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PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—*Monday, May 17, 1976*

The House met at 12 o'clock noon.

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

Stand firm in your faith, be courageous, be strong. Let all that you do be done in love.—I Corinthians 16: 13, 14.

Our Father God, as we bow our heads in Thy presence, may we also lift our hearts unto Thee opening all the doors of our being that Thy spirit may come to new life in us making us equal to our experiences and ready for our responsibilities.

Led by Thee may we lead our people on the upward way to a higher plane of unity and peace holding aloft the banners of truth, justice, and love.

Bless our President, our Speaker, and the Members of this House of Representatives. Breathe Thy Holy Spirit into their hearts that with wisdom, understanding, and faith they may keep our Nation, the land of free and the home of the brave.

In Thy holy name we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Roddy, one of his secretaries, who also informed the House that on May 13, 1976, the President approved and signed a bill of the House of the following title:

H.R. 2782. An act to provide for the reinstatement and validation of U.S. oil and gas lease numbered U-0140571, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 8957. An act to raise the limitation on appropriations for the U.S. Commission on Civil Rights; and

H.R. 12216. An act to amend the Domestic Volunteer Service Act of 1973 to extend the operation of certain programs by the ACTION Agency.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 510) entitled "An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety and effectiveness of medical devices."

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. 9630. An act to extend the Educational Broadcasting Facilities Program and to provide authority for the support of demonstrations in telecommunications technologies for the distribution of health, education, and public or social service information, and for other purposes.

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

S. 2398. An act to authorize the establishment of the Eugene O'Neill National Historic Site, and for other purposes;

S. 2529. An act to amend chapter 37 of title 38, United States Code, to increase the maximum Veterans' Administration guaranty for mobile home loans from 30 to 50 percent, to make permanent the direct loan revolving fund, to extend entitlement under chapter 37 to those veterans who served exclusively between World War II and the Korean conflict, and for other purposes;

S. 2642. An act to authorize the Secretary of the Interior to establish the Ninety Six and Star Fort National Historic Site in the State of South Carolina, and for other purposes;

S. 3095. An act to increase the protection of consumers by reducing permissible deviations in the manufacture of articles made in whole or in part of gold; and

S.J. Res. 196. Joint Resolution providing for the expression to Her Majesty, Queen Elizabeth II, of the appreciation of the people of the United States for the bequest of James Smithson to the United States, enabling the establishment of the Smithsonian Institution.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

NEW HAMPSHIRE-VERMONT INTERSTATE SEWAGE WASTE DISPOSAL FACILITIES COMPACT

The Clerk called the bill (H.R. 9153) granting the consent of Congress to the New Hampshire-Vermont Interstate Sewage Waste Disposal Facilities Compact.

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

H.R. 9153

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the New Hampshire-Vermont Interstate Sewage Waste Disposal Facilities Compact which has been entered into in accordance with the provisions of section 103(b) of the Federal Water Pollution Control Act. The compact reads as follows:

"NEW HAMPSHIRE-VERMONT INTERSTATE SEWAGE AND WASTE DISPOSAL FACILITIES COMPACT

"ARTICLE I

"GENERAL PROVISIONS

"A. STATEMENT OF POLICY.—It is recognized that in certain cases municipalities in New Hampshire and Vermont may, in order to avoid duplication of cost and effort, and in order to take advantage of economies of scale, find it necessary or advisable to enter into agreements whereby joint sewage and waste disposal facilities are erected and maintained. The states of New Hampshire and Vermont recognize the value of and need for such agreements, and adopt this compact in order to authorize their establishment.

"B. REQUIREMENT OF CONGRESSIONAL APPROVAL.—This compact shall not become effective until approved by the United States Congress.

"C. DEFINITIONS.—

"1. 'Sewage and waste disposal facilities' shall mean publicly-owned sewers, interceptor sewers, sewerage facilities, sewage treatment facilities and ancillary facilities whether qualifying for grants in aid under title II of the Federal Water Pollution Control Act, as amended, or not.

"2. 'Municipalities' shall mean cities, towns, village districts or other incorporated units of local government possessing authority to construct, maintain and operate sewage and waste disposal facilities and to raise revenue therefor by bonding and taxation, which may legally impose and collect user charges and impose and enforce pretreatment conditions upon users of sewage and waste disposal facilities.

"3. 'Water pollution agency' shall mean the agencies within New Hampshire and Vermont possessing regulating authority over the construction, maintenance and operation of sewage and waste disposal facilities and the administration of grants in aid from their respective state and under the Federal Water Pollution Act, as amended, for the construction of such facilities.

"4. 'Governing body' shall mean the legislative body of the municipality, including, in the case of a town, the town meeting, and, in the case of a city, the city counsel, or the board of mayor and aldermen or any similar

body in any community not inconsistent with the intent of this definition.

"ARTICLE II

"PROCEDURES AND CONDITIONS GOVERNING INTERGOVERNMENTAL AGREEMENTS

"A. COOPERATIVE AGREEMENTS AUTHORIZED.—Any two or more municipalities, one or more located in New Hampshire and one or more located in Vermont, may enter into cooperative agreements for the construction, maintenance and operation of a single sewage and waste disposal facility serving all the municipalities who are parties thereto.

"B. APPROVAL OF AGREEMENTS.—Any agreement entered into under this compact shall, prior to becoming effective, be approved by the water pollution agency of each state, and shall be in a form established jointly by said agencies of both states.

"C. METHOD OF ADOPTING AGREEMENT.—Agreements hereunder shall be adopted by the governing body of each municipality in accordance with existing statutory procedures for the adoption of intergovernmental agreements between municipalities within each state.

"D. REVIEW AND APPROVAL OF PLANS.—The water pollution agency of the state in which any part of a sewage and waste disposal facility which is proposed under an agreement pursuant to this compact is proposed to be or is located is hereby authorized and required, to the extent such authority exists under its state law, to review and approve or disapprove all reports, designs, plans and other engineering document required to apply for federal grants in aid or grants in aid from said agency's state, and to supervise and regulate the planning, design, construction, maintenance and operation of said part of the facility.

"E. FEDERAL GRANTS AND FINANCING.—

"1. Application for federal grants in aid for the planning, design and construction of sewage and waste disposal facilities other than sewers shall be made jointly by the agreeing municipalities, with the amount of the grant attributable to each state's allotment to be based upon the relative total capacity reserves allocated to the municipalities in the respective states determined jointly by the respective state water pollution agencies. Each municipality shall be responsible for applying for federal grants for sewers to be located within the municipal boundaries.

"2. Municipalities are hereby authorized to raise and appropriate revenue for the purpose of contributing pro rata to the planning, design and construction cost of sewage and waste disposal facilities constructed and operated as joint facilities pursuant to this compact.

"F. CONTENTS OF AGREEMENTS.—Agreements entered into pursuant to this compact shall contain the following:

"1. A uniform system of charges for industrial users of the joint sewage and waste disposal facilities.

"2. A uniform set of pretreatment standards for industrial users of the joint sewage and waste disposal facilities.

"3. A provision for the pro rata sharing of operating and maintenance costs based upon the ratio of actual flows to the plant as measured by devices installed to gauge such flows with reasonable accuracy.

"4. A provision establishing a procedure for the arbitration and resolution of disputes.

"5. A provision establishing a procedure for the carriage of liability insurance, if such insurance is necessary under the laws of either state.

"6. A provision establishing a procedure for the modification of the agreement.

"7. A provision establishing a procedure for the adoption of regulations for the use, operation and maintenance of the joint facilities.

"8. A provision setting forth the means by which the municipality that does not own the joint sewage and waste disposal facility will pay the other municipality its share of the maintenance and operating costs of said facility.

"G. Nothing in this compact shall be construed to authorize the establishment of interstate districts, authorities, or any other new governmental or quasi-governmental entity.

"ARTICLE III

"EFFECTIVE DATE

"This compact shall become effective when a bill of the general assembly of each of the states of New Hampshire and Vermont which incorporates the compact becomes a law in each such state and when it is approved by the United States Congress.".

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

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.

DESIGNATING THE GEORGE WASHINGTON SQUARE

The Clerk called the bill (H.R. 2479) to name a portion of the site of the Anthony J. Celebrezze Federal Building in Cleveland, Ohio, the "George Washington Square."

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

H.R. 2749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of the site of the Anthony J. Celebrezze Federal Building in Cleveland, Ohio, lying west of said building, on which has been erected a statue of the First President of the United States, George Washington, shall, from and after the date of enactment of this Act, be known and designated as the "George Washington Square".

Mr. JONES of Alabama. Mr. Speaker, the purpose of H.R. 2749 is to name a portion of the site of the Anthony J. Celebrezze Federal Building in Cleveland, Ohio, the George Washington Square in honor of the first President of the United States.

The Federal building located at 1240 East Ninth Street, Cleveland, Ohio, was completed in 1967. On March 7, 1973, the Federal building in Cleveland, Ohio, was designated the Anthony J. Celebrezze Federal Building in conformance with section 39 of Public Law 92–520, approved October 21, 1972. The Early Settlers Association of the Western Reserve and the downtown community development program in the city of Cleveland have proposed in commemoration of the Bicentennial to name a portion of the site of the Anthony J. Celebrezze Federal Building on which has been erected a statue of the first President of the United States, George Washington, as the George Washington Square.

Mr. Speaker, the committee believes it fitting and proper to name a portion of the site of the Anthony J. Celebrezze Federal Building in Cleveland, Ohio, after the founding father of our Nation to commemorate the great events of his military and political life.

I urge enactment of H.R. 2749.

Mr. GINN. Mr. Speaker, the legislation would name a portion of the site of the Anthony J. Celebrezze Federal Building in Cleveland, Ohio, the George Washington Square. Numerous organizations in the city of Cleveland have proposed in commemoration of the Bicentennial to name the site on which has been erected a statue of our first President, in his honor.

I urge enactment of H.R. 2749.

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.

The SPEAKER. These are all of the eligible bills on the Consent Calendar.

BEVERAGE CONTAINER GUIDELINES

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

Mr. FLYNT. Mr. Speaker, today I have introduced H.R. 13811 to prohibit the Environmental Protection Agency from issuing final regulations to ban the sale of beverages in nonrefillable containers in all Federal installations and facilities.

These proposed guidelines which were published in the Federal Register on November 13, 1975, appear to be just one more instance of a Federal agency attempting to exercise control over a matter which, in my judgment, and that of many others, they have no authority to regulate.

My colleagues should be made aware that this short-term ban on the sale of beverages in nonrefillable containers is only the beginning of an attempt in the long-run to develop a nationwide ban of one-way cans and bottles. The "mandatory deposit system" which these guidelines call for is in reality the same as "ban-the-can" and "ban-the-bottle" legislation.

Mr. Speaker, last August when I became aware of EPA's plans to publish the proposed guidelines, I wrote to Russell Train, EPA Administrator, to express my strong opposition to the guidelines and to question EPA's authority to promulgate such guidelines. Since that time I have heard from literally hundreds of my constituents who would be adversely affected if this ban is placed on nonrefillable beverage contains. I know that this concern has spread in the past several months throughout all segments of our economy.

EPA's mandatory deposit guidelines have been very aptly described as a "tempest in a pop bottle." I am sure that if my colleagues examine this matter closely they will agree with me that this unwarranted dictate by EPA must be halted in light of the negative impact that the container guidelines will have on bottlers, canners, steelworkers, distributors, aluminum workers, glass workers, glass companies, military personnel and commissaries just to name a few.

Mr. Speaker, we must not allow the Environmental Protection Agency to go ahead with the publication of its final

beverage container guidelines in view of the ever increasing opposition from all over the Nation to this Agency exceeding its authority under specified provisions of the law in making a decision on an issue of major importance.

CONGRESSMAN WILLIAM A. BARRETT

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

Mr. MADDEN. Mr. Speaker, it was indeed a great shock to all of our membership to learn of the passing of our colleague, Bill Barrett, one of the most dedicated, sincere and admired Members of Congress. Of all the Members of Congress I have known during the past 30 years, I believe Bill Barrett could be classified as one possessing a most sincere loyalty not only to his constituency in Philadelphia but also to the State of Pennsylvania and the Nation.

He was sincere and conscientious, devoting extraordinary periods of time on legislation which he sponsored so that when the time for debate and amendments arrived he was always prepared with the proper answers; consequently he possessed the respect of the Membership of the House.

Congressman Barrett would relate to me on many occasions about his exceptional program of returning to Philadelphia every evening after Congress adjourned and consult with constituents, by appointment, into the late hours of the evening and returning in the early morning hours to Washington for committee meetings. One would marvel at his dedication and fatiguing efforts to represent his district and Nation in this great legislative body.

Bill Barrett will be long remembered as an outstanding statesman and legislator by his colleagues as well as the millions of people in Philadelphia who will long remember and admire Congressman William Barrett for his success and dedication to public service.

I wish to extend my deepest sympathy to his family in their bereavement.

RESIGNATION AS MEMBER AND APPOINTMENT AS MEMBER OF U.S. GROUP OF NORTH ATLANTIC ASSEMBLY

The SPEAKER laid before the House the following resignation from the U.S. Group of the North Atlantic Assembly:

WASHINGTON, D.C.,
May 12, 1976.

Hon. CARL ALBERT,
Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I hereby resign from the U.S. Group of the North Atlantic Assembly effective May 12, 1976.

Sincerely,

JOHN JARMAN.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. Pursuant to the provisions of section 1, Public Law 689, 84th Congress, as amended, the Chair appoints as a member of the U.S. Group of the North Atlantic Assembly the gentleman from Arizona, Mr. RHODES, to fill the existing vacancy thereon.

APPOINTMENT AS MEMBER OF ADVISORY COMMITTEE OF WHITE HOUSE CONFERENCE ON LIBRARY AND INFORMATION SERVICES

The SPEAKER. Pursuant to the provisions of section 1(e), Public Law 93–568, the Chair appoints as a member of the Advisory Committee of the White House Conference on Library and Information Services the following member from private life: Mrs. Esther Mae Henke, of Oklahoma City, to fill the existing vacancy thereon.

TWENTIETH ANNUAL REPORT OF HEALTH RESEARCH FACILITIES CONSTRUCTION PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I transmit herewith the Twentieth Annual Report of the Health Research Facilities Construction Program for activities during fiscal year 1975.

GERALD R. FORD.

THE WHITE HOUSE, *May 17, 1976.*

THIRD ANNUAL REPORT OF DIRECTOR OF NATIONAL HEART AND LUNG INSTITUTE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I am transmitting herewith the Third Annual Report of the Director of the National Heart and Lung Institute, as required by the National Heart, Blood Vessel, Lung, and Blood Act of 1972. This report, which contains a program plan for the next five years, was prepared in consultation with the National Heart and Lung Advisory Council.

The report proposes two levels of expenditures for fiscal years 1977 through 1981, both of which are in excess of the dollar amounts requested in the FY 1977 budget. The report states, however, that these projected expenditures are based on scientific judgment relating only to this research field. Moreover, the plan correctly recognizes that the allocation of national resources for the program must be determined in relationship to other competing national needs within total available Federal resources.

The Report focuses on the new initiatives undertaken since enactment of the 1972 Act, and it provides examples of encouraging progress in the fight against heart, blood vessel, lung, and blood diseases. These diseases, in 1972, led to an estimated national economic loss of more than $57 billion annually. Deaths from coronary heart disease, the number one killer of the American people, continue to decline as do deaths from stroke and hypertension. The Institute's efforts also appear to be bearing fruit in the area of high blood pressure control. A national survey of physicians indicated that in calendar year 1974 the total number of patient visits for treatment of blood pressure increased by 41.6 percent over 1971, the base year. In comparison, the total number of medical visits for all causes increased by only 16 percent over the same period. Furthermore, since the base year, the number of patients whose high blood pressure is under control has doubled.

The Administration recognizes the accomplishments as outlined in the Report, and continues to view the heart, blood vessel, lung, and blood program as an area of high priority.

GERALD R. FORD.

THE WHITE HOUSE, *May 17, 1976.*

TWELFTH ANNUAL REPORT ON SPECIAL INTERNATIONAL EXHIBITIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on International Relations:

To the Congress of the United States:

As required by law, I transmit to the Congress the Twelfth Annual Report on Special International Exhibitions conducted under the authority of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87–256).

This report covers exhibitions presented abroad by the U.S. Information Agency at international fairs and under East/West Cultural Exchange agreements, as well as exhibitions and labor missions presented abroad by the Department of Labor and the Department of Commerce.

GERALD R. FORD.

THE WHITE HOUSE, *May 17, 1976.*

ANNOUNCEMENT OF CHANGES IN LEGISLATIVE PROGRAM

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

Mr. O'NEILL. Mr. Speaker, I take this

time to announce several changes to the program of this week: S. 2129, Indian crimes, scheduled for suspension today will be moved to the end of the suspension list for tomorrow. Also for tomorrow we are adding under suspensions the bill H.R. 13549, additional income for soldiers' and airmen's home, and we are dropping from the suspension list the bill H.R. 13124, hazardous water transportation. In addition, we are adding to tomorrow, after suspensions, a resolution reported from the Rules Committee, House Resolution 1186, creating a Select Committee on Professional Sports.

GENERAL LEAVE

Mr. GINN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks just prior to passage of H.R. 2749, a bill to name a portion of the site of the Anthony J. Celebrezze Federal Building in Cleveland, Ohio, the "George Washington Square."

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 270]

Abzug	Goldwater	Pike
Addabbo	Gonzalez	Pressler
Allen	Harkin	Pritchard
Anderson, Calif.	Harrington	Quie
	Harsha	Quillen
Andrews, N.C.	Hébert	Railsback
Aspin	Hechler, W. Va.	Rhodes
Badillo	Heckler, Mass.	Riegle
Bell	Heinz	Rodino
Biaggi	Helstoski	Roncalio
Bingham	Hillis	Rousselot
Boggs	Hinshaw	Ruppe
Boland	Holland	Ryan
Bonker	Holtzman	Sarbanes
Brown, Mich.	Hubbard	Satterfield
Brown, Ohio	Jacobs	Scheuer
Broyhill	Jarman	Sebelius
Buchanan	Johnson, Colo.	Shuster
Burke, Calif.	Jones, Okla.	Staggers
Byron	Karth	Stanton,
Carney	Keys	J. William
Carter	Kindness	Stanton,
Cederberg	Krueger	James V.
Chisholm	Litton	Stark
Clancy	McClory	Steelman
Conyers	McCloskey	Steiger, Ariz.
Cornell	McCollister	Stephens
Cotter	McKinney	Stratton
Coughlin	Macdonald	Stuckey
Crane	Michel	Symington
Danielson	Milford	Symms
Derwinski	Miller, Calif.	Teague
Diggs	Mills	Thornton
Dingell	Mitchell, Md.	Treen
Esch	Moakley	Tsongas
Eshleman	Mosher	Udall
Evans, Ind.	Moss	Vigorito
Fish	Nix	Waxman
Foley	Nolan	Wright
Ford, Tenn.	Obey	Wydler
Fuqua	Patten, N.J.	Young, Ga.
Giaimo	Pettis	Zeferetti
Gibbons	Peyser	

The SPEAKER. On this rollcall 307 Members have recorded their presence by electronic device, a quorum.

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

APPOINTMENT OF CONFEREES ON S. 217, RELATING TO CONDEMNATION OF CERTAIN PUEBLO INDIAN LANDS

Mr. HALEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 217) to repeal the act of May 10, 1926 (44 Stat. 498), relating to the condemnation of certain lands of the Pueblo Indians in the State of New Mexico, with the House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

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

Mr. DON H. CLAUSEN. Reserving the right to object, Mr. Speaker, I just want to ask the chairman of the committee whether or not this has been cleared with the ranking minority member.

Mr. HALEY. Yes; it has been, Mr. Speaker.

Mr. DON H. CLAUSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Florida? The Chair hears none, and appoints the following conferees: Messrs. MEEDS, MELCHER, STEPHENS, and YOUNG of Alaska.

CONFERENCE REPORT ON H.R. 12453, AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. DOWNING of Virginia (on behalf of Mr. TEAGUE) filed the following conference report and statement on the bill (H.R. 12453) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 94–1176)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 12453) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

(a) For "Research and development," for the following programs:

(1) Space Shuttle, $1,288,100,000;

(2) Space flight operations, $202,700,000;

(3) Expendable launch vehicles, $151,400,000;

(4) Physics and astronomy, $166,300,000;

(5) Lunar and planetary exploration, $192,100,000;

(6) Life sciences, $22,125,000;

(7) Space applications, $198,000,000;

(8) Earth resources operational systems, $200,000;

(9) Aeronautical research and technology, $191,100,000;

(10) Space research and technology, $86,300,000;

(11) Tracking and data acquisition, $255,000,000;

(12) Technology utilization, $8,100,000.

(b) For "Construction of facilities," including land acquisition, as follows:

(1) Modification for high enthalpy entry facility, Ames Research Center, $1,220,000;

(2) Modification of flight simulator for advanced aircraft, Ames Research Center, $1,730,000;

(3) Construction of supply support facility, Ames Research Center, $1,540,000;

(4) Construction of addition to flight control facility, Hugh L. Dryden Flight Research Center, $750,000;

(5) Construction of addition to lunar sample curatorial facility, Lyndon B. Johnson Space Center, $2,200,000;

(6) Construction of airlock to spin test facility, John F. Kennedy Space Center, $360,000;

(7) Modifications for utility control system, John F. Kennedy Space Center, $2,445,000;

(8) Construction of addition for aeroelastic model laboratory, Langley Research Center, $730,000;

(9) Construction of data reduction center annex, Langley Research Center, $2,970,000;

(10) Construction of refuse-fired steam generating facility, Langley Research Center, $2,485,000;

(11) Modification of refrigeration system, electric propulsion laboratory, Lewis Research Center, $680,000;

(12) Rehabilitation of combustion air drying system, engine research building, Lewis Research Center, $1,490,000;

(13) Large aeronautical facility: construction of national transonic facility, Langley Research Center, $25,000,000;

(14) Space Shuttle, facilities at various locations as follows:

(A) Construction of Orbiter processing facility, John F. Kennedy Space Center, $3,750,000;

(B) Modifications to launch complex 39, John F. Kennedy Space Center, $18,855,000;

(C) Modification for solid rocket booster processing facilities, John F. Kennedy Space Center, $8,700,000;

(D) Construction of Shuttle/Carrier aircraft mating facility, John F. Kennedy Space Center, $1,700,000;

(E) Rehabilitation and modification of Shuttle facilities, at various locations, $1,760,000;

(F) Modification of manufacturing and final assembly facilities for external tanks, Michoud Assembly Facility, $1,930,000;

(15) Space Shuttle payload facilities at various locations as follows:

(A) Modifications to operations and checkout building for Spacelab, John F. Kennedy Space Center, $3,570,000;

(B) Modifications and addition for Shuttle payload development; Goddard Space Flight Center, $770,000;

(16) Rehabilitation and modification of facilities at various locations, not in excess of $500,000 per project, $17,875,000;

(17) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of $250,000 per project, $5,125,000;

(18) Facility planning and design not otherwise provided for, $12,655,000.

(c) For "Research and program management," $813,455,000, and such additional or

supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law.

