Foreign Commerce.

1970. A letter from the Acting Assistant Secretary of the Army (Civil Works), transmitting a Corps of Engineers report on a survey for flood control and allied purposes on Kalihi Stream, Oahu, Hawaii, pursuant to section 219 of the Flood Control Act of 1968; to the Committee on Public Works and Transportation.

1971. A letter from the Acting Assistant Secretary of the Army (Civil Works), transmitting a report from the Chief of Engineers, together with other pertinent reports, on Niniichik and vicinity, Alaska, in response to resolutions of the Senate and the House Public Works Committees; to the Committee on Public Works and Transportation.

1972. A letter from the Acting Assistant Secretary of the Army (Civil Works), transmitting a report from the Chief of Engineers, together with other pertinent reports, on Raccoon Creek Basin, Pennsylvania, in response to a resolution of the House Public Works Committee; to the Committee on Public Works and Transportation.

1973. A letter from the Secretary of Health, Education, and Welfare, transmitting a special supplemental report on the child support enforcement program, to update the data contained in the first annual report to include the transition quarter, pursuant to section 452(a)(10) of the Social Security Act, as amended by Public Law 95–30; to the Committee on Ways and Means.

1974. A letter from the Comptroller General of the United States, transmitting a report on the need for better techniques to identify and recover overissuances of food-stamp benefits and punishment for cases of fraud (CED–77–112, July 18, 1977); jointly, to the Committees on Government Operations, and Agriculture.

1975. A letter from the Comptroller General of the United States, transmitting a report on the status of major defense installations compliance with air quality standards (LCD–77–305, July 18, 1977); jointly, to the Committees on Government Operations, Armed Services, and Interstate and Foreign Commerce.

1976. A letter from the Deputy Attorney General, transmitting the report on antitrust issues relating to the production and transportation of Alaska natural gas, pursuant to section 19 of Public Law 94–586; jointly, to the Committees on Interior and Insular Affairs, Interstate and Foreign Commerce, and the Judiciary.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 6831. A bill to establish a comprehensive national energy policy; with amendment (Rept. No. 95–496, Pt. IV). Referred portions reported from the Committee on Interstate and Foreign Commerce with amendment. Referred to the ad hoc Committee on Energy.

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. BRODHEAD:

H.R. 8405. A bill to amend title XVIII of the Social Security Act to include dental care, eye care, and hearing aids among the items and services for which payment may be made under the supplementary medical insurance program; jointly, to the Committees on Interstate and Foreign Commerce and Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 8406. A bill to provide recognition to the Women's Air Forces Service Pilots for their service to their country during World War II by deeming such service to have been active duty in the Armed Forces of the United States for purposes of laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 8407. 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.

H.R. 8408. A bill to amend title II of the Social Security Act to provide that the automatic cost-of-living increase 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.

H.R. 8409. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer to deduct, or to claim a credit for, amounts paid as tuition to provide an education for himself, for his spouse, or for his dependents; to the Committee on Ways and Means.

By Mr. THOMPSON:

H.R. 8410. A bill to amend the National Labor Relations Act to strengthen the remedies and expedite the procedures under such act; to the Committee on Education and Labor.

By Mr. DORNAN:

H.R. 8411. A bill to amend the Export Administration Act of 1969 to provide for greater congressional oversight of exports of items which are subject to export controls imposed for purposes of national security; to the Committee on International Relations.

By Mr. EVANS of Delaware:

H.R. 8412. A bill to require the President to appoint a Special Prosecutor to investigate and prosecute acts by agents of foreign governments to influence elected and nonelected officials and employees of the United States; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 8413. A bill to amend title II of the Social Security Act to increase to $4,800 the amount of outside earnings which (subject to future cost-of-living adjustments) is permitted any individual each year without deductions from benefits thereunder, with further increases in the case of individuals receiving less than the maximum provided for benefits of the type involved; to the Committee on Ways and Means.

By Mr. HANNAFORD (for himself, Mr. ASHLEY, Mr. BLANCHARD, Mr. KRUEGER, Mr. MINETA, and Mr. MARKS):

H.R. 8414. A bill to declare a national policy on investment in the private sector of the U.S. economy; to the Committee on Banking, Finance and Urban Affairs.