(d) Notwithstanding the provisions of subsection 1(g), appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required at locations other than installations of the Administration for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used in accordance with this subsection for the construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Technology of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Research and program management" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) Of the funds appropriated pursuant to subsections 1(a) and 1(c), not in excess of $25,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and not in excess of $50,000 for each project, including collateral equipment, may be used for rehabilitation or modification of facilities: *Provided*, That of the funds appropriated pursuant to subsection 1(a), not in excess of $250,000 for each project, including collateral equipment, may be used for any of the foregoing for unforeseen programmatic needs.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1) through (17), inclusive, of subsection 1(b)—

(1) in the discretion of the Administrator or his designee, may be varied upward 10 per centum, or

(2) following a report by the Administrator or his designee to the Committee on Science and Technology of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate on the circumstances of such action, may be varied upward 25 per centum,

to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (18) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Technology of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Technology or the Senate Committee on Aeronautical and Space Sciences,

(2) no amounts appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SEC. 6. The National Aeronautics and Space Administration is authorized, when so provided in an appropriation Act, to enter into a contract for tracking and data relay satellite services. Such services shall be furnished to the National Aeronautics and Space Administration in accordance with applicable authorization and appropriations Acts. The Government shall incur no costs under such contract prior to the furnishing of such services except that the contract may provide for the payment for contingent liability of the Government which may accrue in the event the Government should decide for its convenience to terminate the contract before the end of the period of the contract. Facilities which may be required in the performance of the contract may be constructed on Government-owned lands if there is included in the contract a provision under which the Government may acquire a title to the facilities, under terms and conditions agreed upon in the contract, upon termination of the contract.

The Administrator shall in January of each year report to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives and the Committee on Aeronautical and Space Sciences and the Committee on Appropriations of the Senate the projected aggregate contingent liability of the Government under termination provisions of any contract authorized in this section through the next fiscal year. The authority of the National Aeronautics and Space Administration to enter into and to maintain the contract authorized hereunder shall remain in effect as long as provision therefor is included in Acts authorizing appropriations to the National Aeronautics and Space Administration for subsequent fiscal years.

SEC. 7. Paragraph (15) of section 5316, title 5, United States Code, is amended by striking "(6)" and inserting in lieu thereof "(7)".

SEC. 8. Section 6 of the National Aeronautics and Space Administration Authorization Act, 1968 (81 Stat. 170), is amended by striking out the words "the rate of $100" and inserting in lieu thereof the words "a rate not to exceed the per diem rate equivalent to the rate for GS–18".

SEC. 9. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1977".

And the Senate agree to the same.

OLIN E. TEAGUE,
THOMAS N. DOWNING,
DON FUQUA,
JAMES W. SYMINGTON,
ROBERT A. ROE,
DALE MILFORD,
JAMES H. SCHEUER,
CHARLES A. MOSHER,
LARRY WYNN, Jr.,
Managers on the Part of the House.

FRANK E. MOSS,
JOHN C. STENNIS,
WENDELL H. FORD,
BARRY GOLDWATER,
PETE V. DOMENICI,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The Managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 12453) to authorize appropriations to the National Aeronautics and Space Administration for FY 1977 for Research and Development, Construction of Facilities, and Re-

search and Program Management, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the Managers and recommended in the accompanying conference report.

The NASA request for FY 1977 totaled $3,697,000,000. The House authorized $3,696,070,000 and the Senate amendment authorized $3,696,850,000. The committee of conference agrees to a total authorization for FY 1977 of $3,695,170,000 as follows:

CONGRESSIONAL ADJUSTMENTS TO NASA REQUEST FOR FISCAL YEAR 1977, SUMMARY

	Budget request	House	Senate	Committee of conference
Research and development:				
Space Shuttle	$1,288,100,000	$1,288,100,000	$1,288,100,000	$1,288,100,000
Space flight operations	205,200,000	198,200,000	205,200,000	202,700,000
Expendable launch vehicles	151,400,000	151,400,000	151,400,000	151,400,000
Physics and astronomy	165,800,000	169,800,000	165,800,000	166,300,000
Lunar and planetary exploration	191,100,000	193,100,000	191,100,000	192,100,000
Life sciences	22,125,000	22,125,000	22,125,000	22,125,000
Space applications	198,200,000	185,700,000	198,200,000	198,000,000
Earth resources operational systems	0	13,500,000	0	200,000
Aeronautical research and technology	189,100,000	192,100,000	189,100,000	191,100,000
Space research and technology	82,000,000	92,100,000	82,000,000	86,300,000
Tracking and data acquisition	258,000,000	254,000,000	258,000,000	255,000,000
Technology utilization	7,900,000	8,400,000	8,100,000	8,100,000
Total	2,758,925,000	2,768,525,000	2,759,125,000	2,761,425,000
Construction of facilities	124,020,000	117,090,000	123,670,000	120,290,000
Research and program management	814,055,000	810,455,000	814,055,000	813,455,000
Grand total	3,697,000,000	3,696,070,000	3,696,850,000	3,695,170,000

The points in disagreement and the conference resolution of them are as follows:

1. The House authorized $198,200,000 for the Space flight operations program, a reduction of $7,000,000 in the NASA request, the net result of an $8,000,000 reduction in the Development, Test and Mission Operations subprogram and a $1,000,000 addition to the Advanced Programs subprogram activity.

The Senate authorized $205,200,000, identical with the NASA request for this program.

The conference substitute authorizes $202,700,000 for the Space flight operations program.

The conferees agree that NASA should apply $500,000 additional to its planned effort for advanced programs to improve the structuring and development of this activity in support of future space programs thereby increasing the total amount for FY 1977 from $18,000,000 to $18,500,000.

2. NASA requested $165,800,000 for the Physics and astronomy program. The House authorized $169,800,000 increasing the request by $3,000,000 to initiate the development program for the Space Telescope and by $1,000,000 for additional supporting research and technology effort.

The Senate authorized the NASA request.

The conference substitute authorizes $166,300,000.

The committee of conference, recognizing the significance of the Space Telescope to ongoing research in astronomy, agrees that the initiation of this project has the highest priority in the space science program and, therefore, authorizes NASA to complete the competitive detailed design phase and to proceed with development activities, the latter subject to the availability of appropriations. The conferees further agree that an additional $500,000 is to be applied to supporting research and technology activities to help assure the viability of future research in physics and astronomy.

3. The House authorized $193,100,000 for the Lunar and planetary program increasing the NASA request for the Planetary Advanced Studies activity by $2,000,000 to provide for definition studies for a Jupiter-Orbiter mission.

The Senate authorized $191,100,000, the NASA request.

The conference substitute authorizes $192,100,000.

The conferees agree that NASA should give particular attention to formulating and presenting new initiatives to reverse the "going out of business" trend apparent in this program and accordingly added $1,000,000 to be applied to studies for this purpose.

4. NASA requested $198,200,000 for the Space applications program.

The House authorized $185,700,000 transferring the Landsat-C spacecraft project and the $13,500,000 associated therewith to a new program entitled, "Earth Resources Operational Systems". The House also added $1,000,000 to the severe storm research subprogram activity.

The Senate authorized the NASA request of $198,200,000.

The conference substitue authorizes $198,000,000 for the Space applications program.

The conferees agree that the Landsat-C spacecraft development program should be continued in the Space applications program as presented in the NASA budget request.

5. The House established a new program entitled, "Earth Resources Operational Systems" not included in the NASA request, and authorized $13,500,000 for the program to include activities associated with the Landsat-C development project.

The Senate did not have a comparable line item program in its amendment to the bill.

The conference substitute establishes a new research and development line item in the bill entitled, "Earth Resources Operational Systems" and authorizes $200,000 therefor.

The conferees agree that the Landsat earth resources satellite technology project has reached a state of maturity wherein it is necessary to facilitate arrangements for an operational version of the Landsat system and provide for early activities that would initiate transition to an operational mode. This new program is established for this purpose.

6. NASA requested $189,100,000 for the Aeronautical research and technology program.

The House authorized $192,100,000 increasing the request by $3,000,000 to accelerate the Variable Cycle Engine Components Technology program.

The Senate authorized the NASA request for this program.

The conference substitute authorizes $191,100,000 for the Aeronautical research and technology program.

7. The House authorized $92,100,000 for the Space research and technology program, an increase of $10,100,000 in the NASA request, of which $1,600,000 was for increased rocket engine propulsion technology effort, $3,500,000 was for energy technology identification and verification activity and $5,000,000 was to significantly broaden the system definition effort on solar satellite power systems.

The Senate authorized $82,000,000, identical with the NASA request.

The conference substitute authorizes $86,300,000.

The conferees note that NASA has a significant capability which can and should be fully utilized in the Nation's program to achieve energy self-sufficiency. Tapping this capability requires a basic effort to identify and verify those initiatives that may have a potential contribution to this national need. This identification and verification activity, sometimes referred to as "seed money", is considered to be an appropriate and necessary function within NASA and the conferees direct NASA to continue this productive activity that it initiated in prior years. To this end the conferees agree that $3,500,000 in the Space research and technology program is to be allocated to this activity. Furthermore, the conferees agree that $800,000 of additional effort should be applied to advanced rocket engine propulsion technology.

8. The House authorized $254,000,000 for the Tracking and data acquisition program, a reduction of $4,000,000 in the NASA request.

The Senate authorized the NASA request of $258,000,000.

The conference substitute authorizes $255,000,000 for the Tracking and data acquisition program.

9. NASA requested $7,900,000 for the Technology utilization program. The House added $500,000 for greater emphasis on industrial and technology applications, authorizing a total of $8,400,000 for the program.

The Senate authorized $8,100,000 increasing the NASA request by $200,000 to initiate one additional regional application center.

The committee of conference adopts the Senate position.

10. NASA requested $2,800,000 for the construction of an addition to the Lunar Curatorial Facility at the Lyndon B. Johnson Space Center.

The House did not authorize this facility item in its bill.

The Senate authorized the facility at the requested amount of $2,800,000.

The conference substitute authorizes $2,200,000 for the construction of an addition to the Lunar Sample Curatorial Facility.

11. The House authorized $17,855,000 for the third phase of modifications to Launch complex 39, John F. Kennedy Space Center, in support of the Space Shuttle program, a reduction of $2,000,000 in the NASA request for this facility project.

The Senate authorized the NASA request of $19,855,000 for Launch complex 39 modifications.

The conference substitute authorizes $18,855,000.

12. NASA requested $9,700,000 for the second phase of facilities for processing the solid rocket booster for the Space Shuttle program at the John F. Kennedy Space Center. The House authorized $8,700,000, a reduction of $1,000,000 in the NASA request.

The Senate authorized $9,700,000 as requested by NASA.

The Committee of conference adopts the House position authorizing $8,700,000 for this facility item.

13. NASA requested $780,000 for a crew training facility for the Space Shuttle program at the Lyndon B. Johnson Space Center.

The House did not authorize this facility, believing that existing facilities at the Marshall Space Flight Center could be used during the design, development, test and engineering phase of the Shuttle program, and therefore that this facility item could be deferred.

The Senate authorized the construction of this facility item at the requested amount of $780,000.

The conference substitute does not provide for the construction of this crew training facility.

The conferees agree that the location of such a crew training facility should be restudied giving greater consideration to locations of primary activities associated with a fully operational Shuttle program as anticipated in the early 1980's and beyond. Until a thorough review of this matter is made the conferees request that all action on the construction of or modifications for any such crew training capability be deferred.

14. NASA requested $814,055,000 for the Research and Program Management appropriations category. The House authorized $810,455,000, a reduction of $3,600,000 in the request.

The Senate authorized $814,055,000, identical with the NASA request.

The conference substitute authorizes $813,455,000 for the Research and Program Management activity.

15. The House included, as Section 9 in its bill, a sense of the Congress statement emphasizing its concern for the need to expedite the completion of large aeronautical research facilities noting the importance of these facilities to U.S. dominance in the field of aeronautics.

This provision was not included in the NASA authorization request to the Congress.

The Senate did not include this provision in its amendment to the bill.

The conference substitute does not include this provision.

16. The House adopted a section 10 in its bill amending section 102 of the National Aeronautics and Space Act of 1958 enlarging its policy and purpose by declaring that the general welfare requires that the unique competence in science and engineering systems of NASA also should be directed toward ground propulsion research and development.

There was no comparable provision included in the NASA authorization request for FY 1977.

The Senate did not include this provision in its amendment to the House bill.

The conference substitute adopts the Senate position.

17. The House bill included in section 11, complementary to its amendment to the National Aeronautics and Space Act of 1958 adopted in Section 10 of its bill, which defined the term "ground propulsion system".

The Senate did not include this provision in its amendment to the House bill.

The conference substitute does not have a comparable provision inasmuch as the basic amendment was not adopted and, therefore, this complementary amendment is not necessary.

OLIN E. TEAGUE,
THOMAS N. DOWNING,
DON FUQUA,
JAMES W. SYMINGTON,
ROBERT A. ROE,
DALE MILFORD,
JAMES H. SCHEUER,
CHARLES A. MOSHER,
LARRY WINN, JR.,
Managers on the Part of the House.

FRANK E. MOSS,
JOHN C. STENNIS,
WENDELL H. FORD,
BARRY GOLDWATER,
PETE V. DOMENICI,
Managers on the Part of the Senate.

ANNOUNCEMENT BY THE SPEAKER

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

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

FEDERAL TRADE COMMISSION AUTHORIZATION

Mr. MURPHY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12527) to amend the Federal Trade Commission Act to increase the authorization of appropriations for fiscal years 1976 and 1977, as amended. The Clerk read as follows:

H.R. 12527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 20 of the Federal Trade Commission Act (15 U.S.C. 57(c)) is amended by striking out "$46,000,000" and inserting in lieu thereof "$47,091,000"; and by striking out "$50,000,000" and inserting in lieu thereof "$57,233,000".

SEC. 2. Section 202(d) of the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act is amended by striking out "18 months after the date of enactment of this Act" and inserting in lieu thereof "July 5, 1978".

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER. The gentleman from New York (Mr. MURPHY) will be recognized for 20 minutes, and the gentleman from New Jersey (Mr. RINALDO) will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MURPHY).

Mr. MURPHY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I move to suspend the rule and pass the bill (H.R. 12527) to amend the Federal Trade Commission Act to increase the authorization of appropriations for fiscal 1976 and 1977.

Mr. Speaker, this legislation is necessary because the President's budget requests for the Federal Trade Commission for both fiscal 1976 and 1977 exceed the levels authorized by the Magnuson-Moss warranty—Federal Trade Commission Improvement Act of 1975 (Public Law 93-637).

H.R. 12527 increases the FTC's authorization for fiscal 1976 by $1,091,000, to a total of $47,091,000, an amount which matches the President's budget request.

H.R. 12527 increases the authorization for fiscal 1977 by $7,233,000, to a total of $57,233,000, an amount which is $4.4 million above the President's budget. The Committee on Interstate and Foreign Commerce feels that the higher amount will allow some leeway for both expected and unexpected contingencies. For example, a 5-percent civil service pay raise in October would necessitate an additional $1,800,000 for salaries. Further, the Congress has upon occasion required action from the FTC without providing specific increases in authorizations. Such was the case in the Emergency Petroleum Allocation Act of 1974, the Equal Credit Opportunity and the Fair Credit Billing Act. The additional authorization covers such possible contingencies for fiscal 1977.

H.R. 12527 also amends section 202(d) of the Magnuson-Moss warranty—Federal Trade Commission Improvement Act which required the Federal Trade Commission and the Administrative Conference of the United States each to study and evaluate FTC rulemaking procedures and each to submit a report of its study to the Congress not later than July 5, 1976.

The Magnuson-Moss Act set up a detailed procedure for the Commission to follow in promulgating substantive trade regulation rules. The new procedure is far more involved than the normal "notice and comment" rulemaking required by section 553 of the Administrative Procedure Act. In addition to written comments on proposed rules, it requires a hearing with cross-examination of witnesses by all interested parties. Not surprisingly, the transcripts of these procedures are routinely running over 30,000 pages.

As a consequence, the FTC has not promulgated any Magnuson-Moss rules as yet, although 2 are very near completion and a total of 15 have been proposed. The Administrative Conference testified at the subcommittee hearing on March 30, 1976, that, in order to adequately analyze the new rulemaking procedures, seven to nine completed rules would be necessary for study. Anticipating that the Commission would complete such rulemaking actions by the spring of 1977, the Conference indicated that it would need 6 months thereafter to

organize the information and prepare a draft report. Several more months will then be needed to refine the report through the Administrative Conference Committee review process and through outside comment. By late May or early June in 1978, the Administrative Conference would be ready to consider the report in plenary session.

In order to give the Administrative Conference the opportunity to conduct a meaningful study of these FTC rulemaking procedures, the Committee on Interstate and Foreign Commerce extended the reporting deadline from July 5, 1976, until July 5, 1978.

With regard to the impact of H.R. 12527 on the economy, the committee is unaware of any inflationary effect which would result from the passage of this bill. In fact, the primary intent of the Federal Trade Commission is to stimulate competition in the economy. Insofar as the additional funds herein authorized would enable the Commission to fulfill its mission more effectively, the increased competition which would result would dampen inflationary pressures.

Mr. Speaker, I commend this legislation to my colleagues for their prompt and favorable consideration.

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

Mr. Speaker, I rise in support of this bill and urge that the House approve it.

As my colleague from New York has already indicated, the purpose of the legislation is to amend the Federal Trade Commission Act to increase the authorization of appropriations for the Commission for fiscal years 1976 and 1977. During the 93d Congress, we passed the Magnuson-Moss Act which set authorizations for appropriations levels for the Commission at $46 million for fiscal year 1976 and $50 million for fiscal year 1977. However, the President's budget requests for both years have been in excess of the authorized amounts; consequently, the need for the legislation.

The final provision of this bill simply grants a 2-year extension of the time limit for evaluation of new rules under the Magnuson-Moss warranty legislation. As matters stand now, the law requires that by July 5 of this year rules must be evaluated by both the FTC and the administrative conference of the United States.

The July 5 deadline simply cannot be met. The FTC has proposed 15 new rules under the Magnuson-Moss mandate, but I believe only one of those proposed rules has actually been promulgated. The first promulgation, incidentally, came only last week—on May 14.

It is therefore doubtful that the FTC can issue other rules by July 5. When one considers that the administrative conference needs at least 6 months to evaluate the rules, it becomes clear that the July 5 deadline is not an attainable goal.

Looking at H.R. 12527 as a whole, one can see that it is a reasonable approach to existing realities at the FTC. The bill's reasonable approach—and its lack of complexity—account for the unanimous support given to H.R. 12527 in committee and subcommittee.

Mr. Speaker, I urge the approval of this bill.

Mr. MURPHY of New York. Mr. Speaker, I have no further requests for time.

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

The SPEAKER pro tempore (Mr. SISK). The question is on the motion offered by the gentleman from New York (Mr. MURPHY) that the House suspend the rules and pass the bill (H.R. 12527) as amended.

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

The title was amended so as to read: "A bill to amend the Federal Trade Commission Act to increase the authorization of appropriations for fiscal years 1976 and 1977, and for other purposes.".

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2679) to establish a Commission on Security and Cooperation in Europe, as amended.

The Clerk read as follows:

S. 2679

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established the Commission on Security and Cooperation in Europe (hereafter in this Act referred to as the "Commission").

SEC. 2. The Commission is authorized and directed to monitor the acts of the signatories which reflect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe, with particular regard to the provisions relating to Cooperation in Humanitarian Fields. The Commission is further authorized and directed to monitor and encourage the development of programs and activities of the United States Government and private organizations with a view toward taking advantage of the provisions of the Final Act to expand East-West economic cooperation and a greater interchange of people and ideas between East and West.

SEC. 3. The Commission shall be composed of fifteen members as follows:

(1) Six Members of the House of Representatives appointed by the Speaker of the House of Representatives. Four members shall be selected from the majority party and two shall be selected, after consultation with the minority leader of the House, from the minority party. The Speaker shall designate one of the House members as chairman.

(2) Six Members of the Senate appointed by the President of the Senate. Four members shall be selected from the majority party and two shall be selected, after consultation with the minority leader of the Senate, from the minority party.

(3) One member of the Department of State appointed by the President of the United States.

(4) One member of the Defense Department appointed by the President of the United States.

(5) One member of the Commerce Department appointed by the President of the United States.

SEC. 4. In carrying out this Act, the Commission may require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the Chairman of the Commission or any member designated by him, and may be served by any person designated by the Chairman of such member. The Chairman of the Commission, or any member designated by him, may administer oaths to any witness.

SEC. 5. In order to assist the Commission in carrying out its duties, the President shall submit to the Commission a semiannual report, the first one to be submitted six months after the date of enactment of this Act, which shall include (1) a detailed survey of actions by the signatories of the Final Act reflecting compliance with or violation of the provisions of the Final Act, and (2) a listing and description of present or planned programs and activities of the appropriate agencies of the executive branch and private organizations aimed at taking advantage of the provisions of the Final Act to expand East-West economic cooperation and to promote a greater interchange of people and ideas between East and West.

SEC. 6. The Commission is authorized and directed to report to the House of Representatives and the Senate with respect to the matters covered by this Act on a periodic basis and to provide information to Members of the House and Senate as requested. For each fiscal year for which an appropriation is made the Commission shall submit to Congress a report on its expenditures under such appropriation.

SEC. 7. There is authorized to be appropriated to the Commission for each fiscal year and to remain available until expended $350,000 to assist in meeting the expenses of the Commission for the purpose of carrying out the provisions of this Act, such appropriation to be disbursed on voucher to be approved by the Chairman of the Commission.

SEC. 8. The Commission may appoint and fix the pay of such staff personnel as it deems desirable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida (Mr. FASCELL) will be recognized for 20 minutes, and the gentleman from Ohio (Mr. WHALEN) will be recognized for 20 minutes.

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

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

Mr. Speaker, I rise in support of S. 2679 as reported by the Committee on International Relations with an amend-

ment in the nature of a substitute. The text of the bill is as follows:

S. 2679

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established the Commission on Security and Cooperation in Europe (hereafter in this Act referred to as the "Commission").

SEC. 2. The Commission is authorized and directed to monitor the acts of the signatories which reflect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe, with particular regard to the provisions relating to Cooperation in Humanitarian Fields. The Commission is further authorized and directed to monitor and encourage the development of programs and activities of the United States Government and private organizations with a view toward taking advantage of the provisions of the Final Act to expand East-West economic cooperation and a greater interchange of people and ideas between East and West.

SEC. 3. The Commission shall be composed of eleven members as follows:

(1) Four Members of the House of Representatives appointed by the Speaker of the House of Representatives. Two members shall be selected from the majority party and two shall be selected, after consultation with the minority leader of the House, from the minority party. The Speaker shall designate one of the House members as chairman.

(2) Four Members of the Senate appointed by the President of the Senate. Two members shall be selected from the majority party and two shall be selected, after consultation with the minority leader of the Senate, from the minority party.

(3) One member of the Department of State appointed by the President of the United States.

(4) One member of the Defense Department appointed by the President of the United States.

(5) One member of the Commerce Department appointed by the President of the United States.

SEC. 4. In carrying out this Act, the Commission may require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the Chairman of the Commission or any member designated by him, and may be served by any person designated by the Chairman or such member. The Chairman of the Commission, or any member designated by him, may administer oaths to any witness.

SEC. 5. In order to assist the Commission in carrying out its duties, the President shall submit to the Commission a semiannual report, the first one to be submitted six months after the date of enactment of this Act, which shall include (1) a detailed survey of actions by the signatories of the Final Act reflecting compliance with or violation of the provisions of the Final Act, and (2) a listing and description of present or planned programs and activities of the appropriate agencies of the executive branch and private organizations aimed at taking advantage of the provisions of the Final Act to expand East-West economic cooperation and to promote a greater interchange of people and ideas between East and West.

SEC. 6. The Commission is authorized and directed to report to the House of Representatives and the Senate with respect to the matters covered by this Act on a periodic basis, and to provide information to Members of the House and Senate as requested.

SEC. 7. There is authorized to be appropriated to the Commission for each fiscal year and to remain available until expended, $250,000 for the purpose of carrying out the provisions of this Act.

That there is established the Commission on Security and Cooperation in Europe (hereafter in this Act referred to as the "Commission").

SEC. 2. The Commission is authorized and directed to monitor the acts of the signatories which reflect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe, with particular regard to the provisions relating to Cooperation in Humanitarian Fields. The Commission is further authorized and directed to monitor and encourage the development of programs and activities of the United States Government and private organizations with a view toward taking advantage of the provisions of the Final Act to expand East-West economic cooperation and a greater interchange of people and ideas between East and West.

SEC. 3. The Commission shall be composed of fifteen members as follows:

(1) Six Members of the House of Representatives appointed by the Speaker of the House of Representatives. Four members shall be selected from the majority party and two shall be selected, after consultation with the minority leader of the House, from the minority party. The Speaker shall designate one of the House members as chairman.

(2) Six Members of the Senate appointed by the President of the Senate. Four members shall be selected from the majority party and two shall be selected, after consultation with the minority leader of the Senate, from the minority party.

(3) One member of the Department of State appointed by the President of the United States.

(4) One member of the Defense Department appointed by the President of the United States.

(5) One member of the Commerce Department appointed by the President of the United States.

SEC. 4. In carrying out this Act, the Commission may require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the Chairman of the Commission or any member designated by him, and may be served by any person designated by the Chairman or such member. The Chairman of the Commission, or any member designated by him, may administer oaths to any witness.

SEC. 5. In order to assist the Commission in carrying out its duties, the President shall submit to the Commission a semiannual report, the first one to be submitted six months after the date of enactment of this Act, which shall include (1) a detailed survey of actions by the signatories of the Final Act reflecting compliance with or violation of the provisions of the Final Act, and (2) a listing and description of present or planned programs and activities of the appropriate agencies of the executive branch and private organizations aimed at taking advantage of the provisions of the Final Act to expand East-West economic cooperation and to promote a greater interchange of people and ideas between East and West.

SEC. 6. The Commission is authorized and directed to report to the House of Representatives and the Senate with respect to the matters covered by this Act on a periodic basis and to provide information to Members of the House and Senate as requested. For each fiscal year for which an appropriation is made the Commission shall submit to Congress a report on its expenditures under such appropriation.

SEC. 7. There is authorized to be appropriated to the Commission for each fiscal year and to remain available until expended $350,000 to assist in meeting the expenses of the Commission for the purpose of carrying out the provisions of this Act, such appropriation to be disbursed on voucher to be approved by the Chairman of the Commission.

SEC. 8. The Commission may appoint and fix the pay of such staff personnel as it deems desirable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates.

S. 2679 embodies the central concept of H.R. 9466 originally introduced in Congress by our distinguished colleague from New Jersey, the Honorable MILLICENT FENWICK. The bill would establish a Commission on Security and Cooperation in Europe in order to foster recognition of and respect for fundamental human rights in the Soviet Union and Eastern Europe. It would accomplish this goal by closely scrutinizing the adherence of signatories to the principles agreed to by the United States, Canada, the Soviet Union, and 32 European nations at Helsinki, Finland, on August 1, 1975, and by publicizing its findings so that the force of world opinion would be brought to bear on any nation violating the provisions of the Helsinki Accords.

Mr. Speaker, to be quite candid, when I first learned of Mrs. FENWICK's proposal I was skeptical about the wisdom of setting up yet another governmental entity for such a specific purpose. After our hearings, conversations with many of the 100 cosponsors in the House, and numerous discussions and other contacts with representatives of such diverse groups as the Veterans of Foreign Wars, the National Conference on Soviet Jewry, the Federation of American Scientists, the Polish American Congress, and the Joint Baltic American Committee, I am now convinced that such an entity would not only be useful but could play a vital role in the promotion of human rights and in making certain that détente will be a two-way street and will mean substantive progress on fundamental humanitarian issues of concern to the people of the United States and the other western nations. I enthusiastically endorse the establishment of the Commission and commend Mrs. FENWICK for her creativity, her perseverance, and her leadership in translating her idea into reality.

The Commission, as provided for in the committee amendment, would be composed of 15 members; 6 members, including the Chairman of the Commission, would be chosen from the House of Representatives by the Speaker of the House. Six would be chosen from the Senate by the President of the Senate. Three other members would be appointed by the President, one each from the Departments of State, Defense and Commerce. In both the House and Senate four commissioners would be chosen from the majority party and two from the minority party.

The purposes of the Commission, as set forth in the bill, are to: First, monitor the "compliance with or violation of the articles of the final act of the Conference on Security and Cooperation in Europe, with particular regard to the provisions relating to Cooperation in Hu-

manitarian Fields," and second, monitor and encourage programs in the United States aimed at taking advantage of those provisions of the final act "to expand East-West economic cooperation and a greater interchange of people and ideas between East and West."

In order to accomplish these purposes the bill provides an annual authorization of $350,000, subpena power, and exemption from certain civil service requirements for the Commission's staff. The Commission is required to submit periodic reports to Congress on its substantive efforts and to report annually on its expenditures.

Mr. Speaker, before the final act of the conference was signed last August 1, many in the United States, both in and out of Congress, were concerned that we and our allies might trade concessions in substantive areas of real concern to the Soviets for paper promises in the humanitarian area. I believe that on balance the overall agreement was of benefit to nations east and west of the Iron Curtain but I believe that everyone in this Chamber would agree that we can be certain that the Soviets will attempt to interpret every single article to their advantage and ignore those provisions which they find inconvenient. There is already considerable evidence that the Soviets are not moving to implement provisions of the Helsinki agreement with respect to family contacts, reunification of families, marriages, and freedom of travel and communications. It is important that the Soviets are convinced of the seriousness of our real and deep concern about these humanitarian issues and of our conviction that progress in these areas is of equal concern to progress on security issues. Establishment of the Commission will help do this and also provide a factual basis to evaluate their compliance with the signatories. In addition, the Commission will provide the Congress with an independent basis for reaching policy decisions related to U.S. participation in a follow-up conference which is to be held next year.

While humanitarian issues will be an area of primary concern to the Commission they will not be the only concern. It will have responsibility to monitor compliance with the Helsinki agreement by all signatories including the United States. In addition to the humanitarian issues addressed in the Final Act there are important provisions dealing with a wide range of issues that were discussed by the conferees over a 2-year period.

The final act contained three principal sections. One was the humanitarian portion which was just discussed. The first part of the agreement deals with the sensitive and highly important area of security in Europe and includes a Declaration on Principles Guiding Relations between Participating States and a Document on Confidence Building Measures and Certain Aspects of Security and Disarmament. Included in this section are major statements on such diverse issues as: The inviolability of frontiers, peaceful settlement of disputes, fulfillment of international legal obligations and prior notification of military maneuvers.

The second part of the Final Act relates to detailed principles on cooperation in the fields of economics, science and technology, and the environment. Separate provisions relate to trade, air and water pollution, tourism, migrant labor, commercial exchanges and industrial cooperation.

Mr. Speaker, given this long list of major issues dealt with in a detailed way in the Final Act I think that it is obvious that the Commission will necessarily be busy and will need not only a widely knowledgeable staff but the fullest possible cooperation of both Congress and the Executive. It was with that necessity in mind that the committee approved the unusual joint executive-congressional makeup of the Commission.

Mr. Speaker, all of the nations which participated in the long and arduous negotiations which led to the signing of the final act agreed that it was a significant step in building greater cooperation among nations and toward fostering peace in the area. We in the United States can help assure that this agreement does contribute to these goals by establishing a mechanism designed to encourage observance of the provisions of the final act by all the signatories. I urge passage of S. 2679 as amended.

Mr. WHALEN. Mr. Speaker, I yield 5 minutes to the Gentelman from Kansas (Mr. WINN).

Mr. WINN. Mr. Speaker, I rise on behalf of S. 2679, which will create a commission to observe the results of the agreements which this country made at Helsinki with the nations of Western and Eastern Europe and the Soviet Union. I strongly support the comments of my distinguished colleague from Florida, the chairman of the Subcommittee on Political and Military Affairs, Mr. FASCELL. I also would like to commend the originator of this idea in the House, the gentlewoman from New Jersey, Mrs. FENWICK. Without her unceasing, vigorous pursuit of this issue, we might not be here today on behalf of this measure.

Mr. Speaker, in my opinion, and the opinions of my colleagues on the full Committee on International Relations, the Commission created by this bill will be constructive and useful. Ever since this Government began a policy of attempting to be more conciliatory toward the Soviet Union, many of us have felt a great uncertainty about just how much could be accomplished by this approach. Even while we knew it was necessary to try, there was always uncertainty as to how much and how far we could trust the Soviets. In view of such a concern, Mr. Speaker, I joined Mrs. FENWICK and several others in sponsoring legislation very much like this bill today, and I was pleased that our subcommittee had the task of exploring the possibilities of the Fenwick resolution.

Mr. Speaker, the hearing held before our subcommittee on the Fenwick resolution demonstrated both that there is considerable support in Congress and in the private sector for some kind of monitoring body. While the Department of State had some problems with the idea of such an organization, we received strong encouragement from the U.S. Advisory Commission on Cultural and Educational Exchange. I can understand that, Mr. Speaker, because the Soviets are even more restrictive of the free move of ideas and information than they are of the free movement of people. I might note here that the Soviet Union has already begun to use UNESCO as a vehicle to undercut internationally accepted rights of the freedom of opinion and information. That development occurred last November at the UNESCO meeting in Paris. I am sure that their success at Paris will only encourage them to undermine further the Basket III accords, unless we provide some opposition. That sort of thing is just another reason why we should make a systematic and centralized effort to stay abreast of this area of concern.

The Department of State takes the position that the agreements at Helsinki are not binding, in the sense of a treaty. The primary reason is that the Department does not wish to give the Soviets a solid basis for claiming that current frontiers in Europe have been irrevocably fixed by international agreement. You will recall, Mr. Speaker, that this body went on record on December 2, 1975 with House Resolution 864, expressing the sense of the House that this was not the case with regard to the Baltic States. We do not consider them to be a part of the Soviet Union, nor should the Helsinki accords be considered to recognize them as such. In any event, since the State Department does not wish to pursue the Helsinki agreements as if they were a treaty, for good reasons, it is perhaps a better diplomatic tool to have a commission which is essentially congressional in nature to keep a watchful eye on this area of concern.

As I have observed before, Mr. Speaker, the Congress cannot enforce détente in general nor the Helsinki accords in particular. Yet, to do our jobs responsibly, we should know what is transpiring in the name of the Helsinki agreements. One of the patterns I have noticed, Mr. Speaker, is that while the Department of State very capably accomplishes government-to-government communications, as it should, it often has problems in handling extensive or large-volume contacts with the private sector.

For one thing, they do not have the staff to seek out, on a large scale, those people and organizations in the private sector who might provide information and assistance. The Commission created by S. 2679 will be able to do that, and will provide dozens if not hundreds of cases and examples of noncompliance—and compliance—with the Helsinki accords. And to the fullest extent possible, the new Commission should also take some initiatives in encouraging individual contact and personal exchange under Basket III of the accords, which deal with that subject matter.

Mr. Speaker, this bill reflects a creative responsible initiative on the part of Congress. It should effect a continuing cooperation between the legislative and executive branches to deal with an area of vital concern to this country, and to thousands of citizens of other countries. And it should do so at a relatively low cost.

I urge my colleagues to support his bill.

Mr. FASCELL. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. EILBERG).

Mr. EILBERG. Mr. Speaker, when the final act of the Conference on Security and Cooperation in Europe was signed on August 1, 1975, it was accompanied by statements by the leaders of many countries about its meaning and importance.

There was also much doubt about the willingness of the signatories to enforce the human rights provisions of the document, which became known as the Helsinki declaration.

A great many people pointed out that the Soviet Union had never lived up to any past agreement dealing with human rights, except when it was politically convenient or expedient, and there was no reason to believe that it would follow a different course with regard to this pact.

For this reason the Congress must provide for a constant public monitoring of how the various signatories to the Helsinki declaration live up to the promises of the section of human rights.

As consistent as Soviet violations of such treaties have been in the past, it is also true that continued public international condemnation of this practice has almost always brought about some relaxation of restrictions and a lessening of harassment of the individuals or groups being persecuted.

However, as soon as the Soviet officials perceived that the protestors were losing interest in their cause, the harassments, arrests, trials, and imprisonments were increased.

As I said, the signing of the final act by 33 European nations, the United States and Canada was hailed, particularly by representatives of the East European countries, as an event of the greatest importance.

The Soviet party leader, Leonid Brezhnev, spoke of the conference's "historic significance" and of "millions upon millions of people" who were "conscious of the special nature of this event and its political sweep."

There were similar statements by the leaders of Poland, Czechoslovakia, Bulgaria, East Germany, and Hungary.

To date we have no evidence that these statements were more than words, and, especially in the case of the Soviet Union, that there was ever any intention to honor them with action.

I believe we can count on the executive branch to effectively deal with monitoring and compliance with the other sections of the declaration, but human rights and the enforcement of agreements to guarantee them have a way of getting lost in the shuffle of high level international diplomacy.

That is why I cosponsored the Fenwick resolution and so strongly support the bill reported by the Committee on International relations.

The Soviet Union is not going to change its treatment of its Jewish citizens who are trying to emigrate; it is not going to allow crusaders for human rights such as Andrei Sakharov to accept the Nobel Peace Prize; it is not going to permit the Ukrainians, Tartars and other ethnic groups to maintain strong curtural identities, and it is not going to permit its citizens, as a general policy, to leave the country to join relatives who live elsewhere.

The Soviet authorities are not going to change their policy in any of these areas or any other repressive actions unless they are held up to the light of public condemnation.

The Commission proposed by Mrs. FENWICK would go a long way toward fulfilling that need.

It would be an independent body without political bias and its sole purpose would be to monitor and report on compliance with the "third basket" of agreement.

Since the agreement itself does not set up machinery for the adequate enforcement of its principles it is vital that the various signatories act swiftly to establish their own mechanisms.

It is now some 9 months since the agreement was signed and there is no sign other than a vague reporting system through our embassies in East European countries that the executive branch is concerned with this part of the accord.

The value of this commission should not be underestimated.

The Soviet Jews are aware of the proposal and have high hopes for it.

When I attended the Brussels two conferences on Soviet Jewry, I was questioned extensively about the commission and the chances that it would be approved.

Mr. Speaker, too often in the past we have relied on the executive branch to report to the Congress and the people on the implementation and success of treaties and agreements only to find that we have been misled.

Now we know better.

We have said time and again that we are going to play an active role in setting our foreign policy and this is a chance to show that we mean what we say.

There is a clear need for this Commission.

The nations which signed it made a public declaration of their feelings that basic human rights must be guaranteed.

It is up to us to show the world that we meant what we said and that we are not going to abandon the people to whom we have offered so much hope.

Thank you.

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

Mr. EILBERG. I yield to my colleague, the gentleman from Pennsylvania (Mr. GREEN).

Mr. GREEN. Mr. Speaker, I associate myself completely with the remarks of the gentleman from Pennsylvania.

This morning I spoke to the leadership assembly of the National Conference on Soviet Jewry and reaffirmed my commitment to freer emigration as chairman of the Trade Subcommittee.

I am in complete accord with the efforts of the gentlewoman from New Jersey with whom I visited the Soviet Union this summer (Mrs. FENWICK) and the gentleman from Pennsylvania (Mr. EILBERG) concerning this legislation and the principle freedom of people to emigrate.

Mr. WHALEN. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Jersey (Mrs. FENWICK).

Mrs. FENWICK. Mr. Speaker, we are coming now to the moment of decision on this question of a commission on security and cooperation in Europe, a commission to monitor the accords that were written into an international agreement in Helsinki.

I think we should take note that at this moment there is a small group of dissidents, Jews, Catholics, and others, maybe only 9 people in all, who have formed a group in the Soviet Union to do the same thing. We in this country are free, but in that country one of the group, Dr. Yuri Orlov was picked up on the street and questioned for many hours concerning his activity in this regard. Another member of that group, Dr. Vitaly Rubin, a distinguished sinologist, is also in the group. They and we are hoping that these international accords will be more than just another empty piece of paper.

Here today we have a chance to take a first step in the direction of true compliance.

Mr. Speaker, in enacting this legislation I think we would be speaking to those principles that have distinguished this country for many years. There is nothing new about American concern for other people. When I was a child there was a terrible flood in the Yellow, or Yangtze River in China, and many small churches in Ohio and in New Jersey and in Colorado sent aid to the Chinese. This is the kind of Nation we have always been.

Respect for the dignity of the individual has been one of our principles, and the rights of the individual, and the right of dissident as proclaimed so eloquently by Thomas Jefferson in his inaugural address.

Mr. Speaker, this kind of concern is native to America. This ought to be the basis of our international relations. These ought to be the things of which we speak to the world: a concern for our fellow human beings, knowing that we are all one family, regardless of distance and dissent or any other kind of barrier; concern for their right to freedom of religion, for their right to travel and be unified with their families. This is what this bill is all about.

Mr. FASCELL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. DRINAN).

Mr. DRINAN. Mr. Speaker, August 1, 1975, was a very historic date.

Mr. Speaker, today, too, is a historic date, because this particular Commission to monitor the agreements made in Helsinki will have a far-reaching impact on all these 35 nations. These nations will come together again in June 1977, in Belgrade. This Commission that is formed today by Congress, the bill having already passed the Senate, will bring to all those nations information on a regular basis about compliance or noncompliance with the commitments made at Helsinki.

At the Brussels Conference on Soviet Jewry in February 1976, the greatest hope cherished by the 1,200 delegates was the Helsinki agreement; everyone at Brussels looked to the monitoring by the United States, particularly, and by other nations of what the 35 nations agreed to at Helsinki. The problems are very broad; freedom of travel, free cultural exchanges; working conditions of journalists and unification of families.

I am happy to note that the Holy See was one of the signatories among the 35 nations. Lawyers from the Holy See were very active for 2 years at the committee meetings held in Geneva preparatory to the Helsinki Declaration of August 1, 1975.

The right to emigrate is very deep in the philosophy of Judaism and Christianity and, indeed, in Western culture.

Mr. Speaker, I take pride in commending the gentlewoman from New Jersey (Mrs. FENWICK) on the gentlewoman's initiative.

Mr. Speaker, I also commend the gentleman from Florida (Mr. FASCELL) and the gentleman's subcommittee on broadening the objectives of the Commission.

The cooperation of all 35 nations is in the finest spirit of détente. All these nations are entitled to information that is accurate and updated with respect to compliance or noncompliance.

Mr. Brezhnev stated in the most solemn terms at Helsinki and on several occasions thereafter that he and his country wanted to fulfill every jot and tittle of what they had agreed to in Helsinki. Our own President said the same thing in very strong and vigorous terms.

The new Commission that is formed today is a way of helping all of the people in all of the 35 nations that became partners at Helsinki to be faithful to the solemn promises that they made on August 1, 1975.

Mr. Speaker, I support S. 2679 to establish a Commission to monitor international compliance with the Final Act of the Conference on Security and Cooperation in Europe. The Conference, which lasted more than 2 years, produced a comprehensive agreement encompassing the areas of European security, international cooperation and exchange of information, and human rights. While the provisions of the Helsinki Agreement are declaration of intent, without the force of law, all participants in the Conference recognize their strong moral obligation to translate the promises of Helsinki into reality.

The human rights provisions of the Helsinki Agreement kindled a glimmer of hope for millions of oppressed citizens in the Soviet Union and the other Warsaw Pact nations which signed the accord. In particular, thousands of Soviet Jews desiring to visit with their families or to emigrate to Israel undoubtedly read the agreement as it was printed in Pravda and Izvestia and believed that their govenment was finally going to allow them to leave freely.

The agreement asserts as a fundamental principle: "the participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion, or belief, for all without distinction as to race, sex, language, or religion." Part III of the agreement, entitled "Cooperation in Humanitarian and Other Fields", contains the following statements:

> The participating states make it their aim to facilitate freer movement and contacts.
>
> In order to promote further development of contracts on the basis of family ties the participating states will favorably consider applications for travel with the purpose of allowing persons to enter or leave their territory temporarily and on a regular basis if desired, in order to visit members of their families.
>
> The participating States will deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family, with special attention being given to requests of an urgent character—such as requests submitted by persons who are ill or old."
>
> They (the participating States) confirm the presentation of an application concerning family reunification will not modify the rights and obligations of the applicant or of members of his family.
>
> The participating States intend to facilitate wider travel by their citizens for personal or professional reasons. . . .

If these declarations of intent had, in fact, been implemented by the Soviet Union, we would probably not be considering this legislation here today. Unfortunately, the pledges made by Secretary Brezhnev at Helsinki last August remain largely unfulfilled promises and unrealized dreams for thousands of Soviet citizens. There has been some relaxation of the bureaucratic requirements and regulations which have long characterized Soviet emigration policy. The exit visa fee has been reduced from 400 to 300 rubles—$305. Requirements for character references for applicants have been reduced. For the first time, individuals whose applications to emigrate are rejected can appeal adverse decisions through regular channels.

Yet these improvements fall far short of the pledges made at Helsinki. A Soviet citizen desiring to emigrate still must pay 500 rubles—$675—to renounce Soviet citizenship in addition to the exit visa fee. Applicants for visas and members of their families are still subject to harassment and reprisal, in direct contravention of the Helsinki Agreement provision quoted above. The Soviet Government took a step backward on December 22, 1975, when it implemented a regulation prohibiting gifts of money to Soviet citizens from abroad. This new prohibition strikes directly at dissident Soviets or applicants for emigration who may have lost their jobs and are therefore dependent upon gifts from friends and relatives abroad for their survival.

Most important of all, there are still 130,000 requests for exit visas which have not yet been acted upon by the Soviet Government. Some of these requests were submitted 5 years ago or more. The emigration of Soviet Jews has declined sharply from approximately 38,000 in 1973 to 20,000 in 1974, and 13,000 in 1975. No increase in emigration has occurred since the Helsinki Agreement was signed more than 9 months ago.

Since the Soviet Government does not appear to be abiding by the provisions of the Helsinki Agreement in good faith, it is imperative that the United States increase its efforts to monitor compliance and to focus international attention on continued violations. The establishment of a Commission on Security and Cooperation in Europe, as called for by this legislation, will fulfill these objectives efficiently and at a nominal cost. This Commission will work with the Department of State in obtaining information on international compliance and bringing their findings to the attention of Congress and the public.