By Ms. HOLTZMAN:

H.R. 8415. A bill to amend title 28 of the United States Code to provide for the appointment of a Special Prosecutor in appropriate cases, and for other purposes; to the Committee on the Judiciary.

By Mr. KETCHUM:

H.R. 8416. A bill to convey rights of certain lands removed from the Tule River Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of New York (for himself, Mr. JENRETTE, and Mr. NEAL).

H.R. 8417. A bill to amend title 38, United States Code, to provide for a 12-year delimiting period for a veteran to complete a program of education; to the Committee on Veterans' Affairs.

By Mr. PURSELL:

H.R. 8418. A bill to provide for a reduction in the number of Federal employees through voluntary attrition; to the Committee on Post Office and Civil Service.

By Mr. QUIE (for himself, Mr. FORD of Michigan, Mr. BUCHANAN, Mr. BIAGGI, Mr. PRESSLER, Mr. SIMON, and Mr. HEFTEL):

H.R. 8419. A bill to amend title 38, United States Code, to provide for the payment of supplemental tuition allowances to certain veterans pursuing educational programs for purposes of offsetting the differences in State educational costs; to the Committee on Veterans' Affairs.

By Mr. ROONEY (by request):

H.R. 8420. 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. ROSE (for himself and Mr. DRINAN):

H.R. 8421. A bill to amend title 18, United States Code, to make a crime the use, for fraudulent or other illegal purposes, of any computer owned or operated by the United States, certain financial institutions, and entities affecting interstate commerce; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI (for himself, Mr. DUNCAN of Tennessee, Mr. CORMAN, Mr. PIKE, Mr. VANIK, Mr. COTTER, Mrs. KEYS, Mr. FORD of Tennessee, Mr. BRODHEAD, Mr. MARTIN, and Mr. GRADISON):

H.R. 8422. A bill to amend title XVIII of the Social Security Act to provide payment for rural health clinic services; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI (for himself, Mr. VANIK, Mr. CORMAN, Mr. COTTER, Mrs. KEYS, Mr. FORD of Tennessee, Mr. BRODHEAD, Mr. DUNCAN of Tennessee, Mr. MARTIN, and Mr. GRADISON).

H.R. 8423. A bill to amend titles II and XVIII of the Social Security Act to make

improvements in the end stage renal disease program presently authorized under section 226 of that act; to the Committee on Ways and Means.

By Mrs. SPELLMAN:

H.R. 8424. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer to deduct, or to claim a credit for, amounts paid as tuition to provide an education for himself, for his spouse, or for his dependents; to the Committee on Ways and Means.

By Mr. WEAVER:

H.R. 8425. A bill to designate certain lands for inclusion in the National Wilderness Preservation System; to the Committee on Interior and Insular Affairs.

By Mr. WEAVER (for himself, Mr. FOWLER, Mr. COHEN, Mr. ROYBAL, Mr. ASPIN, Mr. MILLER of California, Mr. WEISS, Mr. GILMAN, Mr. DOWNEY, Mr. JOHN L. BURTON, Mr. CARNEY, Mr. METCALFE, and Mr. VENTO):

H.R. 8426. A bill to assist in the marketing and handling of 1977, 1978, 1979, 1980, and 1981 crops of wheat and feed grains; to the Committee on Agriculture.

By Mr. WINN (for himself, Mr. SEBELIUS, Mr. GUYER, Mr. ICHORD, Mr. GLICKMAN, Mr. SKUBITZ, Mr. EILBERG, Mr. SYMMS, Mr. WATKINS, Mr. TAYLOR, Mr. JONES of Oklahoma, Mr. VOLKMER, Mr. YOUNG of Missouri, Mr. THONE, and Mr. SKELTON):

H.R. 8427. A bill to amend the Natural Gas Act to provide certain limitations on gas curtailment plans; to the Committee on Interstate and Foreign Commerce.

By Mr. ADDABBO:

H. Con. Res. 292. Concurrent resolution expressing the sense of Congress with respect to the Baltic States; to the Committee on International Relations.