The establishment of this Commission will not, as the administration contends, result in duplication or waste of effort. Rather, it will strengthen our resolve and our ability to act on behalf of those people who still do not enjoy the fundamental human rights Americans often take for granted. As a cosponsor of this bill when it was originally introduced in the House by the gentlewoman from New Jersey (Ms. FENWICK), I urge the passage of S. 2679.

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

Mr. DERWINSKI. Mr. Speaker, I rise in support of S. 2679, which would establish a Commission on Security and Cooperation in Europe. As a cosponsor of the original bill, H.R. 10275, I believe that its enactment is essential to monitor compliance with the Helsinki agreement.

The Helsinki accords are nonbinding and, therefore, their effectiveness depends on the good will of the signatories. However, I expect that the Soviet Union will reluctantly, if at all, live up to the points in the so-called Third Basket of the Helsinki documents, since human rights abuses are so prevalent in the U.S.S.R., where the non-Russian peoples find their language, culture, and religion subject to constant pressure. The nationalism of the non-Russian peoples remains the biggest weakness of the Soviet Government, which has tried everything to weaken or disburse the nationalism of the three Baltic peoples as well as the Ukrainians, Armenians, and other historic nationalities.

It is also important that we monitor human rights problems that continue to exist in the other Eastern Europe countries. We must not forget the occupation of Hungary in 1956 and of Czechoslovakia in 1968, when Soviet armed forces ruthlessly crushed the efforts of those peoples to achieve some degree of freedom.

Steps are being taken in Canada, Great Britain, and a number of Western European nations to establish official bodies such as the one to be established by this bill. An American commission, properly coordinated with the equivalent entities in Western European countries, is clearly needed to force even minimum compliance with the Helsinki agreement by Communist leaders.

The Commission proposed by S. 2679, consisted of Members of the House and Senate as well as representatives of the Departments of State, Defense, and Commerce, will keep the Congress and the American people apprised of Soviet policy as it relates to the Helsinki agreement. There is a great deal of what I think is legitimate distrust of Secretary of State Kissinger in many circles in the United States, and this proposal presents us with a practical vehicle to obtain accurate and indepth reports from the Department of State as well. I think it will be a strong self-disciplining unit on actions that the Secretary authorizes or personal contracts that might otherwise go unreported.

Mr. Speaker, I urge my colleagues in the House to approve this bill.

Mr. Speaker, this bill is brought to the floor in large part, because of the eloquence and the determination of the gentlewoman from New Jersey (Mrs. FENWICK). It was the gentlewoman's persistence that brought about committee hearings and consideration and strong support by the House Committee on International Relations.

Mr. Speaker, I also commend the chairman of the subcommittee, the gentleman from Florida (Mr. FASCELL) for his farsighted analysis of this picture and support for this measure.

Mr. Speaker, I also commend to the Members a study of the committee hearings themselves. I especially call their attention to a very profound analysis by our colleague, the gentleman from Pennsylvania (Mr. EILBERG), whose knowledge and concern of these problems was evident in the gentleman's testimony before the committee.

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

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

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding and wish to associate myself with the remarks of the gentleman from Illinois (Mr. DERWINSKI) and I wish to commend the gentlewoman from New Jersey (Mrs. FENWICK), with whom I joined in cosponsoring this important legislation and the subcommittee chairman, Mr. FASCELL, for bringing this matter to the floor so expeditiously.

Mr. Speaker, I rise in support of S. 2679, establishing a Commission on Security and Cooperation in Europe, legislation that has been approved by the other body and which is similar to the bill I cosponsored, H.R. 12333.

This measure authorizes the creation of a 15-member commission, first, to monitor the acts of the signatories to the final act of the Conference on Security and Cooperation in Europe—the Helsinki agreement of August 1, 1975—focusing particular attention on those aspects of the agreement relating to cooperation in humanitarian fields, and second, to monitor and encourage the development of programs and activities by governmental and nongovernmental organizations that expand East-West economic cooperation and that promote greater communication of people and ideas between the East and the West.

This measure reflects the concern of the International Relations Committee, of which I am a member, of reports that the Soviet Union has violated the principles set forth in the Helsinki agreement—that fundamental human rights have been violated. The refusal by the Soviet Union to permit Nobel Laureate Andrei Sakharov to travel to Oslo to receive the Nobel Peace Prize; the political pressures on the non-Russian peoples of the U.S.S.R.; the harassment of Soviet Jews and political dissidents by Soviet authorities; and the imprisonment of Soviet Jews as "Prisoners of Zion—Prisoners of Conscience" whose only crime was to seek immigration from the Soviet Union—together with the 140,000 persecuted Soviet Jews who have applied for exit visas—underscore the need to create a congressional-executive commission to monitor the Helsinki agreement.

Contrary to the view that the proposed Commission could not significantly add to the information being compiled or that it could not "exercise a more effective monitoring role than existing committees or subcommittees of the Congress," there does exist an important opportunity for such a commission. As the Committee on International Relations stated in its report accompanying S. 2679, creating a commission on security and cooperation in Europe "would combine the vast information-gathering resources of the executive branch with the independence of an autonomous Government organization composed in large measure of Senators and Representatives and chaired by a Member of Congress."

Mr. Speaker, in the interest of assuring that the Helsinki agreement will be properly monitored by an independent congressional-executive agency, I urge my colleagues to support this measure and to create a commission that will scrutinize the implementation and compliance of this important international agreement—an agreement that purports to build bridges in human understanding.

Mr. DERWINSKI. Mr. Speaker, in conclusion, I am pleased to see that some of the truly great statesmen of the House are supporting this measure. I urge adoption of the bill.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. FOUNTAIN).

Mr. FOUNTAIN. Mr. Speaker, I rise in support of this legislation, and would like to associate myself with the views of the chairman of the subcommittee, the distinguished gentleman from Florida (Mr. FASCELL), the ranking minority member of his subcommittee, the distinguished gentleman from Kansas (Mr. WINN) and I am particularly happy to commend the gentlewoman from New Jersey (Mrs. FENWICK) for her idea and her concern and her co-authorship of this legislation.

I would like to make one observation. It is my hope that the commission, once appointed, will act expeditiously in the interest of efficiency and economy. It must be a temporary commission, otherwise I would not support it. I think the job can be done over a reasonable period of time. I hope 1 year will be adequate. Certainly two should be sufficient to get an accurate picture.

Conservently, I would like to express the hope that the gentleman from Florida and his subcommittee monitor the Monitoring Commission to the end that it does not become another commission of long duration.

I also hope the appropriate subcommittee, of the Government Operations Committee, on which both the gentleman from Florida and I serve, will exercise surveillance over this commission, to see that it gets the job done quickly and make its report. The people of America—in fact, people all over the world—need to know who has been adhering to and who has been violating the so-called Helsinki agreements dealing with security and cooperation in Europe, including the extent of East-West economic cooperation and the extent to which there is an interchange of ideas and people between the East and West.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida (Mr. LEHMAN).

Mr. LEHMAN. Mr. Speaker, I want to rise in support of this legislation and to commend the distinguished chairman of the subcommittee, my colleague from Florida (Mr. FASCELL), the ranking minority member of the subcommittee (Mr. WHALEN) and particularly the gentlelady from New Jersey (Mrs. FENWICK), for taking a great deal of initiative in seeing that this is brought to the floor of the House of Representatives.

Mr. Speaker, as a sponsor of this bill to establish a commission to monitor compliance with the Hensinki accord, I am pleased to see such prompt congressional action on this measure.

This prompt action is a reflection of the strong sentiment in Congress that the Soivet Union must live up to the agreements it signs with the United States.

On August 1, 1975, the Soviet Union, the United States, and 33 other nations signed the final act of the Conference on Security and Cooperation in Helsinki, Finland.

The language of the Helsinki accord affirms that—

The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.

They will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development.

It is well known that the Soviet Union presently allows little freedom of religious expression for the people trapped within its borders. Jewish and other cultures have been systematically uprooted. Political freedom is denied to all.

The Helsinki accord goes on to say:

The participating States will deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family.

Many of us in the House have recently participated in a vigil for scores of Jewish families who have been separated by the inhuman emigration policies of the Soviet Union.

The American people already mistrust the Soviets after decades of broken promises and pledges. In recent years, however, we have been told that the United States has developed a new relationship of détente with the Soviet Union. The basis of this new relationship is the SALT agreements to limit nuclear weapons.

The American people will be watching Soviet compliance with the Helsinki accord to see whether the Soviets can now be trusted to keep an agreement with the United States. If the Soviets do not respect the agreements reached in Helsinki, it would be naive for us to believe that the Soviets are keeping their other agreements with us.

The Commission we are seeking to establish to monitor compliance with the Helsinki accord will answer this key question of whether the Soviets now keep their word.

If they do not, the American people should know this and the sooner, the better.

Mr. FASCELL. Mr. Speaker, I reserve the balance of my time, but I notify the Chair that I have no further requests for time.

Mr. WHALEN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I say at the outset that in the years I have been here, there have been a substantial number of people who think that I have been here too long, and I guess, after listening to this debate today, I have to say that this is the first time in my career that I do think I have been here too long.

I cannot help but think that I am in another world. This is the same House that killed the Internal Security Committee. This is the same House that has effectively—and we do not have 2 hours today to detail it—destroyed the intelligence apparatus of this country. Now, we are making much ado about something we already know. There is no doubt in anybody's mind—in the real world that is—that the Communists would operate in the way they have after our blundering acceptance of the Helsinki accords. They have never kept a treaty, they have always broken their word. We act as though there is something different here, that they are not doing what they said they would do. At least that is what the debate up to now has told us.

Maybe it makes sense to the Members on the other side of the aisle, but certainly not to me. How can we expect the Soviet Union to do anything other than what they have done for the past 60 years? Yet, the debate sounds as though we are startled that they are not doing what they said they would do.

If we start out thinking they would—including the State Department and the people down at the other end of Pennsylvania Avenue—that is where we are in trouble. I cannot help but think that I am in another world, sitting here and listening to colleagues whom I love and whom I respect, talking about an issue such as communism with little sense of urgency. It just does not make sense to set up some commission to study what we already know. I doubt that there will be two members on this commission who oppose détente.

As I said, we killed the Internal Security Committee. The majority party seemed to think that it was necessary. Now, are we going to selectively pick up a little bit of security here and a little bit of security there and give the impression that we are doing something when we really are not?

I will be hard pressed to vote against this resolution but I probably will. For the first time in all these years I see my friend BOB DRINAN, with whom I served on the Internal Security Committee, come out on the anti-Communist side. We used to operate by a litmus paper test—if I were against it, he was for it. If he were against it I invariably would be for it. It worked almost 100 percent of the time and served us very well. Now I wonder. Maybe I do not really wonder.

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

Mr. ASHBROOK. I yield to the gentleman from Massachusetts.

Mr. DRINAN. Mr. Speaker, I am delighted that the gentleman is going to vote for this and that we are together on this, because he clearly sees that this has no relevance to the Internal Security Committee.

Mr. ASHBROOK. On that basis, I can agree with my colleague. It has very little to do with anything that unremotely resembles security or our security interests. I note that Father Drinan in his remarks said it would help promote détente. It probably will and for that reason, if not for any other, we should reject it.

Mr. WHALEN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Speaker, I listened carefully to my good friend from Ohio (Mr. ASHBROOK). I can understand why he would voice sentiments as he did, but what we have today before us is whether we should have a commission or not.

I viewed with great apprehension the Helsinki Conference, and I urged our President not to dignify it by going there and signing the document. I have some of the same concerns the gentleman from Ohio (Mr. ASHBROOK) voiced, but the question is, should we have this commission or not. I think the answer is clearly established on the affirmative side.

This commission may not measure up to our expectations, but it will provide us with the means for oversight of the agreements developed in the Helsinki Conference and, I believe, is worthy of support.

Mr. ROSENTHAL. Mr. Speaker, 9 months ago, when the United States signed the Helsinki agreement on Security and Cooperation in Europe, I and many of my colleagues were extremely doubtful that the accord would fulfill its promise of greater human rights in Communist bloc countries. Unfortunately, subsequent events have borne that pessimism out. In recent weeks, Soviet repression of Jews and dissidents has actually intensified. The KGB has applied increased pressure to silence the opposition. The pages of Pravda have carried more fiercely anti-Semitic cartoons than ever before. Despite the initial failure of Helsinki, however, I am hopeful that we in Congress can utilize that accord to secure greater human rights for Jews and other minorities in the Soviet Union.

The Helsinki agreement was in essence an outgrowth of Soviet-American détente, pursued by the Kremlin for two reasons. The central Soviet motive has been its urgent need for technological and economic assistance from the West, particularly the United States. The Russians have, moreover, sought to expand their influence in non-Communist nations by improving their international image.

The Helsinki agreement was tailormade to Soviet needs. Designed to promote greater economic cooperation, it is of primary benefit to the U.S.S.R. Moreover, its vague guarantees of human rights fuel the regime's propaganda about "socialist freedom." The cost to the Soviet Union is negligible, since the agreement provides no means of enforcing or even monitoring the Kremlin's promises.

The administration, unfortunately, has been reluctant to call the Soviet Union to account for its neglect of the human rights provisions, known as "Basket Three." President Ford and Secretary Kissinger—more concerned with protecting their investment in cooperation than in making that cooperation meaningful—have consistently opposed efforts to pry the Kremlin's fingers from around the throats of Soviet Jews. The task of obtaining compliance with the Helsinki agreement has fallen to us in Congress.

I believe we can undertake two actions to gain that compliance. The first step was taken yesterday with adoption of the Fenwick-Case resolution creating a commission to monitor violations of

Helsinski's human rights provisions. The Commission will focus on one of the Soviet objectives; namely, the desire for an improved reputation. By exposing Soviet practices which violate Basket Three, the Commission can explode the Kremlin's myths about the happiness and freedom of its Jewish citizens. This body will generate public concern over Soviet oppression and then focus that pressure on the regime. In effect, the Commission can become the enforcement mechanism which the agreement itself neglected.

A second congressional action will undoubtedly encounter stiffer opposition. I believe that in determining the level of economic and technological assistance to the Soviet Union we should take into account the extent of Soviet compliance with its treaty obligations. The Helsinki agreement has provided a more encompassing framework in which to judge Soviet conduct. America need not supply know-how and commodities to Russia so long as the Kremlin ignores its Helsinki obligations. We should make our position clear: the Soviet Union will not receive the aid for which it pursues détente, until it honors its international commitments.

Finally, allow me to emphasize that we should not limit our demands for Soviet Jewry to the right of emigration. Those who wish to remain in their homeland should be able to do so without sacrificing their culture or religion. The Soviet Union has pledged itself to "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language, or religion." The time has come to make that pledge good.

Mr. Speaker, every bit of pressure makes the policy of oppression and supression more costly to the Soviet Union. We can make the Helsinki agreement a key tool in obtaining liberalized treatment of minority groups in the Soviet Union. It is clear that Congress, not the administration, must take the initiative in gaining compliance with the accord.

Mr. KOCH. Mr. Speaker, I rise in support of the pending legislation which would establish the Commission on Security and Cooperation in Europe. First, I want to congratulate our colleague, MILLICENT FENWICK, for having been the initiating sponsor and I was pleased to have been a cosponsor with her at the time of its introduction. I am one of those who believes that détente is a two-way street—not a one-way thoroughfare from us to them. This bill, by establishing a Commission to monitor the actions of the Helsinki signatories, with reports to the Congress every 6 months by the President, will help us determine whether we were correct in signing the accord or whether we were in error. When that committee reports, the force of American public opinion can then be brought to bear upon violations by signatory states in particular those signatory states that are not democratic and which have signed the Helsinki Convention agreeing to the principles of freedom of travel, acceptable working conditions for journalists, the reunification of families and the increased exchange of ideas.

It is distressing that the administration has opposed this bill. I hope that the Congress by resoundingly passing the bill will alert the administration that we here in the Congress intend to have our say in the field of foreign affairs, and that we will not blindly trust the administration in that sensitive and important area of national life.

Mr. DODD. Mr. Speaker, I rise in support of S. 2679, the bill I have cosponsored to establish a Congressional Commission on Security and Cooperation in Europe to monitor the compliance of all nations with the 1975 Helsinki Accord—which supposedly guaranteed human rights and freedom of movement to citizens of all countries.

I believe this commission is necessary for three main reasons.

First, we must never let any country who has signed the Helsinki Accord, especially the Soviet Union, think that the rest of the world believes that this agreement is merely a scrap of paper which can be ignored whenever any nation wishes to ignore it.

We must be firm in our resolve that every nation signing the accord should be held strictly accountable for any actions to deny its citizens the freedoms embodied in that agreement. If any nation does fail to abide by the accord, then we must take it to task at every opportunity, until public, international pressure forces it to right those wrongs.

Mr. Speaker, I think we have seen in the past that such international pressure does work to convince some nations to stop, or at least lessen, their oppressive practices. And I think we have seen that if this pressure itself ceases, those very nations will attempt to renew their oppression.

I believe that the Soviet Union is just such a case in point. We all know that the Soviets are incredibly difficult to deal with when it comes to human rights and freedom of emigration for citizens of that nation.

Many of us in Congress have written numerous letters, made speeches, sent telegrams, signed petitions and even traveled to the Soviet Union to intercede with judicial and emigration officials. Hearings are held by our colleagues on the abuses of human rights.

Yet very few of these activities are even acknowledged by the Soviets, which is quite frustrating. Yet we know that the Soviets are watching, and that they hear what we are saying, because they have changed their practices in the past—in apparent response to these and other efforts by other concerned Americans and people from other nations.

And they make our efforts as difficult as possible, so as to test our resolve. They are waiting for us to falter.

This new congressional commission can be a force in the effort to promote human rights, and a force which can show the world that we take the Helsinki Accord very seriously and that we remain committed to the cause of liberty for all peoples.

This commission provides us in Congress with the official mechanism to monitor what other nations are doing, or not doing, to live by the Helsinki Agreement. This mechanism should prove useful in making more people aware of how important human rights should be to all of us, and what has to be done to guarantee such rights.

Also, the commission can focus international pressure on those who continue to restrict such rights, in an effort to convince them to change such policies.

My second reason to support this bill and this commission is that by establishing such a body, we let those people who are oppressed know that we have not forgotten them or their plight. This gives them the will to continue their own fight, and we must not deny them this encouragement.

When I traveled to the Soviet Union as a member of the House Judiciary Subcommittee on Immigration, many of the Soviet Jews and dissidents I spoke with emphasized that they looked to us for the morale and will to continue.

Lastly, I believe that this Commission is necessary to give Congress an independent source of information and action regarding the Helsinki Accord.

All too often in the past Congress through its own lack of initiative has seen its opinions ignored by an insensitive executive branch. As the most direct, elected representatives of the people, we have the responsibility to express ourselves on all issues as important as human rights, and the actions of other nations to live by agreements the United States has signed and which purport to guarantee such freedoms.

The Congressional Commission on Security and Cooperation in Europe will make us better able to fulfill this responsibility, and I urge all my colleagues in the House to support its establishment.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. FASCELL) that the House suspend the rules and pass the Senate bill (S. 2679), as amended.

The question was taken.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

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

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

There was no objection.

INDEPENDENT SAFETY BOARD ACT AMENDMENTS

Mr. HOWARD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12118) to amend the Independent Safety Board Act of 1974 to authorize additional appropriations and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 309 of the Independent Safety Board Act of 1974 (49 U.S.C. 1907) is amended by adding at the end thereof the following new sentence: "There are authorized to be appropriated for the purpose of this Act not to exceed $3,800,000 for the transition quarter ending September 30, 1976, $15,200,000 for the fiscal year ending September 30, 1977, and $16,400,000 for the fiscal year ending September 30, 1978, such sums to remain available until expended.".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. HOWARD) will be recognized for 20 minutes, and the gentleman from Kentucky (Mr. SNYDER) will be recognized for 20 minutes.

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

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

Mr. Speaker, H.R. 12118 provides authorizations for appropriations for the National Transportation Safety Board. This Board is an independent agency; its primary objective is to improve the safety climate in the Nation's transportation system. In order to achieve that goal, the Board investigates accidents involving the various modes of transportation, determines the probable cause of the accidents, evaluates the data it receives, and makes recommendations designed to prevent similar future occurrences. The Board maintains a training program, through which it publicizes the results of its work so that the benefits gleaned therefrom can be utilized by others involved in the commerce of our country.

Last March the Subcommittees on Aviation and Surface Transportation held a joint hearing on this legislation. Based upon the testimony received at these hearings, it was our determination that the necessary funds should be provided to the Board so that it can carry out its vital safety function. I am certain that everyone will agree that the Nation's transportation system must be made as safe as possible. The Committee on Public Works and Transportation will do all it can to foster safety in that system. We believe funds authorized to be appropriated to the Board will permit the Board to properly perform those aspects of the Government's safety program that it has been directed to implement.

One factor that emerged from the evidence adduced at the hearings is that the Board should pursue a more vigorous role in fostering safety on the Nation's highways. In order to facilitate implementation of an expanded highway program, the committee authorized $700,000 more than requested by the Board. The clear intent for authorizing these added funds is for the Board to expand its staff from 20 employees to at least 41 employees in the highway safety program, so that it can more ably fulfill the objectives of that program.

The committee has a strong commitment to safety in transportation. The expanded capacity to investigate highway accidents and evaluate data collected by the Board exemplifies only a small but significant portion of that commitment. Hopefully, these increased funds will help us find additional ways to reduce the loss of life on our Nation's highways. I urge that the House pass the bill as reported by the committee.

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

Mr. Speaker, I concur with all which has been said in support of the pending bill, H.R. 12118, to authorize additional appropriations for the National Transportation Safety Board—NTSB.

We recognize that the primary role of NTSB heretofore has been to investigate aircraft accidents—this because the Board assumed the aircraft accident investigation function of the Civil Aeronautics Board—CAB—when it—the NTSB—was established by the Department of Transportation Act of 1967. The Board is authorized to continue the investigation of aircraft accidents at the current level under H.R. 12118, but the bill authorizes greater emphasis on the investigation of surface transportation accidents—as my colleague Mr. SHUSTER, ranking member on the Surface Transportation Subcommittee will discuss in detail.

As reported by the Committee on Public Works and Transportation, H.R. 12118 simply authorizes NTSB spending levels for fiscal years 1977 and 1978, as well as for the 3-month interim period between fiscal years 1976 and 1977, as follows:

[In millions]

Interim period, July 1-September 30, 1976	$ 3.8
Fiscal year 1977	15.2
Fiscal year 1978	16.4

As initially proposed by NTSB under Chairman John Reed, the authorization levels recommended were as follows:

[In millions]

Fiscal year 1977	$17.3
Fiscal year 1978	18.5

As modified by present Chairman Webster Todd, the authorization levels recommended were as follows:

[In millions]

Fiscal year 1977	$14.5
Fiscal year 1978	15.7

By way of comparison, the President's budget sets the authorization level for fiscal year 1977 at $12 million. In this connection, it should be noted that the Independent Safety Board Act of 1974 authorizes NTSB to submit its budget recommendations directly to Congress simultaneously with its submission of the same recommendations to the President or to OMB.