By Mr. STUDDS (for himself, Mr. ROSENTHAL, Mr. PIKE, Mr. ASPIN, Ms. SCHROEDER, Mr. MAGUIRE, Mr. HANNAFORD, Mr. CARR, Mr. WEAVER, Mr. BEDELL, and Mr. FITHIAN):

H. Con. Res. 293. Concurrent resolution disapproving the proposed sale of airborne early warning aircraft to Iran; to the Committee on International Relations.

By Mr. ANDERSON of Illinois (for himself, Mr. RHODES, and Mr. COHEN):

H. Res. 694. Resolution providing for the consideration of the bill (H.R. 8125) to provide for the appointment of a Special Prosecutor in appropriate cases, and to require the Attorney General to make a preliminary investigation of alleged improper foreign influence in Congress to determine whether or not such a special prosecutor should be appointed for any cases arising therefrom; to the Committee on Rules.

By Mr. MAZZOLI:

H. Res. 695. Resolution to establish a Commission on South Korean Influence; to the Committee on Rules.

By Mr. SHIPLEY:

H. Res. 696. Resolution to maximize local nighttime radio service; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

228. By the SPEAKER: Memorial of the Legislature of the State of Washington, relative to the shipment or trading of Alaskan crude oil; to the Committee on International Relations.

229. Also, memorial of the Legislature of the State of Louisiana, relative to Federal income taxes paid by retirees over the age of 65; to the Committee on Ways and Means.

230. Also, memorial of the Legislature of the State of California, relative to the enactment of a national earthquake hazards reduction program; jointly, to the Committees on Interior and Insular Affairs, and Science and Technology.

231. Also, memorial of the Legislature of the State of Nebraska, relative to regulation of the insurance business; jointly, to the Committees on Interstate and Foreign Commerce, and the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. KETCHUM introduced a bill (H.R. 8428) for the relief of Gail Williamson; which was referred 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:

149. By the SPEAKER: Petition of the United Cement, Lime and Gypsum Workers, Chicago, Ill., relative to the housing problem; to the Committee on Banking, Finance and Urban Affairs.

150. Also, petition of the United Cement, Lime and Gypsum Workers, Chicago, Ill., relative to amending the National Labor Relations Act; to the Committee on Education and Labor.

151. Also, petition of the World Organization For Freedom, Dearborn Heights, Mich., relative to human rights; to the Committee on International Relations.

152. Also, petition of the Surfside Masonic Lodge, Surfside, Fla., relative to the indictment of FBI agents in certain cases; to the Committee on the Judiciary.

153. Also, petition of the township committee of the township of Cranford, N.J., relative to the funding of public works project in fiscal year 1978; to the Committee on Public Works and Transportation.

154. Also, petition of the United Cement, Lime and Gypsum Workers, Chicago, Ill., relative to unemployment compensation; to the Committee on Ways and Means.

155. Also, petition of the United Cement, Lime and Gypsum Workers, Chicago, Ill., relative to national health security; jointly, to the Committees on Interstate and Foreign Commerce and Ways and Means.

AMENDMENTS

Under clause 6 of the rule XXIII, proposed amendments were submitted as follows:

H.R. 5400

By Mr. COHEN:

Page 31, after line 6, insert the following new subsection:

(e)(1) The Administrator, in consultation with the Secretary of Health, Education, and Welfare, and in accordance with section 553 of title 5, United States Code, shall prescribe standards of accessibility for physically handicapped and elderly individuals for registration and polling places for Federal elections, which shall be adopted, as provided in paragraph (2), by any State seeking financial assistance under section 7. Such standards shall include a requirement—

(A) that all such registration and polling places be located on the ground level, or at a location accessible by elevator, of a building or other facility, that such building or facility provide easy access to the outside, by ramp or otherwise, for such individuals, and that such building or facility meet any other standard prescribed by the Administrator which is necessary to enable such individuals to register and vote at such places;

(B) that paper ballots be made available at each polling place for a Federal election, for the use of voters who would otherwise be prevented from voting because of their inability to operate a voting machine; and

(C) that any voter who is unable to operate a voting machine or use a paper ballot, because of blindness or other physical handicap, be permitted to select a person of his choice to accompany such voter into the polling place in a Federal election to assist him in the completion of his ballot.