The Aviation and Surface Transportation Subcommittees agreed to the $14.5 million authorization level for fiscal year 1977 and the $15.7 million authorization level for fiscal year 1978—also the $3.8 million for the fiscal year 1976 interim period—then adopted an amendment offered by Mr. SHUSTER to increase the authorization levels for each of the fiscal years 1977 and 1978 by $700,000 to provide additional positions for the purpose of placing greater emphasis on the investigation of highway accidents.

Also of interest is the fact that the NTSB submitted language with its budget authorization recommendations to amend the Freedom of Information Act to permit the Board to prohibit the disclosure of information obtained from an aircraft accident or incident investigation conducted by a foreign state. The justification for this request was the alleged impropriety of requiring the production of information in the possession of NTSB during litigation in a U.S. court prior to completion of an accident investigation by a foreign nation where a U.S. air carrier or U.S.-manufactured aircraft of foreign registry is involved.

It was determined by the Aviation and Surface Transportation Subcommittees that this matter should be considered at another time, so the proposal was dropped. Little or no urgency appears to be involved because, to date, only one lower court decision has borne upon this matter.

Mr. Speaker, I urge my colleagues to support the pending bill, H.R. 12118.

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

Mr. SHUSTER. Mr. Speaker, the bill before us today is a simple measure, designed to do two things: First, it continues authorizations for the National Transportation Safety Board for 2 years, through fiscal year 1978, and second, it increases the Safety Board's activities in the area of highway safety, which until now has suffered under a "poor cousin" syndrome in terms of dollars spent and recommendations made, even though more people are killed each year on highways than all the other modes combined.

This legislation was the subject of 2 days of joint hearings by the Surface Transportation and Aviation Subcommittees of the Committee on Public Works and Transportation. It was reported out by the full committee in an amended version on April 30 by a unanimous voice vote.

Mr. Speaker, the National Transportation Safety Board is an independent agency that was created by the Independent Safety Board Act of 1974 (Public Law 93-633). Its function is to investigate air and surface transportation accidents, determine their cause, and issue reports and recommendations to prevent their reoccurence and eliminate the conditions that contributed to the accidents. It is also charged with the responsibility to review on appeal the suspension, revocation, modification or denial of any cer-

tificate or license issued by the Secretary or an Administrator of the Department of Transportation.

During hearings on this bill, Mr. Speaker, the subcommittees were somewhat surprised, but pleasantly so, to hear the new NTSB Chairman, Webster Todd, ask for less money than was contained in the administration's request. His first priority, he said, was to define more clearly the mission of the Board and resolve the questions surrounding resources and personnel requirements. And his conclusion was that the job could be done for less money and with less manpower. Aside from the example this act should set for the other Federal agencies, it indicated to us that Chairman Todd did not simply accept the policies and procedures of his predecessor on blind faith, but rather evaluated the Board in objective terms with a view to fulfilling its mandate. Thus, the subcommittees were favorably disposed to act on the lower figures.

During questioning, however, it became very clear that of all the modes of transportation which come under the scrutiny of the NTSB—aviation, highways, railroad, pipeline, and marine—highways and motor carrier safety have not received the kind of attention which would be indicated by the statistics. For example, in 1974, the total highway fatality count was 44,950 while the total number of deaths that occurred in aviation accidents, including general aviation, was 1,757. There are actually more people killed on bicycles each year than in commercial air accidents. Again, in 1974, 1,200 people lost their lives in bicycle accidents, while 467 people were killed in commercial air accidents.

Despite this overwhelming imbalance, 44 percent of the National Transportation Safety Board's funding is earmarked for aviation, while only 5 percent is targeted for highway safety.

To bring highways and the other modes more in balance, I sponsored an amendment in subcommittee to increase the Safety Board's authorization and staff by an amount it determined it could profitably use in the period covered by this authorization to expand its highway safety function to a minimally acceptable level. Accordingly, the bill before us today contains $700,000 per year earmarked in our report to pay for a minimum of 21 additional staff positions that would be dedicated to the investigation and evaluation of highway accidents.

As ranking minority member of the Surface Transportation Subcommittee, I intend to monitor progress in this area to insure that a highly viable safety function is developed. But I would also like to add that this redirection is in no way intended to deemphasize the attention given to other modes, especially air, but rather is intended to give added emphasis in an area that has been a "poor cousin" for far too long.

Mr. Speaker, the purpose of this legislation and the purpose of the Board is to save lives. It is an issue that transcends party lines and could touch any one of us at some time during our lives. I ask my colleagues to support this modest bill as a gesture of our concern and a demonstration of our commitment to safety.

Thank you very much.

Mr. JONES of Alabama. Mr. Speaker, H.R. 12118 provides authorizations for appropriations for the National Transportation Safety Board. This board is an independent agency; its primary objective is to improve the safety climate in the Nation's transportation system. In order to achieve that goal, the Board investigates accidents involving the various modes of transportation, determines the probable cause of the accidents, evaluates the data it receives, and makes recommendations designed to prevent similar future occurrences. The Board maintains a training program, through which it publicizes the results of its work so that the benefit gleaned therefrom can be utilized by others involved in the commerce of our country.

Last March the Subcommittees on Aviation and Surface Transportation held a joint hearing on this legislation. Based upon the testimony received at these hearings, it was our determination that the necessary funds should be provided to the Board so that it can carry out its vital safety function. I am certain that everyone will agree that the Nation's transportation system must be made as safe as possible. The Committee on Public Works and Transportation will do all it can to foster safety in that system. We believe funds authorized to be appropriated to the Board will permit the Board to properly perform those aspects of the Government's safety program that it has been directed to implement.

Mr. STAGGERS. Mr. Speaker, I rise in support of H.R. 12118, the Independent Safety Board Act Amendments of 1975.

I am pleased to rise in support of the recommendations made by the Committee on Public Works in this bill. Beginning with the 94th Congress, many of the transportation matters formerly within the jurisdiction of the Committee on Interstate and Foreign Commerce were transferred to the Committee on Public Works and Transportation. The Committee on Interstate and Foreign Commerce did retain jurisdiction over railroads generally, including railroad safety, and we did hold hearings in February of this year on the activities of the National Transportation Safety Board insofar as they relate to the investigation of railroad accidents and recommendations by the Board in connection with such accidents.

The Committee on Interstate and Foreign Commerce is satisfied that the modifications made by the Committee on Public Works and Transportation in the funding request of the Safety Board, and set forth in H.R. 12118, do not adversely affect railroad safety and we are in agreement with the funding recommendations made in this bill.

The Committee on Interstate and Foreign Commerce did not request sequential referral of this bill because we are in agreement with the recommendations made by the Committee on Public Works and Transportation.

I am so pleased to note, however, that the committee report on this bill does include a letter addressed by me to the gentleman from Alabama, chairman of the Committee of Public Works and Transportation. I did request that the letter be included in this committee report in order to make the jurisdiction of the Committee on Interstate and Foreign Commerce a part of the legislative history of the Safety Board legislation in this Congress.

I want to thank the gentleman from Alabama, and his committee, for their courtesy and consideration in this matter. I believe the working relationship established between the two committees on this matter will provide a sound basis for working out similar matters in the future.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. HOWARD) that the House suspend the rules and pass the bill (H.R. 12118), as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

RIVER BASIN AUTHORIZATIONS

Mr. ROBERTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12545), authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and for other purposes, as amended.

The Clerk read as follows:

H.R. 12545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in addition to previous authorizations, there is hereby authorized to be appropriated for the prosecution of the comprehensive plan of development of each river basin under the jurisdiction of the Secretary of the Army referred to in the first column below, which was basically authorized by the Act referred to by date of enactment in the second column below, an amount not to exceed that shown opposite such river basin in the third column below:

Basin	Act of Congress	Amount
Alabama-Coosa River Basin	Mar. 2, 1945	$6,000,000
Arkansas River Basin	June 28, 1938	6,000,000
Brazos River Basin	Sept. 3, 1954	19,000,000
Columbia River Basin	June 28, 1944	39,000,000
Mississippi River and tributaries	May 15, 1928	220,000,000

Basin	Act of Congress	Amount
Missouri River Basin	June 28, 1938	$85,000,000
North Branch Susquehanna River Basin	July 3, 1958	72,000,000
Ohio River Basin	June 22, 1936	23,000,000
Red River Waterway project	Aug. 13, 1968	60,000,000
San Joaquin River Basin	Dec. 22, 1941	46,000,000
Santa Ana River Basin	June 22, 1936	2,000,000
South Platte River Basin	May 17, 1950	22,000,000
Upper Mississippi River Basin	June 28, 1938	2,000,000

(b) The total amount authorized to be appropriated by this Act shall not exceed $602,000,000.

The SPEAKER pro tempore. Is a second demanded?

Mr. DON H. CLAUSEN. Mr. Speaker, I demand a second.

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

There was no objection.

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

Mr. Speaker, it is my privilege to bring to the floor on behalf of the Committee on Public Works and Transportation the bill H.R. 12545 authorizing additional appropriations for projects in certain comprehensive river basin plans authorized for construction by the Corps of Engineers.

Basin monetary authorizations limit the amount of funds which can be appropriated to carry out projects within specified river basins. There are also individual major projects where the amount of funds authorized to be appropriated is less than that needed to complete the project. This practice gives the Congress an opportunity to review and control the rate of accomplishment of these basin plans and major projects. At the same time there are 29 basin development plans subject to basin monetary authorization limitations.

H.R. 12545 authorizes additional appropriations for projects in 13 river basin plans authorized for construction by the Corps of Engineers. These additional authorizations are required if work on projects within these basins is to continue through fiscal year 1977. Without this authorization the Corps of Engineers will be unable to expend appropriations made for these ongoing projects in the fiscal year 1977 Public Works Appropriations Act. The 13 basins, and the amounts of additional authorization, are:

Alabama-Coosa River Basin	$6,000,000
Arkansas River Basin	6,000,000
Brazos River Basin	19,000,000
Columbia River Basin	39,000,000
Mississippi River and tributaries	220,000,000
Missouri River Basin	85,000,000
North Branch, Susquehanna River Basin	72,000,000
Ohio River Basin	23,000,000
Red River Waterway project	60,000,000
San Joaquin River Basin	46,000,000
Santa Ana River Basin	2,000,000
South Platte River Basin	22,000,000
Upper Mississippi River Basin	2,000,000
Total	602,000,000

The particular projects within these basins for which the additional authorization will be available are set forth in detail in our committee's report on this bill. The additional authorizations will also be available for any new planning or construction starts for projects in the basins for which the Congress may appropriate funds in fiscal year 1977.

We have included no new project authorizations or modifications in this legislation. These will be taken up in connection with the next water resources development bill. We anticipate having such a bill later this year.

The $602 million in the bill is not budget authority. It is only authority for appropriations to be made to continue work on Corps of Engineers projects. Any new budget authority associated with this bill will occur when appropriations are in fact made and those appropriations of course will be subject to the provisions of and limitations under the Budget Act and the budget resolution.

I am, as always, deeply appreciative of the splendid leadership of the chairman of this committee, the gentleman from Alabama (Mr. JONES), and the cooperation given by the ranking minority member, the gentleman from Ohio (Mr. HARSHA), and the ranking minority member of the Subcommittee on Water Resources, the gentleman from California (Mr. DON H. CLAUSEN).

Mr. Speaker, I urge enactment of this legislation so that the construction of needed water resources projects in these 13 river basins will not be interrupted.

Mr. DON H. CLAUSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 12545 authorizing additional appropriations for the prosecution of water resources development in 13 river basins. My distinguished colleague, the gentleman from Texas, should be commended for his excellent job in bringing this legislation to the floor. Mr. ROBERTS aptly explained the purpose of this legislation and its needs. I would like to add my support and point out that only through this legislation to increase the authorization levels can these needed projects continue to be developed.

Mr. Speaker, I regard construction of well justified and environmentally responsive water resource development projects to be one of the most productive investments of public funds available to our Nation. These projects improve navigation, prevent flood damages, produce hydroelectric power, provide water supply, improve water quality, and offer water based recreational opportunities for the American public. They are authorized and constructed to alleviate water related problems, and hopefully, to prevent a recurrence of some of the more severe manifestations of these problems which have occurred in past years.

The legislation currently under consideration seeks to continue the implementation of the long standing Federal commitment to water resource development. This legislation affects the safety and prosperity of millions of Americans and thus necessitates favorable action by the Congress. It should be noted that this bill does not provide new budget authority or increased tax expenditures. It merely authorizes funding levels for appropriations in these river basins. Mr. Chairman, I urge passage of H.R. 12545 by the Congress.

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

Mr. HARSHA. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise to add my praise to that voiced by my colleagues for the work accomplished by Mr. ROBERTS and his Subcommittee on Water Resources in preparing this legislation. The need for this legislation has already been aptly explained by my distinguished colleagues and I would like to reiterate that although continuing funding is provided by public works appropriations, it is contingent on additional authorizations. Therefore, it is imperative that the Congress act on H.R. 12545 in a timely fashion so that these invaluable water resource development projects will continue uninterrupted. It is not in the national interest to delay the realization of the benefits of flood control, navigation, water supply, hydropower, and recreation that will accrue from these projects.

Mr. Speaker, I urge passage of H.R. 12545 by the Congress.

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

Mr. KREBS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in enthusiastic support of this legislation and I urge the Members of the House to support it. These projects, as has just been pointed out are ongoing projects, among them being the San Joaquin River Basin project which has been of tremendous benefit to the agricultural regions encompassed within it.

Again I urge my fellow Members to support this legislation.

Mr. JOHNSON of California. Mr. Speaker, I rise in support of H.R. 12545, which authorizes additional appropriations for the continuation of projects in 13 river basins authorized for construction by the Corps of Engineers.

In these 13 basins, as in many others, Congress has authorized comprehensive water resources development plans but has imposed limits on the amount of money that can be appropriated so as to maintain control over the rate of progress of the projects within the basins. Without this bill, work on the projects within the 13 basins would not be able to continue through fiscal year 1977.

Of the 13 basins covered in H.R. 12545, two are within my State: The Santa Ana River Basin and the San Joaquin. The additional authorization of $2 million in the Santa Ana River Basin will permit the construction of additional recreation facilities at Brea Dam, Carbon Canyon Lake, Fullerton Dam, and Prado Lake.

The additional authorization of $46 million for the San Joaquin River Basin will permit work to continue on the New

Melones Lake project. This very important project will serve the purposes of irrigation, power, recreation, fish and wildlife, water quality, and flood control and will be of great benefit to the people of the region.

Mr. Speaker, I urge passage of the bill, H.R. 12545.

Mr. JONES of Alabama. Mr. Speaker, I wish to commend the gentleman from Texas (Mr. ROBERTS) on the excellent job he has done as chairman of the Subcommittee on Water Resources in bringing H.R. 12545 to the floor. I also wish to commend the entire membership of the subcommittee for the legislation which they recommended to the full committee.

This legislation is needed to allow the continuation of construction of projects in 13 river basins. These are 13 of the total 29 river basin plans which are subject to monetary authorization limitations. Monetary authorizations were first put into effect by the Flood Control Acts of 1936 and 1938. They limit authority to appropriate and expend funds within specified basins or on specified major projects to levels below the total costs of the authorized basin development or project. In this way, they give the Congress an opportunity to review and control the rate of accomplishment of the basin plans and major projects to which they apply.

As my distinguished colleague, the gentleman from Texas (Mr. ROBERTS) has pointed out, this bill is limited to additional authorizations for appropriations to continue the construction of authorized projects. Authorizations of new projects and project modifications are traditionally taken up in connection with our water resources development bills which usually occur each 2 years. It is our committee's intention to have such a bill this year. While we have not yet scheduled hearings, we anticipate doing so this summer. At that time we will be able to give our careful attention to project authorizations and legislative items relating to the Corps of Engineers' water resources development program.

Mr. Speaker, the enactment of H.R. 12545 is necessary to insure that projects underway in 13 river basins will be able to continue through fiscal year 1977 without interruption. I, therefore, urge the passage of this bill.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. ROBERTS) that the House suspend the rules and pass the bill H.R. 12545, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 12545, the bill just passed.

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

There was no objection.

NATIONAL VISITOR CENTER FLAGPOLES

Mr. GINN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3161) to authorize the Secretary of the Interior, with the approval of the Architect of the Capitol, to locate flagpoles on the U.S. Capitol Grounds in order to fly the flag of each of the States of the United States, and its territories and possessions, as amended.

The Clerk read as follows:

S. 3161

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the approval of the Architect of the Capitol and to such conditions as he may prescribe, the Secretary of the Interior is authorized to make such use of that portion of the United States Capitol Grounds adjacent or in close proximity to the sidewalks abutting the circular perimeter of the Union Station Plaza in front of Columbus Plaza and the National Visitor Center as may be necessary to enable the Secretary of the Interior to erect and maintain flagpoles to fly the flags of each of the States of the United States and its territories and possessions, generally as shown on NCPC Map File Numbered 1.11 (38.00)–27861.

SEC. 2. (a) Notwithstanding any other provision of law, the Architect of the Capitol is authorized, subject to the provisions of this Act and to such conditions as the Architect of the Capitol may prescribe, to enter into an agreement with the appropriate officials of the government of the District of Columbia pursuant to which the Architect of the Capitol is authorized to permit the government of the District of Columbia to utilize certain areas of the United States Capitol Grounds for the purpose of making certain street changes in order to coordinate and improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center (formerly Union Station), and the flow of traffic within Union Station Plaza.

(b) Pursuant to such agreement, the Architect of the Capitol is authorized to make available to the government of the District of Columbia, for the purposes referred to in subsection (a), certain portions of the United States Capitol Grounds as follows:

(1) approximately two thousand one hundred square feet of land in Square 680, at the east end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza, Massachusetts Avenue, and E Street Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curbline, and relocate existing sidewalks and curbs, to conform to such street change;

(2) approximately three thousand five hundred square feet of land in Square 723, at the northwest end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza, First Street, and Massachusetts Avenue Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curbline, and relocate existing sidewalks and curbs, to conform to such street change; and

(3) approximately four hundred square feet of land in Square 721, at the southwest end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza and Massachusetts Avenue Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curbline, and relocate existing sidewalks and curbs, to conform to such street change.

SEC. 3. Nothing in this Act shall be construed to grant to the Secretary of the Interior or to the government of the District of Columbia any right, title, or interest in or to any part of the United States Capitol Grounds and such area affected by this Act or any agreement pursuant thereto shall continue to be a part of the United States Capitol Grounds. All areas of the United States Capitol Grounds, including sidewalks, lawns and other growth, streets, and curblines, disturbed by reason of operations pursuant to this Act shall be promptly relocated or restored by the Secretary of the Interior or the government of the District of Columbia, as the case may be, in a manner approved by, and satisfactory to the Architect of the Capitol.

SEC. 4. The Congress shall not incur any expense, liability, obligation, or other responsibility (operational or otherwise), under or by reason of this Act, or any agreement pursuant to this Act, or be liable under any claim of any nature or kind that may arise from either the construction, operation, or maintenance of the flagpoles authorized by this Act, or by carrying out any agreement pursuant to this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINN) and the gentleman from New York (Mr. WALSH) will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. GINN).

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

Mr. Speaker, the legislation authorizes the Secretary of the Interior, subject to the approval of the Architect of the Capitol, to erect and maintain flagpoles on Capitol Grounds adjacent to the sidewalks abutting the circular perimeter of Union Station Plaza to fly the flags of the 50 States of the United States and its territories and possessions.

The legislation authorizes the Architect to enter into an agreement with the District of Columbia government to permit certain street changes to improve the flow of traffic in and around the vicinity of the Union Station Plaza.

The legislation stipulates any part of the Capitol Grounds affected by this legislation will remain part of the Capitol Grounds. Further, any Capitol Grounds affected by the construction will be promptly relocated or restored by the Secretary of the Interior or the District of Columbia government subject to the approval of the Architect of the Capitol.

Lastly, the legislation will hold and save harmless the Congress from any expense or liability that may arise from this legislation.

The Federal Government will incur no additional costs in carrying out this legislation. I would like to point out the cost for the erection of the flagpoles is $72,000, however, funds have been reprogramed within previous appropriations for the National Visitor Center. The street changes entailing minor curb cutbacks will cost $103,000 and funds have been earmarked in previous District of Columbia appropriations to be expended only upon authorizing legislation.

Mr. Speaker, I urge enactment of S. 3161.

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

Mr. Speaker, I rise in support of S. 3161, a bill to authorize the Secretary of the Interior, with the approval of the Architect of the Capitol, to locate flagpoles on the U.S. Capitol grounds. These flagpoles are to be adjacent to Columbia Plaza which is immediately adjacent to Union Station. There are to be 55 flagpoles and flags in total, one for each State, territory, and possession of the United States.

Additionally, this bill authorizes the Architect of the Capitol to enter into an agreement with the District of Columbia to modify the land adjacent to the circle around Columbia Plaza in order to facilitate vehicular traffic flow.

In each instance authority is necessary since these activities will affect the U.S. Capitol grounds and in the case of the flagpoles, new permanent features will be added to the grounds. The District of Columbia currently has a master plan for the vehicular traffic around Columbia Plaza, and in order to fulfill that plan and to provide necessary safety features for traffic flow, existing curbs and sidewalks need to be removed and replaced. This minor effect on the configuration of the borders of the Capitol grounds needs Congressional approval.

Authorization of money is not necessary since funds have been earmarked for each of these projects in their respective appropriations. It is estimated that the flagpoles and related work will cost $72,000 and the cost of the sidewalk cut will cost $103,000.

I urge enactment of this bill.

Mr. JONES of Alabama. Mr. Speaker, S. 3161 as reported by the committee on April 13, 1976 authorizes the Secretary of the Interior to place and maintain flagpoles around the plaza in front of the National Visitor Center to fly the flags of the States, territories, and possessions of the United States. The committee believes these flagpoles will enhance the area and add to the Visitor Center concept serving as a tribute to each of the States of the United States, its territories and possessions in this Bicentennial Year.

The legislation further authorizes the Architect of the Capitol to enter into an agreement with the government of the District of Columbia to permit minor street changes in and around Union Station Plaza in order to better accommodate the needs of the users of the Visitor Center. The general pattern has been thoroughly reviewed and approved by the appropriate local and Federal concerned agencies, including the National Capital Planning Commission, the Capitol Police Board, and the Architect of the Capitol's office.

Further, the legislation insures that any part of the Capitol Grounds affected by this legislation will remain part of the Capitol Grounds and any areas affected by construction will be relocated or restored by the Secretary of the Interior or the District of Columbia government subject to the approval of the Architect of the Capitol. Lastly, S. 3161 stipulates the Congress will not incur any expense or liability that may arise from this authorization.

Mr. Speaker, the Government will incur no additional costs in carrying out this legislation. The sum of $72,000 needed for placement of the flagpoles has been reprogramed from previous appropriations for the National Visitor Center, and $103,000 needed for street changes has been earmarked in previous District of Columbia appropriations.

Mr. Speaker, I urge enactment of the legislation.

Mr. JOHNSON of California. Mr. Speaker, S. 3161 would permit the Secretary of the Interior to erect and maintain flagpoles on the Capitol Grounds adjacent to the Union Station Plaza to fly the flags of each of the States of the United States, its territories and possessions. In addition, the legislation also authorizes the Architect of the Capitol to enter into an agreement with the District of Columbia for the purpose of making certain street changes to improve the flow of traffic to and from the U.S. Capitol Grounds and the National Visitor Center and within the Union Station Plaza.

Mr. Speaker, the proposed legislation has been reviewed by all affected agencies and the Architect of the Capitol and they unanimously support it. The placement of the flagpoles will certainly enhance the area surrounding the Visitor Center and serve as a tribute to each of the States of the United States, its territories and possessions. The changes to be made to the general traffic patterns will better accommodate the needs of the users of the Visitor Center, the Capitol Grounds, and the Union Station Plaza.

Mr. Speaker, I urge enactment of the legislation.

The SPEAKER. The question is on the motion offered by the gentleman from Georgia (Mr. GINN) that the House suspend the rules and pass the Senate bill S. 3161, as amended.

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

The title was amended so as to read: "An act to authorize certain flagpoles to be located on the Capitol Grounds, and to improve the flow of traffic to and from the U.S. Capitol Grounds and the National Visitor Center."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GINN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 3161, the bill just passed.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The debate has been concluded on all motions to suspend the rules.

Pursuant to the provisions of clause 3, rule XXVII, the Chair will now put the question on the motion on which further proceedings were postponed.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER. The unfinished business is the question of suspending the rules and passing the Senate bill S. 2679, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER. The question is on the motion offered by the gentleman from Florida (Mr. FASCELL) that the House suspend the rules and pass the Senate bill S. 2679, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 240, nays 95, not voting 97, as follows:

[Roll No. 271]

YEAS—240

Ambro	Conable	Forsythe
Anderson, Ill.	Conlan	Fountain
Annunzio	Conte	Fraser
Archer	Corman	Frenzel
Armstrong	Cornell	Frey
AuCoin	Cotter	Gaydos
Bafalis	Crane	Gibbons
Baldus	D'Amours	Gilman
Beard, R.I.	Daniels, N.J.	Gonzalez
Beard, Tenn.	Davis	Goodling
Bedell	Delaney	Gradison
Bergland	Dellums	Grassley
Bevill	Dent	Green
Bingham	Derrick	Gude
Blanchard	Derwinski	Hall
Blouin	Dickinson	Hamilton
Boland	Dodd	Hammer-schmidt
Bolling	Downey, N.Y.	Hanley
Brademas	Drinan	Hannaford
Breckinridge	du Pont	Harris
Brodhead	Early	Hayes, Ind.
Brooks	Eckhardt	Hechler, W. Va.
Broomfield	Edgar	Hicks
Brown, Calif.	Edwards, Ala.	Hightower
Burgener	Edwards, Calif.	Holt
Burke, Calif.	Eilberg	Holtzman
Burke, Mass.	Erlenborn	Horton
Burlison, Mo.	Evans, Colo.	Howard
Burton, John	Fary	Howe
Burton, Phillip	Fascell	Hughes
Carr	Fenwick	Hungate
Clancy	Findley	Hutchinson
Clausen, Don H.	Fisher	Hyde
Clay	Fithian	Johnson, Calif.
Cleveland	Flood	Johnson, Pa.
Cohen	Florio	Jordan
Collins, Ill.	Ford, Mich.	Kasten
	Ford, Tenn.	

Kastenmeier	Morgan	Shipley
Kazen	Mottl	Shriver
Kemp	Murphy, Ill.	Simon
Koch	Murphy, N.Y.	Sisk
Krebs	Murtha	Skubitz
LaFalce	Myers, Ind.	Smith, Iowa
Lagomarsino	Nowak	Smith, Nebr.
Latta	Oberstar	Solarz
Leggett	O'Brien	Spellman
Lehman	O'Hara	Staggers
Lent	O'Neill	Stanton,
Levitas	Ottinger	J. William
Lloyd, Calif.	Patterson,	Stark
Lloyd, Tenn.	Calif.	Steed
Long, La.	Pattison, N.Y.	Stokes
Long, Md.	Pepper	Studds
Lundine	Perkins	Sullivan
McCormack	Pike	Symms
McDade	Preyer	Taylor, N.C.
McDonald	Price	Teague
McEwen	Quie	Thompson
McFall	Randall	Thone
McHugh	Rangel	Traxler
McKinney	Rees	Ullman
Madden	Reuss	Van Deerlin
Madigan	Richmond	Vander Veen
Maguire	Rinaldo	Vanik
Matsunaga	Risenhoover	Walsh
Meeds	Roe	Weaver
Melcher	Rogers	Whalen
Metcalfe	Rooney	White
Meyner	Rosenthal	Wilson, Bob
Mezvinsky	Rostenkowski	Wilson, C. H.
Mikva	Roybal	Wilson, Tex.
Mills	Russo	Winn
Mineta	St Germain	Wirth
Minish	Santini	Wolff
Mink	Sarasin	Wright
Mitchell, N.Y.	Scheuer	Yates
Moffett	Schneebeli	Yatron
Moore	Schroeder	Young, Fla.
Moorhead,	Schulze	Zablocki
Calif.	Seiberling	Zeferetti
Moorhead, Pa.	Sharp	

NAYS—95

Abdnor	Flowers	Neal
Alexander	Flynt	Nichols
Andrews,	Ginn	Obey
N. Dak.	Guyer	Passman
Ashbrook	Hagedorn	Paul
Ashley	Haley	Poage
Baucus	Hansen	Regula
Bauman	Harsha	Roberts
Bennett	Hays, Ohio	Robinson
Biester	Hefner	Rose
Bowen	Henderson	Roush
Breaux	Ichord	Runnels
Brinkley	Jarman	Ruppe
Burke, Fla.	Jeffords	Ryan
Burleson, Tex.	Jones, N.C.	Satterfield
Butler	Jones, Tenn.	Shuster
Byron	Kelly	Slack
Chappell	Ketchum	Snyder
Clawson, Del	Landrum	Spence
Cochran	Lott	Steiger, Wis.
Collins, Tex.	Lujan	Talcott
Daniel, Dan	McKay	Taylor, Mo.
Daniel, R. W.	Mahon	Thornton
de la Garza	Mann	Vander Jagt
Devine	Martin	Waggonner
Dingell	Mathis	Wampler
Downing, Va.	Mazzoli	Whitehurst
Duncan, Oreg.	Miller, Ohio	Whitten
Duncan, Tenn.	Mollohan	Wiggins
Emery	Montgomery	Wylie
English	Myers, Pa.	Young, Alaska
Evins, Tenn.	Natcher	Young, Tex.

NOT VOTING—97

Abzug	Danielson	Johnson, Colo.
Adams	Diggs	Jones, Ala.
Addabbo	Esch	Jones, Okla.
Allen	Eshleman	Karth
Anderson,	Evans, Ind.	Keys
Calif.	Fish	Kindness
Andrews, N.C.	Foley	Krueger
Aspin	Fuqua	Litton
Badillo	Giaimo	McClory
Bell	Goldwater	McCloskey
Biaggi	Harkin	McCollister
Boggs	Harrington	Macdonald
Bonker	Hawkins	Michel
Brown, Mich.	Hébert	Milford
Brown, Ohio	Heckler, Mass.	Miller, Calif.
Broyhill	Heinz	Mitchell, Md.
Buchanan	Heistoski	Moakley
Carney	Hillis	Mosher
Carter	Hinshaw	Moss
Cederberg	Holland	Nedzi
Chisholm	Hubbard	Nix
Conyers	Jacobs	Nolan
Coughlin	Jenrette	Patten, N.J.
Pettis	Roncalio	Stratton
Peyser	Rousselot	Stuckey
Pickle	Sarbanes	Symington
Pressler	Sebelius	Treen
Pritchard	Sikes	Tsongas
Quillen	Stanton,	Udall
Railsback	James V.	Vigorito
Rhodes	Steelman	Waxman
Riegle	Steiger, Ariz.	Wydler
Rodino	Stephens	Young, Ga.

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo and Ms. Abzug for, with Mr. Jenrette against.

Mr. Rodino and Mr. Waxman for, with Mr. Krueger against.

Mr. Harrington and Mr. Carney for, with Mr. Hébert against.

Mr. Mitchell of Maryland and Mrs. Boggs for, with Mr. Stephens against.

Until further notice:

Mr. Adams with Mr. Jones of Alabama.

Mrs. Chisholm with Mr. Helstoski.

Mr. Biaggi with Mr. Evans of Indiana.

Mr. Danielson with Mr. Andrews of North Carolina.

Mr. Nedzi with Mr. Heinz.

Mr. Foley with Mr. Bell.

Mr. Conyers with Mr. Karth.

Mr. Milford with Mr. Esch.

Mr. Litton with Mr. Eshleman.

Mr. Jones of Oklahoma with Mr. Coughlin.

Mr. Badillo with Mr. Holland.

Mr. Jacobs with Mr. Brown of Michigan.

Mr. Young of Georgia with Mr. Hubbard.

Mr. Tsongas with Mr. Hillis.

Mr. Allen with Mr. Carter.

Mr. Stuckey with Mr. Kindness.

Mr. Stratton with Mr. Goldwater.

Mr. Sikes with Mr. Brown of Ohio.

Mr. Rousselot with Mrs. Keys.

Mr. Hawkins with Mr. Harkin.

Mr. Anderson of California with Mr. Buchanan.

Mr. Moakley with Mrs. Heckler of Massachusetts.

Mr. Nix with Mr. Miller of California.

Mr. Riegle with Mr. McCloskey.

Mr. Moss with Mr. Broyhill.

Mr. Giaimo with Mr. Cederberg.

Mr. Aspin with Mr. McClory.

Mr. Fuqua with Mr. Nolan.

Mr. Diggs with Mr. Macdonald of Massachusetts.

Mr. Patten with Mr. Peyser.

Mr. Pickle with Mr. Udall.

Mr. Vigorito with Mr. Symington.

Mr. Treen with Mr. McCollister.

Mr. Steiger of Arizona with Mr. Sarbanes.

Mr. Railsback with Mr. Mosher.

Mr. Roncalio with Mr. James V. Stanton.

Mr. Bonker with Mr. Steelman.

Mr. Wydler with Mr. Sebelius.

Mr. Fish with Mr. Pressler.

Mr. Pritchard with Mr. Quillen.

Mrs. SMITH of Nebraska, Mr. McDONALD of Georgia, Mr. KASTEN, and Mrs. LLOYD of Tennessee changed their vote from "nay" to "yea."

Messrs. BENNETT, BOWEN, EMERY, and ICHORD changed their vote from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FISH. Mr. Speaker, on rollcall No. 271 today, I was unavoidably off the floor. This concerned S. 2679, an identical bill to H.R. 9466, of which I am a cosponsor. Had I been present, I would have voted "yea."

DUTY-FREE ENTRY OF CARILLON BELLS FOR THE USE OF SMITH COLLEGE, MASSACHUSETTS

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 1386) for the relief of Smith College, Northampton, Mass., which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CONABLE. Mr. Speaker, reserving the right to object—and I shall not object—it appears that we have a series of consent matters before us today, and to the extent that any discussion on them is wished, we will be happy to have them discussed.

Mr. Speaker, I have no objection to this bill, but I reserve the right to object for the purpose of permitting anyone to ask a question at this time.

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

Mr. CONABLE. I yield to the gentleman from Florida (Mr. GIBBONS).

Mr. GIBBONS. Mr. Speaker, H.R. 1386 was introduced by our colleague from Massachusetts (Mr. CONTE).

Section 1 of H.R. 1386 directs the Secretary of the Treasury to admit free of duty 33 carillon bells—including accompanying parts and accessories—for the use of Smith College, Northampton, Mass.

Section 2 provides for a refund of duty if there has been a final liquidation of the entry of any article subject to the provisions of section 1.

The purpose of the duty-free provision of H.R. 1386 is to enable Smith College to purchase the bells necessary to complete its carillon. The Paccard Bell Foundry in France supplied the original bells. Furthermore, it is alleged that Paccard is the only source for the new bells since they must match those presently in place and since there are no domestic counterparts.

Under the present law, the articles specified in the proposed bill are classified under item 725.36 TSUS and are assessed at the rate of duty of 7 percent ad valorem. The proposed legislation would permit the one-time entry of these items free of duty for use of Smith College, Northampton, Mass.

Public hearings were held by the Subcommittee on Trade of the Committee on Ways and Means on February 19 and 20, 1976 on duty-free entry and temporary duty suspension bills. During these hearings favorable testimony and written comments were received on H.R. 1386. Favorable reports were also received from interested executive branch agencies. No objections to this legislation have been received by the committee from any source.

The committee was unanimous in reporting the bill to the House and urges its passage.

Mr. CONABLE. Mr. Speaker, it is my understanding that the House has passed similar measures in the past, and they were not objected to.

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

Mr. CONABLE. I yield to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, 57 years ago the Carlisle family of Massachusetts made a generous donation to Smith College located in Northampton, Mass. They gave the college a complete set of Carillon Bells. The set included 9 large bells, 24 smaller bells and a clavier or keyboard.

As anyone who has visited the college campus can attest, the beautifully chiming bells have been an integral part of Smith's heritage.

But time and weather have taken their toll on the bells. Fortunately, Smith has had other generous donors who have paid for replacement bells. With these donations, Smith has purchased replacement bells from the Paccard Bell Foundry in France, which made the original bells. It was necessary to get bells that would fit the system at Smith's College Hall. The French company is the only company that could replace the original bells. There are no domestic counterparts.

Therein lies the rub. A duty of nearly $2,700 was placed on bells. The purpose of the duty is to protect domestic products. But the bells that Smith need are not made by American companies. Therefore, Smith is seeking relief from paying the duty of $2,678.86.

Mr. Speaker, like most institutions of higher education, Smith has had to tighten its financial belt in recent years. I do not believe Smith should have to face additional hardship to receive this generous donation. I ask the subcommittee to report this bill.

Mr. CONABLE. Mr. Speaker, I support H.R. 1386 providing for the duty-free entry of 33 carillon bells for the use of Smith College in Northampton, Mass.

Although there has been intermittent production of carillon bells in the United States, demand historically has far exceeded domestic production. Currently, only one facility, located in South Carolina, manufactures these bells. The availability of carillon bells in this country therefore continues to be very limited. This is especially true with regard to complete carillon sets containing a large number of bells like the ones required by Smith College.

No domestic producer has raised any objection to duty-free treatment of this importation on behalf of Smith College. In addition, the Department of Commerce has suggested that the duty on all carillon bells be permanently suspended. The one-time loss in customs revenue from enactment of H.R. 1386 would be approximately $2,250.

Mr. Speaker, the committee heard no opposition to H.R. 1386 and reported the bill unanimously. I recommend passage by the House at this time.

Mr. CONABLE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 1386

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall admit free of duty thirty-three carillon bells (including all accompanying parts and accessories) for the use of Smith College, Northampton, Massachusetts, such bells being provided by the Paccard Fonderie de Cloches, Annecy, France.

SEC. 2. If the liquidation of the entry for consumption of any article subject to the provisions of the first section of this Act has become final, such entry shall be liquidated and the appropriate refund of duty shall be made.

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.

REQUEST FOR CONSIDERATION OF H.R. 2177, EXEMPTION FROM DUTY OF CERTAIN COMPONENTS AND MATERIALS INSTALLED IN AIRCRAFT PREVIOUSLY EXPORTED FROM THE UNITED STATES

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2177) to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for articles previously exported from the United States composed in part of fabricated components the products of the United States, when returned after having been exported, without having been advanced in value or improved in condition while abroad, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CONABLE. Mr. Speaker, I reserve the right to object.

Mr. Speaker, I support H.R. 2177, providing a partial exemption from duty for articles previously exported from the United States that are composed in part of fabricated components made in the United States as long as such components have not advanced in value or improved in condition while abroad.

Under the provisions of this bill, certain aircraft, previously exported from the United States and composed in part of U.S. components, will be dutiable at the regular rate of duty on the full value of the aircraft minus the cost of the U.S. components. These provisions apply only to aircraft imported before 1970 pursuant to an entry that is unliquidated as of the date of enactment of this bill.

The current tariff schedules include provisions under which specific articles previously exported may reenter free of duty. These are generally items that are clearly identifiable as American made. H.R. 2177 merely extends such limited coverage to American equipment, systems, and furnishings used to improve or expand a foreign aircraft previously exported from the United States and then imported at a later date.

There is no apparent value in levying duty on identifiable American made components, and the narrow application of this bill is intended to prevent the creation of a loophole in the tariff schedules.

Mr. Speaker, the committee received no opposition to enactment, and reported H.R. 2177 unanimously. I recommend passage by the House at this time.

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

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

Mr. DENT. Of course, Mr. Speaker, I understand this pertains only to airplanes prior to 1970, but what we are doing is setting a precedent that will follow in other situations just as surely as night follows day. What we are doing is importing foreign airplanes into the United States, we put American parts on them and export them and then reimport them back into the United States without any duty whatsoever.

Mr. CONABLE. Mr. Speaker, the gentleman misunderstands. What happened in this case was that the aircraft had a series of components added to it in this country; it was then exported. Subsequently, it was brought back in under circumstances that would have made it entirely dutiable with the value of these added American parts. With the addition of those parts, it would have been dutiable if this bill were not passed.

In fact, there is no precedent here. It is a very limited bill, and it in no way works against American manufacturers. As a matter of fact, it provides assistance for American maufacturers by relieving them of the duty on American components that otherwise would have been dutiable.

Mr. DENT. Mr. Speaker, how do other countries treat this kind of thing? How do other nations treat the exact same situation when there is a plane manufactured in this country, it gets foreign parts and is exported, reexported from the United States and reimported into the foreign country? Do they or do they not charge duty on those planes?

Mr. CONABLE. Mr. Speaker, I have no idea. It would create an inequity for the American interests involved, however, were this not to be passed.

Mr. DENT. Mr. Speaker, if the gentleman will yield further, I cannot understand what is happening. We are told everything is working toward equity and all these bills are for our betterment. Yet there are over 2,000 free items on the import list today that were not there 20 years ago.

Mr. CONABLE. But these are American parts on which duty is being charged.

Mr. DENT. I know, but one of our biggest problems in the United States is that we are sending our parts into Canada and other countries. American parts are going over into Mexico, American parts are going into Canada, and then they are coming back into the

United States and duties are exempted on them; yet they are competing with new American parts and products in the United States that we are trying to export.

Does the gentleman understand what I am saying?

Mr. CONABLE. Mr. Speaker, I understand what the gentleman is saying. May I explain to the gentleman that if these particular components had not been built into the plane, they would not have been dutiable because they are clearly American components. In this particular case, however, instead of leaving them so that they were detachable, they were built in, and there was a substantial assessment made against them despite the fact they are American components.

Mr. DENT. Mr. Speaker, if that is a good thing for America, why do we limit it only to those planes sold prior to 1970? Why do we not say that any planes that have American components can come back into the United States? Why does it only pertain to the period before 1970?

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

Mr. CONABLE. The gentleman from Florida (Mr. GIBBONS) wishes to comment on that, and I yield to him for that purpose.

Mr. GIBBONS. Mr. Speaker, the reason we are doing it in this way is that a situation has arisen with respect to these aircraft. That is the reason for doing it now. We probably ought to solve the problem in a different way, but until we gain a little experience and know where we are going, and in order to prevent any abuses such as the gentleman from Pennsylvania is talking about, we are doing it on a case-by-case basis.

There is an opportunity for abuse, but it is the opinion of the executive branch and everybody that we have been able to talk to that in this particular case there is no abuse.

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

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

Mr. DENT. Mr. Speaker, will the gentleman answer the question. Why was it 1970? What about the planes in 1971, 1972, 1973, 1974, 1975, or 1976?

Mr. GIBBONS. Mr. Speaker, if the gentleman will yield further, we have not had this problem arise since that time. Perhaps this is the last time that it will arise.

Mr. DENT. Is it not true that these parts which are put into some planes were not dutied at any time?

Mr. GIBBONS. They were put in here by American labor, by American manufacture; then the plane went overseas, and then the plane comes back.

Mr. DENT. What part is dutied after it comes back?

Mr. GIBBONS. The plane was used. It was sold a couple of times, as I understand it, including avionics and navigational equipment.

Mr. DENT. Then the next step will be that if any foreign countries buy our parts, as they do in Mexico and in Canada, they put the parts into the bare planes, just as they put them into the clothing that they send out, and then there is no duty coming back into the United States because they have American parts in them; is that correct?

Mr. GIBBONS. No; that is not correct.

Mr. DENT. This also extends the cost of putting the parts in due to the labor, too; is that not right? That is what it says.

Mr. CONABLE. Mr. Speaker, to answer the gentleman, these are the normally detachable electronic components in a plane.

Mr. DENT. If the gentleman will yield further, we are not only exempting a component; we are exempting a component; we are exempting the cost of the labor that went into the plane to arrive at the total cost of the parts; is that not correct?

Mr. CONABLE. They were not sold in this country.

Mr. DENT. However, if they are sold to overseas companies, they bring them back to the United States. Where does the duty come in on that complete product?

Mr. CONABLE. When it comes into the United States. In this case it had originally been an American plane and still has certain items added to it, I say to the gentleman.

Mr. DENT. Wait a minute, please. A minute ago the gentleman said it was a foreign plane in which American parts were installed.

Mr. CONABLE. No, no.

Mr. DENT. The gentleman said American parts were installed on a foreign plane.

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

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

Mr. GIBBONS. Mr. Speaker, it is not the bill of the gentleman from New York (Mr. CONABLE), but as I understand it, it was an American-manufactured plane. It was sold to a foreign owner and went overseas. It came back and had some parts put in it, American parts by American labor; and then it went back overseas again. It was then sold overseas and brought back here again.

This is just to relieve that particular circumstance with respect to this American plane built with American labor, and that is all it is.

Mr. DENT. Yes, but why are we concentrating the additional on parts? If the American plane was built in the United States, the American parts were built in the United States, the plane goes over to some foreign buyer, and the plane comes back to the United States, according to this bill, we are going to charge them a tariff on the full cost of that airplane coming into the United States, exemptingn the parts alone. There are all sorts of parts in an airplane.

Mr. CONABLE. I say to the gentleman that the plane has been used overseas for a period of time.

Mr. DENT. Yes, but we are going to charge a tariff on it when it comes back into the United States, all except for the parts in it.

Mr. CONABLE. We have made no effort to change the basic law. We have limited that particular bill to what seemed to be a particular inequity with respect to these American-made components sold in this country.

Mr. DENT. The whole airplane made in America consists of American components, the whole plane, including the wings.

Mr. CONABLE. Yes, but the plane had been overseas.

Mr. DENT. However, when it comes back, we are going to charge a tariff on the plane, but not on the parts.

Would somebody please explain it to me?

Mr. CONABLE. I hope that the gentleman from Pennsylvania (Mr. DENT) does not oppose the bill on that account.

Mr. DENT. It is not a matter of opposing the bill. It is just a matter of trying to find an adequate remedy with respect to the need for jobs in this country 10 years from now.

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

Mr. CONABLE. I yield to the gentleman from New Mexico.

Mr. LUJAN. Mr. Speaker, I have a different question.

I just have for the first time looked at all these remarks in the report, and in looking them over, I find that in some areas there is a loss of income to the U.S. Government, in one case of $1 million.

I would imagine that all of these bills that the Committee on Ways and Means have brought to us today means 2 loss of income of some $1 million, $2 million, or $3 million.