(2)(A) In order to become eligible for financial assistance under section 7, a State shall require, except as provided in subparagraph (B), that registration and polling places in each voting precinct in such State comply with the standards prescribed by the Administrator under paragraph (1).

(B) Each such State shall provide, in any case in which the chief election official determines that there is no available site in a voting precinct complying with the standards prescribed by the Administrator under paragraph (1)(A), for one or more alternative methods of registration and voting for physically handicapped and elderly individuals. Such alternative methods may include—

(i) the selection of one or more alternative registration or polling places outside of the voting precinct, but within the same congressional district, at which such an individual may register or vote;

(ii) the use of an absentee ballot on or before election day, curbside registration or voting outside of a registration or polling place, or any methods included in a plan for voter registration submitted under section 7(c)(1); or

(iii) any other method, or combination of methods, which guarantee that such individuals will be able to fully exercise their right to vote.

(C) Each such State shall require that when such an alternative method of registration or voting is selected in a voting precinct—

(i) the appropriate State or local official shall file a report with the chief election official of the State, not later than 60 days before the election in the case of a polling place and not later than 60 days before the close of registration in the case of a registration place, in such form and containing such information as such chief election official may require, including assurances that all reasonable efforts have been made to locate a site in compliance with the requirements of paragraph (1); and

(ii) such State or local official shall issue public notice of such method as early as practicable, and in any case not later than 60 days before the close of registration or election, respectively, in which such alternative method is to be used.

(3) Any State which, in the determination of the Administrator, has established by law standards for polling and registration places at least as stringent as those prescribed under paragraph (1), and has adopted and is implementing adequate procedures for the enforcement of such standards, may apply such standards in lieu of those prescribed by the Administrator under paragraph (1), and may be eligible for financial assistance under section 7. The Administrator may require each such State to keep such records and make such reports as he considers necessary to enforce this paragraph.

By Mr. SAWYER:

On page 30, line 4, strike out "and".

On page 30, line 6, strike out the period and insert in lieu thereof a semicolon.

On page 30, after line 6, insert the following new subparagraphs:

"(D) is not a candidate (as defined in section 301(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(b)) with respect to the Federal election involved;

"(E) is not, at any time during the 30-day period ending on the date of the Federal election involved, an officer or employee (with or without compensation) of (i) the

United States, or any agency or instrumentality thereof, or (ii) any State, or any general purpose or special purpose unit, subdivision, agency or instrumentality thereof; and

"(F) is not, at any time during the 30-day period ending on the date of the Federal election involved—

"(i) an employee (with or without compensation) of any candidate referred to in subparagraph (D); or

"(ii) an officer or employee (with or without compensation) of an organization which, at any time during such period, engages in any activity for the purpose of influencing the nomination for election or the election of any individual to Federal office."

By Mr. SOLARZ:

Page 36, line 23, strike out "and".

Page 36, after line 23, insert the following new paragraph:

(12) establishing and maintaining voting procedures in accordance with subsection (k); and

And redesignate the following paragraph accordingly.

Page 37, line 2, strike out "(11)" and insert in lieu thereof "(12)".

Page 39, after line 20, insert the following new subsection:

(k)(1) Each State and unit of general local government which receives funds under subsection (b)(1)(A) or subsection (b)(1)(C) may use such funds to establish and maintain a program which requires each individual who registers to vote under section 6(a)(1) in any Federal election or in any State or local election conducted in the jurisdiction of such State or unit of general local government, to submit to an ink marking procedure designed as a means of identification to prevent individuals from voting more than once in any such election.

(2)(A) Such ink marking procedure shall require that any individual who registers to vote under section 6(a)(1) and who desires to vote in any election referred to in paragraph (1) shall consent to the marking of any portion of his hand with an ink marking which—

(i) does not exceed 2 square inches in size;

(ii) is visible or is detectable through the use of any mechanical or electronic device; and

(iii) remains visible or detectable for a period of not less than 24 hours nor more than 96 hours.