Does this have to be cleared with the Committee on the Budget?

Mr. CONABLE. To answer the gentleman, most of them are negligible in terms of lost revenue. The customs contribution to total revenues is not very great.

Mr. LUJAN. However, $1 million or $2 million or $3 million would go into the General Treasury; is that not correct?

Mr. CONABLE. I do not have any idea as to what the total figure is with respect to these bills which, of course, remedy specific inequities of one sort or another; but we deem it to be in the interest of the country.

Mr. LUJAN. The question I was leading to is that one of the items means $1 million in loss of revenue if that bill is enacted. Does that then add $1 million to the already high deficit that we will experience during the next year?

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

Mr. CONABLE. I yield to the gentleman from Oregon (Mr. ULLMAN), the chairman of the committee.

Mr. ULLMAN. Mr. Speaker, the report makes it very clear that the loss on this would be no more than $24,640 in 1976, and that would be the total amount of revenue lost on a one-shot basis.

Mr. LUJAN. If the gentleman will yield

further, I was talking about the total of all of the 10 bills of the Committee on Ways and Means, and they would total something over $2 million, which, in my opinion, would mean that if all of these are passed, it would just contribute another $2 million to the already huge deficit which we have in operating the Government for the next fiscal year.

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

Mr. DENT. Mr. Speaker, I reserve the right object, and I do object.

The SPEAKER. Objection is heard.

DUTY-FREE TREATMENT OF CERTAIN AIRCRAFT ENGINES

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2181) to amend the tariff schedules of the United States to provide duty-free treatment of any aircraft engine used as a temporary replacement for an aircraft engine being overhauled within the United States if duty was paid on such replacement engine during a previous importation.

The Clerk read the title of the bill.

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

Mr. CONABLE. Mr. Speaker, reserving the right to object, I support H.R. 2181, which provides duty-free treatment of any previously imported aircraft engine exported as a temporary replacement for an aircraft engine being overhauled within the United States. This exemption would apply only if duty was paid on such replacement engine when it was previously imported.

The duty-free treatment described in this bill is limited to those aircraft engines, propellers or parts thereof that have not advanced in value or condition while abroad. A further limitation requires that the replacement engine be reimported by or for the person who exported it from the United States.

H.R. 2181 is designed to assist the aircraft engine replacement and repair industry that in the past has borne the compounded cost of import duties each time a replacement engine was sent abroad for a brief time while repairs were being made on a previously installed engine. This has placed the industry at a competitive disadvantage with similar industries located outside the United States. Labor organizations have supported passage of the bill as beneficial to job development in this particular industry. The annual customs revenue loss resulting from enactment of H.R. 2181 is estimated to be $2.5 million.

Mr. Speaker, the committee heard no objection to the elimination of duty in this instance, and reported the bill without dissent. I recommend passage by the House at this time.

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

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

Mr. GIBBONS. Mr. Speaker, the purpose of H.R. 2181 is to amend the tariff schedules of the United States to provide duty-free treatment of any aircraft engine used as a temporary replacement for an aircraft engine being overhauled within the United States if duty was paid on such replacement engine during a previous importation.

H.R. 2181 was introduced by our colleagues, Mr. CORMAN and the late Mr. Pettis both of California. The committee also considered an identical bill, H.R. 4627, introduced by our colleague, Mr. HUGHES of New Jersey, who was very helpful in furnishing information to the subcommittee in its consideration of the bill and has actively sought its favorable consideration.

The enactment of H.R. 2181 is necessary to avoid successive payment of duties on each reimportation of an aircraft engine, propeller, or parts thereof, when imported after having been exported for use as a temporary replacement for an aircraft engine being overhauled, repaired, rebuilt or reconditioned in the United States.

Reimportation of loaner or replacement foreign-made aircraft engines, propellers, and parts thereof with respect to which the duty has been paid upon such previous importation are presently dutiable.

Under headnote 1 of part 1 of schedule 8 of the TSUS, the tariff status of an article is not affected by the fact it was previously imported into the customs territory of the United States and cleared through customs whether or not duty was paid on such previous importation in the absence of a specific provision to the contrary. There is no specific provision covering reimportation of loaner or replacement aircraft. Therefore, such reimportation of piston and jet aircraft engines and parts are dutiable at the respective rates of 4 percent ad valorem—TSUS item 660.44—and 5 percent ad valorem—TSUS item 660.46.

Firms in the United States engaged in aircraft engine repair when repairing foreign-made aircraft engines, must provide a replacement engine to the aircraft owner or operator while the repair is taking place. Not only is the duty paid on the replacement engine when first imported, but each time the loaned engine is reimported in exchange for the original engine repaired by the U.S. firm, current law requires that a duty be assessed.

It is claimed that the requirement of successive duty payments on each reimportation of "loaner" aircraft engines after the duty has been paid on original importation serves no purpose and is a cost disincentive to U.S. based firms providing repair services on foreign-made aircraft engines.

Section 1 of H.R. 2181 would amend the tariff schedules of the United States—TSUS—by the inclusion of a new item, 801.20, in subpart A of part 1 of schedule 8—articles exported and returned, not advanced or improved abroad. The new item would provide for the duty-free entry of any aircraft engine or propeller or any part or accessory of either, previously imported, on which the duty was paid upon such previous importation. Such duty-free entry would be limited if the reimported duty paid article had not been advanced in value or improved in condition while abroad, if exported under loan, lease, or rent to an aircraft owner or operator as a temporary replacement for an aircraft engine being overhauled, repaired, rebuilt, or reconditioned in the United States, and if reimported by or for the account of the person who exported it from the United States.

Section 2 of H.R. 2181 as reported would provide that section 1 of this bill would become effective on the date of enactment.

The committee was unable to find merit in applying the duty-free entry to replacement aircraft engines on a retroactive basis, and therefore agreed to eliminate that portion of section 2 of the bill.

Public hearings were held by the Subcommittee on Trade of the Committee on Ways and Means on February 19 and 20, 1976, on duty-free entry and temporary duty suspension bills. During these hearings, favorable and written comments were received on H.R. 2181 and H.R. 4627. Favorable reports were also received from interested executive branch agencies. No objections to this legislation have been received by the committee from any source.

The committee was unanimous in reporting H.R. 2181 as amended, and I urge its passage.

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

Mr. CONABLE. I yield to the gentleman from New Jersey.

Mr. HUGHES. Mr. Speaker, I want to say to my colleagues that this is an extremely important amendment to the tax law. I have an industry in my district, for instance, called Air Worth, who are practically being forced out of the aircraft engine repair business because they cannot compete with the European countries. For instance, the United Kingdom charges no import duties on the repair of engines. This bill will be of extreme importance to this industry where we are about to lose the international market in our country as well as about 400 jobs in my district because we are paying additional import duties on engines that are being loaned while we repair the other engine in this country. It is the repair work that we are talking about so that it is extremely important that this particular bill be passed.

Mr. DENT. Mr. Speaker, if the gentleman will yield, all of these things start small, as I have observed for over 20 years.

For instance, if you buy an automobile, say you buy a Rolls Royce, maybe some of the Members could buy a Rolls Royce, and I am not picking that automobile out, it is the same thing with your Rolls-Royce as it is with a Honda or any other vehicle that comes into the United States with a foreign motor, and they pay the duty, and then we are letting them be repaired in the United States and bringing in another foreign motor. What will they do with that motor?

Mr. CONABLE. I would say to the gentleman from Pennsylvania that I believe that this body should view with favor anything that has to do with creating jobs in America. I know that the gentleman from Pennsylvania is extremely vigilant in the protection of American business, so it would appear to me that what we are doing in this legislation would be right up his alley.

Mr. DENT. Let me say, Mr. Speaker, that we have been building airplanes and making repairs to them since I was a kid in the Marine Air Force in 1924. Now, all of a sudden in 1976 we are going to set up a system where we will repair these engines, but in doing so we are letting something come in duty free. What is coming in duty free, is it the parts, a new engine, or what? You buy a pair of Italian shoes and they wear out, you cannot get another pair of shoes from Italy duty free.

Mr. HUGHES. Mr. Speaker, I hope my colleagues will not object to this particular bill. These engines were actually manufactured in this country to begin with; we are only overhauling the engines and loaning these motors. Presently the customs agencies are applying the law inconsistently, they do not know how to interpret them, in many instances, that is the tariff schedules, with respect to loan engines.

There will not be any revenue loss in this particular instance because we will not have any new market in which to have a revenue loss. There will not be any repair of American engines because all of the business is going to go to the United Kingdom and other countries that do not have import duties on loan engines. In this particular instance there is nothing added to the engine; it is just loaned to the country so that the aircraft can fly during the time it is being repaired. It does not mean anything except the loss of jobs.

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

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

Mr. DENT. I thank the gentleman for yielding.

I know a large repair place overseas run by Pan Am. Do these foreign countries allow us to bring in loan engines duty free?

Mr. HUGHES. Yes.

Mr. DENT. Then there is nothing wrong with this bill, as long as we have reciprocity all along the line.

Mr. HUGHES. This is what we have to have, or else we will not have international borrowing.

Mr. CONABLE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oregon (Mr. ULLMAN)?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2181

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart A of part 1 of schedule 8 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 801.10 the following new item:

" 801.20	Any aircraft engine or propeller or any part or accessory of either, previously imported, with respect to which the duty was paid upon such previous importation, if (1) reimported without having been advanced in value or improved in condition by any process of manufacture or other means while abroad, after having been exported under loan, lease, or rent to an aircraft owner or operator as a temporary replacement for an aircraft engine being overhauled, repaired, rebuilt, or reconditioned in the United States, and (2) reimported by or for the account of the person who exported it from the United States.	Free	Free ".

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

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

(1) which was made after December 31, 1972, and on or before the date of the enactment of this Act, and

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

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

With the following committee amendments:

Page 2, line 1, strike out "(a)".

Page 2, strike out line 5 and all that follows thereafter down through line 18.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOR THE RELIEF OF JACK R. MISNER

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 4047) for the relief of Jack R. Misner, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CONABLE. Mr. Speaker, I reserve the right to object.

Mr. Speaker, I support H.R. 4047, a private bill extending for 2 years the expiration date of a temporary importation bond concerning the schooner *Panda* so that Jack R. Misner, of North Tonawanda, N.Y., can complete extensive renovation of the vessel.

Originally, it was anticipated that renovation of the vessel involved could be completed within the 3 years allowed under the bond when first issued. However, material shortages and postponements in delivery dates have made the 3-year statutory time limit impossible to meet. All equipment and materials involved in the reconstruction are of U.S. origin.

The extension of the bond will allow Mr. Misner to complete work on the vessel without the hardship of leaving port or without becoming liable for payment of a penalty duty, H.R. 4047 applies only to the schooner *Panda*, and would not effect present law with respect to temporary importation bond cases in general.

Favorable reports with respect to extending the temporary information bond in this instance were received from both the Department of Commerce and the Department of Treasury. No additional revenue loss of administrative costs would be incurred by enactment of this bill.

Mr. Speaker, the committee received no opposition to H.R. 4047 from any source and reported the bill unanimously. I recommend passage by the House at this time.

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

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

Mr. GIBBONS. Mr. Speaker, the purpose of H.R. 4047 as reported is to require the Secretary of the Treasury to extend the termination date of the temporary importation bond—TIB—covering the schooner *Panda* until the close of September 18, 1977. In unanimously reporting this legislation the committee amended the bill to show the correct date of entry as September 25, 1972.

The schooner *Panda*, which is under British registry, entered the United States under a TIB filed by Capt. Jack R. Misner of North Tonawanda, N.Y., in September 1972, under the provisions of item 864.05 of the TSUS. This item, as prescribed in headnote 1(a) to subpart 5C, schedule 8 of the TSUS, provides that articles imported for repair, alteration, or processing, but not sale in the United States may enter without payment of duty under bond for their exportation within 1 year. The headnote limits renewal of the bond upon application to a maximum of an additional 2 years at the discretion of the Secretary of the Treasury.

The TIB on the schooner *Panda* was granted for the 3-year maximum total period. Originally Captain Misner anticipated completion of vessel renovation within 3 years. However, due to material shortages and continual delay in delivery dates, particularly for new main engines and other machinery, the renovation schedule had to be considerably extended. All equipment and materials for reconstruction of the yacht are of U.S. origin.

Since the statutory 3-year time limit on the bond expired on September 18, the U.S. Customs Service, in view of this pending legislation to extend the

bond, issued instructions to the appropriate customs officials not to issue a claim for liquidated damages. Otherwise, Mr. Misner would have become liable for payment of penalty duty or would have been forced to remove the vessel from the United States prior to completion of the repairs.

The bill would extend the period of bond only in this particular case, due to the exceptional circumstances involved. It would not change the present law in any way with respect to temporary importation bond cases in general.

The committee has received favorable reports from interested executive branch agencies on H.R. 4047. No objections to this legislation have been received by the committee from any source. Similar legislation was introduced in the 93d Congress, but no action was taken.

The committee unanimously reported this bill and recommends its passage by the House.

Mr. KEMP. Mr. Speaker, will the gentleman yield

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

Mr. KEMP. I appreciate the gentleman's yielding.

Mr. Speaker, I want to express my appreciation to the committee for bringing this bill to the floor, and I ask for its immediate adoption.

Mr. Speaker, I rise in strong support of H.R. 4047, a private bill extending for 2 years the expiration date of a temporary importation bond concerning the sailing schooner *Panda* so that Jack R. Misner, of North Tonawanda, N.Y., can complete extensive renovation of the vessel. I very much appreciate the cooperation of the committee, Chairman ULLMAN, Mr. CONABLE, and subcommittee chairman Mr. GREEN.

Originally, it was anticipated that renovation of the vessel involved could be completed within the 3 years allowed under the bond when first issued. However, material shortages and postponements in delivery dates have made the 3-year statutory time limit impossible to meet. All equipment and materials involved in the reconstruction are of U.S. origin.

The extension of the bond will allow Mr. Misner to complete work on the vessel without the hardship of leaving port or without becoming liable for payment of a penalty duty. H.R. 4047 applies only to the schooner *Panda*, and would not affect present law with respect to temporary importation bond cases in general.

Favorable reports with respect to extending the temporary importation bond in this instance were received from both the Department of Commerce and the Department of Treasury. No additional revenue loss or administrative costs would be incurred by enactment of this bill.

Mr. Speaker, the committee received no opposition to H.R. 4047 from any source and reported the bill unanimously, I ask passage by the House at this time.

Mr. CONABLE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oregon (Mr. ULLMAN)?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4047

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to permit Jack R. Misner, of North Tonawanda, New York, to complete the renovation of the schooner Panda (entry numbered 902261, September 13, 1972) within the United States (which renovation has been delayed because of material shortages), the Secretary of the Treasury, notwithstanding the provisions of subpart 5C of schedule 8 of the Tariff Schedules of the United States (19 U.S.C. 1202), shall extend the expiration date of the temporary importation bond covering the schooner Panda until the close of September 18, 1977.

With the following committee amendment:

On the first page, line 5, strike out "13" and insert "25".

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.

REQUEST FOR CONSIDERATION OF H.R. 8656, DUTY-FREE IMPORTATION OF LOOSE GLASS PRISMS USED IN CHANDELIERS

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8656) to amend the tariff schedules of the United States in order to provide for the duty-free importation of loose glass prisms used in chandeliers, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CONABLE. Mr. Speaker, I reserve the right to object.

Mr. Speaker, I support H.R. 8656, providing for the duty-free importation of loose glass prisms used in chandeliers and wall brackets.

Under the provisions of this bill, loose glass prisms used in the prescribed manner would be reclassified and given duty-free treatment under column 1 of the tariff schedules. All other prisms and glass articles of a type used in chandeliers and wall brackets would remain dutiable at 12 percent ad valorem.

At the present time, there is no domestic production of loose glass prisms. The duty-free treatment of these articles will go far in improving the competitive situation of domestic producers of crystal chandeliers without harming other domestic manufacturers. It is estimated that enactment of this bill would result in an annual customs revenue loss of $60,000.

Mr. Speaker, the committee received no opposition to H.R. 8656 and reported the bill unanimously. I recommend passage by the House at this time.

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

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

Mr. DENT. Mr. Speaker, revenue loss is not the whole story. The real story is that we no longer make prisms or loose glass for chandeliers. Under title I, section 1, there is a 12-percent tariff. However, once we remove all tariff from these prisms and loose glass for chandeliers, that reduces the price for the chandeliers, which have a 60-percent duty on them. That means in a couple more years we will not only not be making glass for chandeliers but we will not be making the chandeliers. If we keep on removing these tariffs we will not be making anything in this country any more. Not too many years ago they were making loose glass for chandeliers and prisms for chandeliers in my home town. They are not being made any more.

Why can they not pay a measly 12 percent? Their cost differential is so much greater than 12 percent. We ought to have some kind of compensation for the workers in this country who are thrown out of these jobs. How will we get it?

Mr. CONABLE. If we do not enact this, our chandelier makers will not be able to compete in the World market.

Mr. DENT. That is the argument that has been used to remove the 2,000 articles from the tariff list in this country.

Mr. CONABLE. The effect of the gentleman's opposition to such a measure, however, is likely to cause the problem to spread, I assure the gentleman.

Mr. DENT. I am afraid it has spread almost to the end of its limits right now. I do not think we can keep on taking off tariffs and customs and keep on paying $19 billion in unemployment compensation.

Mr. HAYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CONABLE. I yield to the gentleman from Ohio. Does he have a question?

Mr. HAYS of Ohio. Yes, I do, before I object. The gentleman made a statement that really got my attention. He said this will result in a loss of only $60,000. Is that correct?

Mr. CONABLE. It will result in an unusual customs revenue loss of $60,000.

Mr. HAYS of Ohio. And then in the next paragraph the gentleman said that if we do not do this we will put all the manufacturers of glass for chandeliers in the country out of business. For $60,000, are we going to put them out of business?

All I am saying is the gentleman's statements really do not add up. If this is the kind of stuff he is peddling, somebody on the face of it ought to stand up and object.

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

Mr. HAYS of Ohio. I hope the gentleman will yield if the gentleman from Florida can explain the remarks about

that $60,000, if that is all that is involved and, No. 2, if the 60,000 in imports they are not going to get are going to put them out of business, they are skating on pretty thin ice. Are they on that kind of thin ice as far as profit? I do not know of any substantial business in this country where $60,000 would put them out of business.

Mr. GIBBONS. Mr. Speaker, I will not explain anybody else's statement. I do not have sufficient time to explain my own, let alone somebody else's.

Mr. Speaker, this is a bill in which the gentleman from Rhode Island (Mr. ST GERMAIN) is interested. Apparently there are some glass manufacturers up there. This is only a temporary suspension of duty—excuse me, I have been corrected. It is a permanent suspension of duty.

The reason we did this was because it was explained to us when we had the hearings that the chandeliers come in and they have got these crystals on them and there is a duty collected, but the American manufacturers have a hard time competing against imported chandeliers if the American manufacturers have to pay a duty on all of those little crystal baubles that hang on the chandeliers.

Mr. Speaker, I do know the AFL–CIO has some interest in this and they are in favor of this bill. I am sure the gentleman from Rhode Island (Mr. ST GERMAIN) is interested in it, and I am sure some of the manufacturers are interested in it, and the AFL–CIO are interested in it. It will produce jobs in this country and I think it ought to be passed.

Mr. Speaker, the purpose of H.R. 8656 as reported is to provide for the duty-free importation of loose glass prisms used in chandeliers and wall brackets when such products are imported from countries receiving most-favored-nation treatment. Column 2 rates of duty—applicable to nonmarket economy countries, except Poland, Yugoslovia, and Romania—would remain unchanged.

Section 2 of the bill applies the duty-free provision to articles entered, or withdrawn from warehouse for consumption on or after the date of enactment.

In reporting this bill unanimously the committee amended the bill to provide that loose glass prisms used in wall brackets as well as those used in chandeliers, should be permitted duty-free entry.

Loose glass prisms for use in making crystal chandeliers have not been commercially produced in the United States for many years, and the domestic lighting fixture industry is entirely dependent upon the importation of glass prisms for its production needs. Therefore, the elimination of the duty on loose glass prisms would lower raw material cost and improve the competitive position of domestic manufacturers of crystal chandeliers and wall brackets.

Public hearings were held by the Subcommittee on Trade of the Committee on Ways and Means on February 19 and 20, 1976, on duty-free entry and temporary duty suspension bills. During these hearings, favorable testimony and written comments were received on H.R. 8656. Favorable reports were also received from interested executive branch agencies. No objections to this legislation have been received by the committee from any source.

The committee unanimously reported this bill as amended and recommends its passage by the House.

Mr. CONABLE. Mr. Speaker, all I can say in further extension of my remarks, which apparently the gentleman from Ohio objected to because of his feeling that it would not have an impact, is that the AFL–CIO favors the bill since there is no domestic production of the item in question. The passage of the bill would promote jobs in the chandelier industry; a continuation of the existing duty would put the industry at a competitive disadvantage. Whether it would put us completely out of the chandelier business I think is extremely questionable. I regret any statement of mine that may have misled the gentleman from Ohio.

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

Mr. DENT. Mr. Speaker, further reserving the right to object, I thought I ought to take this time to explain all of these products were at one time or another imported into the United States because in the early days we did not have an industry. We developed an industry and every one of the items on the free list now were once made in this country.

The way it works in this country, people have to have the money to buy the products. Wage costs in the United States have gone up; however, we have kept nibbling away at the dollar.

Now, one of my best friends in this House, God rest his soul, came in with a tariff bill and took certain types of hand-knitted blouses off the tariff list. At that time his whole industry in that area was very important in the needlework industry. Before he left this Earth and left this Congress, he had not one plant left. Then we took of the tariff, because we did not need the production any more.

Let me tell this House how we have been duped by this kind of action on this floor. In 1974 when they put through the reciprocal trade agreement, I do not know how many Members know what was happening. I admit I was against the bill in toto and did not pick out its weak spots; but in that bill we shifted the major burden of tariff adjustment relief, which is relief paid to workers in this country who lose their jobs because they are so unfortunate to have lost their jobs by the Tariff Commission. We took that burden and put it back on to the States in their own State unemployment compensation funds. We established that each State would then sign a compact with the Tariff Commission that they had to exhaust their own unemployment compensation benefits and their relief under the Tariff Adjustment Act to trigger it.

In a particular case, we pay 65 percent of our wages up to a certain top figure in Pennsylvania and for 39 weeks we paid that off; but in those 39 weeks the Tariff Commission added 5 percent, because they pay 70 percent of a higher level, after 30 percent of our commission was gone. The Commission then picks up 13 more weeks and pays 70 percent. Then they added 26 weeks of a training period, whether they have a job to go to when that training period is over or not, whether there are any particular jobs in that training field. So last year in one given period in my community which I measured, the entire unemployment compensation bill was for a certain number of people. We had the highest number in the country to pay the tariff adjustment in the whole United States. This particular group drew down 13-million-odd dollars worth of unemployment compensation; $10 million coming out of the pockets of the taxpayers and consumers in the State of Pennsylvania and the employers.