(B) The type of ink used in the ink marking procedure by a State or unit of general local government in accordance with subparagraph (A)(ii) shall be used uniformly for all individuals who register to vote under section 6(a)(1) and who desire to vote in any election referred to in paragraph (1) which is conducted in the jurisdiction of such State or unit of general local government.

(3) Any apparent violation of section 11 which is discovered by a State or unit of general local government as a result of the ink marking procedure established and maintained by such State or unit of general local government under paragraph (1) shall be referred to the Attorney General of the United States.

H.R. 6796

By Mr. OTTINGER:

On page 51, between lines 20 and 21, insert the following new paragraph:

"Notwithstanding the provisions of this subsection or any other provision of this section, nothing herein shall be construed as authorizing the Administrator to enter into or make any such guarantee for the purpose of financing the construction of any commercial or full sized facility, including the expansion of any modular facility to a commercial or full sized facility, to convert coal, oil shale, or other domestic resources into alternative fuels for sale in commercially marketable quantities: *Provided*, That this paragraph shall not preclude the incidental sale of such fuels or byproducts thereof produced from a demonstration facility financed in furtherance of the purposes of this section."

On page 71, lines 18 and 19, strike "legislation" and insert "any authorization and appropriation".

H.R. 7171

By Mr. BURLISON of Missouri:

SEC. 1013. Section 331 of the Consolidated Farm and Rural Development Act is amended by adding at the end thereof a new subsection as follows:

"(j) in any area eligible for emergency loans under subtitle C, permit, at his discretion, the deferral of principal and interest on any outstanding loans made, insured, or held by the Secretary under this title, or under the provisions of any other law administered by the Farmers Home Administration, for not to exceed three years from the date of such deferral.".

By Mr. JOHN L. BURTON:

(Amendment to H.R. 7940, as reported, and offered as an amendment in the nature of a substitute for title XII of H.R. 7171, as reported.)

On page 53 of H.R. 7940, as reported, line 2, immediately after "of the" insert the following: "higher of the applicable state or".

On page 53 of H.R. 7940, as reported, after line 23, insert the following new paragraph:

"(3) A pilot project established under paragraph (2) of this subsection shall provide:

(A) Appropriate standards for health, safety, and other conditions applicable to the performance of work, including workman's compensation;

(B) That the project does not result in displacement of persons currently employed, or the filling of established unfilled position vacancies;

(C) That the project does not apply to jobs covered by a collective bargaining agreement;

(D) Reasonable conditions of work, taking into account the geographic region, the residence of the participants, and the proficiency of the participants;

(E) That participants will not be required, without their consent, to travel an unreasonable distance from their homes or remain away from their homes overnight;

(F) That participants will not be required to work in excess of 80 hours in any calendar month, nor in excess of eight hours during any calendar day in order to provide time to seek regular employment;

(G) That participation shall not result in any cost to a participant and that provisions be made for transportation, child care, and all other costs reasonably necessary to and directly related to participation in the project; and

(H) That no individual shall be required to participant in a project if—

(i) the position offered is vacant due directly to a strike, lockout, or other labor dispute; or

(ii) as a condition of accepting the work or continuing in the work, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization; or

(iii) acceptance would be an unreasonable act because of hardship imposed on the person or his family due to illness or remoteness.".

By Mr. HARKIN:

Line 16, page 9, after the words "disaster payments" insert the words "for prevented planting".

Line 14, page 9, 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. JOHNSON of Colorado:

Page 52, after line 4, insert the following new section:

TOBACCO

SEC. 910. (a)(1) Section 101 of the Agricultural Act of 1949 is amended—

(A) by striking out "tobacco (except as otherwise provided herein), corn," in subsection (a) and inserting in lieu thereof "corn"; and

(b) by striking out ", except tobacco," in subsection (d)(3) and by striking out all that follows the first semicolon in such subsection.

(2) Sections 101(c) and 106 of such Act are repealed.

(3) Section 301 of such Act is amended by inserting the following before the period at the end thereof: ", except that no price support shall be made available for tobacco under this Act".

(4) Section 408(c) of such Act is amended by striking out ", tobacco".

(b) Section 303 of the Agricultural Adjustment Act of 1938 is amended by striking out "rice, or tobacco," and inserting in lieu thereof "or rice,".

(c) Section 5 of the Commodity Credit Corporation Charter Act is amended by adding the following undesignated paragraph at the end thereof:

"Notwithstanding any other provision of law, the Corporation may not exercise any of the powers specified in this section or in any other provision of this Act with respect to tobacco."

(d) The amendments made by subsections (a), (b), and (c) of this section shall become effective on January 1, 1980.

(e) Not later than January 1, 1979, the Secretary of Agriculture shall prepare and transmit to the President and both Houses of the Congress a report concerning economic effects, particularly on producers of tobacco, which are likely to result from the amendments made by subsections (a), (b), and (c) of this section and by section 1104 (a) of the Agricultural Act of 1977 becoming effective. Such report shall at least include the Secretary's findings and conclusions concerning such effects and his or her recommendations, if any, concerning methods of reducing or minimizing such effects.

Page 66, after line 15, insert the following new section and redesignate the subsequent sections accordingly:

SEC. 1104. (a) The first sentence of section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by striking out "for the purposes of title II of this Act,"

(b) The amendment made by subsection (a) shall become effective on January 1, 1980.

By Mr. LEACH:

Page 64, line 20, strike out line 20 and insert in lieu thereof the following: "by inserting in Section 102 immediately before the first colon the words "and, when requested by the purchased of such commodities, may serve as the purchasing or shipping agent, or both, in arranging the purchasing or shipping of such commodities".

SEC. 1102. Title I of such Act is further amended by adding at the end thereof the following new section:

Page 66, line 5, strike out "1102." and insert "1103."

Page 66, line 9, strike out "1103." and insert "1104."

Page 66, line 16, strike out "1104." and insert "1105."

Page 67, line 5, strike out "1105." and insert "1106."

Page 67, line 4, insert the following:

SEC. 1105. Section 408 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by adding at the end thereof, the following subsection:

(d)(1) No later than six months following the date of enactment of this subsection, and at each two-year interval thereafter, the Secretary of Agriculture shall issue revised regulations governing all operations under title I of this Act, including operations relating to purchasing countries, suppliers of commodities or ships, and purchasing or shipping agents. The regulations shall include, but not be limited to, prohibitions against conflicts of interests, as determined by the Secretary, between (A) recipient countries (or other purchasing entities) and their agents, (B) suppliers of commodities, (C) suppliers of ships, and (D) other shipping interests.

" '(2) The regulations shall be designed to increase the number of exporters participating in the program, especially small business corporations and cooperatives. In this respect, the regulations shall limit—unless waived by the Secretary—the financing of any commodity exported during any fiscal year by any individual, cooperative, firm or subsidiary, or affiliate thereof, to no more than 25 per centum by volume of the planned programming of such commodity as reported under subsection (b) of this section.

" '(3) All revised regulations governing operations under title I and title III of this Act shall be transmitted to Congress by the Secretary as soon as practicable after their issuance."

Page 67, line 5, strike out "1105" and insert in lieu thereof "1106".

By Mr. SEBELIUS:

Title XI, on page 67, immediately after line 4, insert the following new section and redesignate existing section 1105 as section 1106:

"SEC. 1105. Section 408 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by adding the following subsection:

" '(d) Bagged commodities for the purpose of financing by the Commodity Credit Corporation under this Act shall be considered 'exported' upon delivery at port, and upon presentation of a dock receipt in lieu of an on-board bill of lading.' "

By Mr. WALKER:

(Amendments to H.R. 7840, as reported and offered as an amendment in the nature of a substitute to title XII of H.R. 7171, as reported.)

On page 4 of H.R. 7940, line 6, strike out "except" and insert in lieu thereof the following: "which is determined by the Secretary to be of high nutritional value and which is approved and identified for purchase with food stamps under section 9 of this Act, except that such term shall not include".

On page 29 of H.R. 7940, after line 22, insert the following new subsections:

(e)(1) The Secretary shall determine that a food is of high nutritional value under section 3(g)(1) and under paragraph (3) of this subsection if such food has an Index of Nutritional Quality which is at least 2 for 2 or more of the following nutrients: protein, vitamin A, vitamin C, niacin, thiamine, riboflavin, calcium, and iron, or if such food has an Index of Nutritional Quality of at least 1 for 4 or more of such nutrients; except that the Secretary after consultation with the National Research Council of the National Academy of Sciences, the Food Nutrition Board of the National Academy of Sciences, and the President of the National Academy of Sciences, may make specific exceptions to this definition of condiments or food products which have a significant value in the enhancement of palatability.

(2) As used in this subsection, the term "Index of Nutritional Quality" for a particular nutrient means the ratio of the nutrient content of the food sample to the human nutrient requirement as defined by the United States Recommended Daily Allowances, divided by the ratio of the calorific content of the sample to the United States Recommended Daily Allowance of calories.

(3) Food manufacturers, processors, and producers desiring to have their products approved for purchase with food stamps shall submit an application therefor at such times, in such form, and with such information as the Secretary may, by rule, require. The Secretary shall periodically review such applications, shall approve for purchase with food stamps those products which the Secretary determines are of high nutritional value, and shall transmit a list of products so approved to the Congress. The first such list shall be transmitted to the Congress within one year after the date of enactment of the Agricultural Act of 1977, and subsequent lists shall be transmitted at such times as the Secretary may, by rule, determine appropriate.

(4) Annually after products are first approved for purchase with food stamps under this subsection, the Secretary shall review the products approved for such purchase and withdraw the approval of any product which the Secretary determines to be no longer of high nutritional value.

(5) The Secretary shall notify food stamp recipients and retail food stores and wholesale food concerns participating in the food stamp program of products which are approved for purchase with food stamps and of the withdrawal of the approval of any product for purchase with food stamps.

(f)(1) Within 90 days after any product is approved under subsection (e) for purchase with food stamps, the manufacturer, processor, or producer of such product shall indicate the approval in a conspicuous place on the outside container or wrapper of the retail package of such product; except that if the Secretary determines that it is not feasible to so indicate the approval of any product (such as fresh meat, vegetables, and fruit), the approval need not be so indicated, and the Secretary shall notify retail food stores and wholesale food concerns participating in the food stamp program of such products and shall publish in the Federal Register a list of such products.

(2) Within 90 days after the approval of any product for purchase with food stamps has been withdrawn—

(A) the Secretary shall publish in the Federal Register a notice of such withdrawal; and

(B) the manufacturer, processor, or producer of such product shall remove any indication of the approval of such product from the outside container or wrapper of the retail package of such product.

(g) The Secretary shall select the manner by which manufacturers, processors, and producers shall indicate the approval of products for purchase with food stamps under subsection (f).

H.R. 7940

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."

SENATE—*Tuesday, July 19, 1977*

(Legislative day of Wednesday, May 18, 1977)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by Hon. ALAN CRANSTON, a Senator from the State of California.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

God of our Fathers, whose almighty hand has made and preserved us a nation, "be Thou our Ruler, Guardian, Guide and Stay. Thy true religion in our hearts increase, Thy bounteous goodness nourish us in peace." May we never forget that this land was first settled "for the glory of God" and freedom to worship according to one's conscience. As this purpose permeated the life of the people, so many religions have flourished in this Republic. For this we give Thee daily thanks. May the Pilgrim dream be fulfilled in daily life as we remain true to the God they worshiped. Give us grace to complete what our fathers began that this Nation may be a bastion of spiritual power and a beacon of freedom to all mankind. Help us now to work in the spirit of our prayer. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 19, 1977.

To the Senate:

Under the provisions of Rule I, Section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ALAN CRANSTON, a Senator from the State of California, to perform the duties of the Chair.

JAMES O. EASTLAND,
President pro tempore.

Mr. CRANSTON thereupon assumed the chair as Acting President pro tempore.