What else happened? The minute the employer was hit with this increased unemployment compensation that was paid on his plan, because he has a merit-rating system, pays it on experience, that doubled his tax on his unemployment compensation, making it even higher for him to try to compete. Fifteen hundred out of 3,700 men laid off, 1,500 men still laid off altogether. When are we going to wake up that there is not anything we can do to bring this country back until we put some jobs on producing goods? How long will we continue buying shirts from Costa Rica, where they pay $2 a day? It is an Arrow shirt that costs $2.90.

Mr. Speaker, I am, therefore, going to object.

The SPEAKER. Objection is heard.

CONTINUATION OF TEMPORARY SUSPENSION OF DUTY ON CERTAIN HORSES

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9401) to continue to suspend for a temporary period the import duty on certain horses, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CONABLE. Mr. Speaker, I reserve the right to object.

The SPEAKER. The gentleman from New York (Mr. CONABLE) reserves the right to object.

Mr. CONABLE. Mr. Speaker, I support H.R. 9401 continuing for 2 years the temporary suspension of import duty on certain horses. Under the provisions of this bill, suspension of duty on horses imported for purposes other than for immediate slaughter would be extended until June 30, 1978.

The horses involved here generally are of two types—those brought in for racing purposes, mostly from Canada, and the

American quarterhorse. Currently, certain breeds approved by the Secretary of Agriculture can enter the country duty-free. These include thoroughbreds and other breeds of racing horses but do not include quarterhorses. The bill would continue the existing suspension on quarterhorses as well as on all other racing horses not already free of duty. The temporary nature of the bill is designed for future negotiation of similar tariff treatment from Canada.

Past suspension of duty in the above instance has resulted in a customs revenue loss of approximately $200,000 each year. No additional loss is expected from the extension contained in H.R. 9401.

Mr. Speaker, the committee heard no objection to enactment of this legislation and reported H.R. 9401 unanimously. I recommend passage by the House at this time.

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

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

Mr. GIBBONS. Mr. Speaker, the purpose of H.R. 9401 is to extend the existing duty suspension on imports of horses to the close of June 30, 1978.

Under items 903.50 and 903.51 of the tariff schedules, horses, other than for immediate slaughter, are temporarily free of duty until June 30, 1976. In the absence of the enactment of H.R. 9401, imports of horses will become dutiable on July 1, 1976, under item 100.73—relating to horses not valued over $150 per head—at $2.75 per head or item 100.75—relating to horses valued over $150 per head—at 3 percent ad valorem.

In reporting H.R. 13631 under which the existing duty suspension on horses was enacted (P.L. 93–484) it was stated in the report of the Committee on Ways and Means that the duty on horses was originally suspended in recognition of the fact that the present tariff structure for horses operates discriminatorily among different breeds. For example, horses may be imported free of duty for breeding purposes under tariff item 100.01. This rule applies, however, only if they are certified by the Department of Agriculture as being of a recognized breed and duly registered on a book of record recognized by the Secretary of Agriculture for that breed. Since the American quarterhorse does not qualify under these criteria, importers of such horses for breeding purposes are required to pay duty, usually under item 100.75 at 3 percent ad valorem, while other breeds may be entered duty free.

Insofar as is known at this time, there has been no change in the basic condition under which there is differential duty status among certain breeds of horses. Enactment of H.R. 9401 would continue the suspension of this discriminatory treatment to June 30, 1978.

Public hearings were held by the Subcommittee on Trade of the Committee on Ways and Means on February 19 and 20 and March 2, 1976, on duty-free entry and temporary duty suspension bills. During these hearings favorable testimony and written comments were received on H.R. 9401. Favorable reports were also received from interested executive branch agencies. No objections to this legislation have been received by the committee from any source.

This bill was unanimously ordered reported by the committee as amended and the committee recommends its passage by the House.

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

Mr. CONABLE. I yield to my colleague, the gentleman from New York.

Mr. KEMP. Mr. Speaker, I rise in strong support of H.R. 9401, a bill to continue to suspend the import duty on certain horses.

I introduced this legislation on September 5 of last year, and it was reported from the Committee on Ways and Means, with amendments, several weeks ago.

The committee has made two amendments to the bill, and while I wish the committee had seen fit to remain with the original text or to have reported H.R. 9400, my bill to remove the tariff altogether, I support the reported measure. The two committee amendments are, first, the reduction of the period of the extension of the suspension from my proposed 4 years—June 30, 1980—to the committee's proposed 2 years—June 30, 1978—and, second, making the effective date July 1, 1976, instead of the date of enactment. The present suspension expires on June 30, 1976.

I wish to express my gratitude to the members of the Committee on Ways and Means and its Subcommittee on Trade and to the chairman of the committee, Mr. ULLMAN, and the chairman of the subcommittee, Mr. GREEN, for holding hearings on this measure and for seeing to it that it was reported to the floor.

There is a continuing need to change our trade and tariff policies to reflect changes in the business climate in general and commercial conditions in particular. Outmoded policies and tariff schedules can work an undue hardship on American businesses, large and small, and on our citizens. We can lose advantages gained over the years in international commerce, and we can even fail to preserve evenly balanced competition with our foreign competitors. Either can mean a loss in American jobs, a negative shift in balance of payments, and shortages in goods needed by domestic enterprises. Our administrative agencies can be burdened with policies difficult to enforce, as well.

It is within this context that it is encouraging to American businesses and citizens to see the Subcommittee on Trade and the Committee on Ways and Means engaged in rewriting certain trade policies and laws.

The bill before us, H.R. 9401, would continue the temporary suspension of import duties on certain horses, a suspension signed into law on October 26, 1974, Public Law 93–484.

Let me review briefly the history associated with this issue.

Until Public Law 93–484 was signed into law, a tariff was imposed upon horses entering the United States at a rate of $2.75 per head for horses not valued over $150 and at a rate of 3 percent ad valorem for horses valued over $150. This tariff posed substantial problems, both for importers of horses and for the U.S. Customs Service. The Customs officers at the various points of entry were faced with the burden of making a determination as to the value of a horse, when in fact acknowledged experts differ as to the worth of a particular horse. The Customs officers were not and are not specialists in determining the value of offspring in bloodiness. Foals sired by the same stallions and from the same mares are often sold at public auction—the only way of accurately determining the fair market value of a particular horse—at substantially different prices. Because of this lack of expertise, quite understandable in my opinion, the valuations of horses for tariff purposes became inconsistent and, in the opinion of many owners and importers, unfair.

A second problem created by the tariff arose when a temporary import bond had to be imposed on a horse imported and subsequently claimed in a claiming race. A claiming race is a race wherein a claiming price is placed on the race and any horse in the race can be purchased or claimed for that price. Since the owner of the horse is obligated to sell the horse for the claiming amount, an owner obviously will not enter a horse that has a substantially greater value than the claiming price, for, in general, the owner really does not want his horse claimed.

When an imported horse runs in a claiming race, it can be purchased even though the owner did not wish to sell it. The owner might merely have misjudged the value of the horse. When an imported horse is claimed, the importer, who is subject to the forfeiture of the bond plus a penalty, is no longer the owner of the house and cannot, therefore, return the horse to the country of origin within the 1-year period in order to avoid the forfeiture and penalty.

A third problem arises in connection with horses imported for breeding purposes when those horses are not recognized by our Department of Agriculture as being purebred and registered in a book of record recognized by the Department. This discriminates against such breeds as the American quarterhorse—which does not qualify under this exception and upon which duty must be paid when these horses are imported into our country.

In reporting H.R. 13631 to the floor and recommending its passage in the 93d Congress, the Committee on Ways and Means recognized something else too. Traditionally, a tariff is imposed to protect a domestic industry. In this instance, as has been pointed out in the statements of the American Horse Council, our country's principal spokesman for the industry, the industry is in favor of eliminating the tariff. The industry has also made two additional points worth restatement. First, the revenue produced is negligible and probably does not even cover the costs of administering the regulations. Second, the countries from which the majority of horses are imported into the United States do not impose a tariff on horses exported from this country.

Recognizing these points as valid, the committee recommended a temporary suspension of the duty through June 30, 1976. We are now close to the expiration of that suspension, and the entire system will be back in place unless the Congress approves H.R. 9401.

The criticisms of the tariff raised in the 93d Congress are as valid today as they were then. The Department of the Treasury has now had an opportunity to see how much more efficiently the customs officers can carry out their responsibilities without this tariff and the problems associated with it plaguing them. I represent a district which borders on Canada, and I can assure you the customs officers do not want this tariff to be reimposed, reactivated. There is simply no reason for it to be.

I urge the passage of H.R. 9401, and I hope the Senate and its Committee on Finance will act promptly on this measure, in that we are running against a June 30 deadline. I ask its immediate passage.

Mr. CONABLE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 9401

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That items 903.50 and 903.51 of subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) are amended by striking out the words "On or before 6/30/76" in the last column and inserting in lieu thereof the words "On or before 6/30/80".

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

With the following committee amendments:

Page 1, line 7, strike out "6/30/80" and insert "6/30/78".

Page 1, lines 10 and 11, strike out "the date of the enactment of this Act" and insert in lieu thereof "July 1, 1976".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEMPORARY REDUCTION OF DUTY ON LEVULOSE

Mr. ULLMAN. Mr. Speaker, I ask unanmous consent for the immediate consideration of the bill (H.R. 11259) to lower the duty on levulose until the close of December 31, 1977, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CONABLE. Mr. Speaker, I reserve the right to object.

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

Mr. CONABLE. I yield to the gentleman from Pennslyvania.

Mr. DENT. Will the gentleman explain the bill to us?

Mr. CONABLE. Yes, I will.

Mr. Speaker, I support H.R. 11259, lowering the duty on levulose until June 30, 1978.

The article involved is a chemical used in artificial sweeteners. Although levulose is available in its natural state in honey, demand far exceeds supply from this source. The chemical is obtained through an expensive manufacturing process, but there are no domestic commercial producers. H.R. 11259 would temporarily lower the duty on levulose to the level of duty on refined sugar, thus improving the competitive position of artificial sweeteners containing the imported chemical. The actual reduction is for 20 percent ad valorem to 0.6625 cents per pound on column 1 entries and from 50 percent ad valorem to 1.9875 cents per pound on column 2 entries.

Currently, a west coast corporation now producing an artificial sweetener is interested in constructing a plant to manufacture levulose. The temporary reduction contained in H.R. 11259 will provide relief from the rather high duty on levulose until construction of the plant can be completed. The annual customs revenue loss is estimated to be less than $100,000.

Mr. Speaker, the committee heard no opposition to enactment of H.R. 11259 from any source and reported the bill without dissent. I recommend passage by the House at this time.

The purpose of this measure, I say to the gentleman from Pennsylvania, if he is interested, is to give a domestic manufacturer time to set up the expensive procedure to produce this type of artificial sweetener.

Mr. DENT. I understood from the chairman of the committee that this duty-free date was going to be until December 31, 1977, but the gentleman from New York said June 1978. Which date is correct?

Mr. CONABLE. I have June 30, 1978.

Mr. GIBBONS. Mr. Speaker, if the gentleman will yield, we have a committee amendment to change that to 1978.

Mr. DENT. Did the gentleman find that the plant cannot be built until 1978?

Mr. CONABLE. I assume that was the reason. Does the gentleman from Florida wish to be recognized to reply to that?

Mr. GIBBONS. We just conformed all the tariff suspensions to one time so that we would have them come up again at the same time. In that way, we do not have to handle them too early. But this is a temporary suspension just to give the only person who is now interested in this product enough time to build the plant in this country.

Mr. DENT. I have no objection, but I would like to ask that when it comes up in June 1978, if we are extending it, would the gentleman call it to my attention?

Mr. CONABLE. I would be glad to.

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

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

Mr. GIBBONS. Mr. Speaker, the purpose of H.R. 11259 is to reduce the duties on levulose until the close of June 30, 1978. The column 1 rate of duty—applicable to imports from most-favored-nation countries—would be reduced from 20 percent ad valorem to 0.6625 cents per pound and the column 2 rate—applicable to imports from Communist countries, except Poland, Yugoslavia, and Romania—would be reduced from 50 percent ad valorem to 1.9875 cents per pound.

The committee amended the bill to provide for the termination date of June 30, 1978, in lieu of December 31, 1977, originally proposed, in order to conform to the termination date of other temporary duty suspensions.

The lowering of duties on levulose from 20 percent ad valorem to a less than 1 percent ad valorem equivalent, is considered not likely to represent a threat to products of the U.S. natural sweetener industry, that is, sugar, dextrose, corn syrup, high levulose corn syrup, or honey, nor is the product likely to have much impact on other rare polysacchrides, or on noncaloric sweeteners such as saccharin or cyclamates.

There is no natural source of pure levulose. Such levulose is the result of expensive manufacturing processes. Although levulose is known to be sweeter than sucrose, its price is substantially higher than sugar and levulose does not compete with sugar. The primary use of levulose is in special dietary preparations where the use of sucrose must be avoided. There are claims that levulose may be of special value to diabetics and in the manufacture of sweetened articles not contributory to dental decay.

There is currently no U.S. production of pure levulose. However, a San Francisco firm currently importing its supply of levulose from the Finnish Sugar Co. of Helsinki, intends to construct a plant in California to manufacture this product. After 1977, the company will manufacture all its requirements in the United States.

U.S. imports under the column 1 rate dropped sharply from 653,000 pounds valued at $573,000 in 1974 to an estimated 311,000 pounds valued at $204,000 in 1975. Finland was the only significant supplier in 1975, with estimated U.S. imports of 226,000 pounds valued at $155,000. West Germany and France were important suppliers in 1973 and 1974. There was no imports under the column 2 statutory rate in these years.

Public hearings were held by the Subcommittee on Trade of the Committee on Ways and Means on February 19 and 20, 1976, on duty-free entry and temporary duty suspension bills. During these hearings favorable testimony was received on H.R. 11259. Favorable reports were received from interested executive branch agencies and no objections to this legislation have been received by the committee from any source.

The committee unanimously reported this bill and recommends its passage by the House.

Mr. CONABLE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 11259

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 907.80 the following new item:

" 907.90	Levulose (provided for in item 493.66 part 13B, schedule 4).	0.6625¢ per lb.	1.9875¢ per lb.	On or before 12/31/77."

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

With the following committee amendment:

Page 1, in the matter appearing between lines 5 and 6, strike out "12/31/77" and insert "6/30/78".

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to lower the duty on levulose until the close of June 30, 1978."

A motion to reconsider was laid on the table.

TEMPORARY SUSPENSION OF DUTY ON CERTAIN ELBOW PROSTHESES

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11321) to suspend until July 1, 1977, the duty on certain elbow prostheses if imported for charitable therapeutic use, or for free distribution, by certain public or private nonprofit institutions, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

Mr. CONABLE. Reserving the right to object, Mr. Speaker, I do so for the purpose of explaining the bill.

Mr. Speaker, I support H.R. 11321 suspending until June 30, 1978 the duty on certain elbow prostheses if imported for charitable therapeutic use, or the free distribution by certain public or private nonprofit institutions.

The suspension applies to column 1 duty on imports of externally powered electric elbow prosthetic devices for juvenile amputees. Although the United States is the leader in development and production of prosthetic devices in general, there is currently no domestic production of elbow prosthetic devices for children. They now must be imported with the additional cost of the duty being passed on to the consumer.

With the enactment of this legislation, nonprofit organizations could acquire these devices at a lower cost. This will go far in making more elbow prosthetic devices, and thus complete limbs, available at lower cost to young amputees regardless of their economic situation. The estimated annual customs revenue loss is no more than $75,000.

Mr. Speaker, no objections to enactment of H.R. 11321 were received by the committee, and the bill was reported unanimously. I recommend passage by the House at this time.

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

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

Mr. GIBBONS. Mr. Speaker, the purpose of H.R. 11321 as reported is to amend subpart B of part 1 of the appendix to suspend to June 30, 1978, the column 1 rate of duty on imports of externally powered, electric elbow prosthetic devices for juvenile amputees and parts thereof if imported solely for charitable, therapeutic use, or for free distribution by any public or private nonprofit institution established for educational, scientific, or therapeutic purposes. Column 2 rates of duty applicable to nonmarket economy countries, except Poland, Yugoslavia, and Romania, would remain unchanged.

Section 2 applies the duty suspension to articles entered or withdrawn from warehouse on or after the date of enactment.

In unanimously reporting this legislation, the committee amended the bill to change the termination date of the temporary duty suspension from July 1, 1977, to June 30, 1978, in order to conform to the termination dates of other temporary duty suspension legislation.

There is no domestic manufacturer currently producing prosethetic devices for juvenile applications. The short-run impact of the temporary duty-free entry of the subject devices, therefore, would appear to be the reduction of the cost of complete limbs to nonprofit institutions which are distributing the devices free of charge or using them for charitable therapeutic purposes.

Because the proposed legislation limits its applicability only to juvenile devices and parts imported solely for charitable, therapeutic use, it does not overlap with the scope of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897).

Public hearings were held by the Subcommittee on Trade of the Committee on Ways and Means on February 19 and 20, 1976, on duty-free entry and temporary duty suspension bills. During these hearings favorable testimony was received on H.R. 11321. Favorable reports were also received from interested executive branch agencies. No objections to this legislation have been received by the committee from any source.

The committee unanimously reported this bill and recommends its passage by the House.

Mr. CONABLE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 11321

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

" 912.80	Externally-powered electric elbow prosthetic devices for juvenile amputes (provided for in item 709.57 part 2B schedule 7) and parts thereof if imported solely for charitable therapeutic use or distribution free of charge by any public or private nonprofit institution established for educational scientific or therapeutic purposes	Free	No change	On or before June 30, 1977".

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

With the following committee amendments:

Page 1, line 5, strike out "immediately before item 912.10" and insert "after item 912.05".

Page 2, in the matter immediately preceding line 1, strike out "912.80" and insert "912.07"; and strike out "June 30, 1977." and insert "6/30/78.".

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to suspend until July 1, 1978, the duty on certain elbow prostheses if imported for charitable therapeutic use, or for free distribution, by certain public or private nonprofit institutions."

A motion to reconsider was laid on the table.

TEMPORARY SUSPENSION OF DUTY ON MATTRESS BLANKS OF RUBBER LATEX

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11605) to suspend for a 3-year period the rate of duty on mattress blanks of rubber latex, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CONABLE. Reserving the right to object, Mr. Speaker, I reserve the right for the purpose of explaining the bill.

Mr. Speaker, I support H.R. 11605 suspending for a 3-year period the rate of duty on mattress blanks of rubber latex.

Only one plant in the United States produces the article involved. This plant, located in Shelton, Conn., was completely destroyed by fire in 1975. Since then, we have been without a domestic

supplier of this product. This temporary suspension is designed to help preserve the market for mattress blanks of rubber latex, as well as the competitive position of manufacturers of foam rubber mattresses and box spring sets, until the plant can be rebuilt and return to full production.

The suspension of duty provided in this bill would end June 30, 1978, and the customs revenue loss is expected to be no more than $7,500 annually.

Mr. Speaker, the committee received no opposition to enactment of H.R. 11605 and reported the bill unanimously. I recommend passage by the House at this time.

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

Mr. CONABLE. I yield to the gentleman from Florida (Mr. GIBBONS).

Mr. GIBBONS. Mr. Speaker, the purpose of H.R. 11605 as reported is to suspend the column 1 rate of duty—applicable to products imported from countries receiving most-favored-nation treatment—on mattress blanks of rubber latex for a temporary period until June 30, 1978. The column 2 rate of duty—applicable to nonmarket economy countries, except Poland, Yugoslavia, and Romania—would not be affected.

Section 2 applies the temporary duty suspension to articles entered, or withdrawn from warehouse for consumption on or after the date of enactment, and, upon request, to articles entered or withdrawn after March 31, 1975.

Duties are not presently imposed on qualifying products of countries and territories designated beneficiary developing countries for purposes of the generalized system of preferences—GSP—provided for in title V of the Trade Act of 1974.

In unanimously reporting this legislation, the committee amend[illegible]he termination date in order to conform to the termination dates of other temporary duty suspension legislation.

In 1975, the sole U.S. producer of natural foam rubber latex, a rubber plant in Shelton, Conn., was totally destroyed by fire. Since then, the Nation has been without a domestic supplier of this product, thereby imposing a handicap on U.S. manufacturers of foam rubber mattresses and box spring sets. These producers have no alternative but to import all the foam rubber necessary for their production. Since there is no longer any domestic industry producing foam rubber material for mattress manufacture, U.S. mattress producers feel unnecessarily burdened by the 15 percent import duty.

Import statistics for foam rubber mattress blanks are contained in a basket category that includes all noncotton mattresses. Therefore, there is no accurate way to determine a breakdown of data that would clearly indicate imports of mattress blanks. However, 1975 imports of the basket category TSUS item 727.80.80 show the major supplying country to be Canada. A check with the U.S. Customs Service office at the Port of Champlain, N.Y., indicates that of 1975 imports from Canada valued at $267,000, approximately $50,000 were of foam rubber sheets, blocks, and mattresses.

Public hearings were held by the Subcommittee on Trade of the Committee on Ways and Means on February 19 and 20, 1976, on duty-free entry and temporary duty suspension bills. During these hearings favorable testimony was received on H.R. 11605. Reports were received from interested executive branch agencies expressing no objection to this legislation. No objections to this bill have been received by the committee from any source.

The committee unanimously reported this bill and recommends its passage to the House.

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

Mr. CONABLE. I yield to the gentleman from Pennsylvania (Mr DENT).

Mr. DENT. Mr. Speaker, I cannot quite understand why. There is only $7,500 involved. If there is only $7,500 involved, the Members can rest assured that no one is going to rebuild a plant in this country to take up that kind of business which does not have any volume higher than that.

Why does not the gentleman just go ahead and take it off? The figures do not jibe with commonsense. I do not understand, if a plant burned in 1975, why it has not been rebuilt.

As I said a few moments ago we are stepping on loose glass. I told the Members of the experience in our community 40 years ago.

The next thing we know, there will not be any foam mattresses made. I do not want to object on these just to be stubborn. I want to make this Congress understand that there is a lot more going out there in unemployment than any person in this Congress knows about.

Mr. CONABLE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 11605

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 912.05 the following new item:

" 912.08	Mattress blanks of rubber latex (provided for in item 727.86, part 4A, schedule 7).....	Free	No change.	On or before 3/31/78. "

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

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

(1) which was made after March 31, 1975, and before the date of the enactment of this Act, and

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

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

With the following committee amendments:

Page 1, line 5, strike out "after item 912.05" and insert "before item 912.10".

Page 1, strike out the matter appearing immediately after line 6, and insert the following:

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

Page 2, line 12, strike out "shall notwithstanding" and insert "shall, notwithstanding".

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to suspend for a temporary period the rate of duty on mattress blanks of rubber latex.".

A motion to reconsider was laid on the table.

CONTINUATION OF TEMPORARY SUSPENSION OF DUTIES ON MANGANESE ORE AND RELATED PRODUCTS

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12033) to continue until the close of June 30, 1979, the existing suspension of duties on manganese ore (including ferruginous ore) and related products, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. SCHNEEBELI. Mr. Speaker, reserving the right to object—and I shall not object—I wish to state that I support this legislation.

Mr. Speaker, I yield to the gentleman from Florida (Mr. GIBBONS) for the purpose of explaining this legislation.

Mr. GIBBONS. Mr. Speaker, the purpose of H.R. 12033 as reported is to extend the existing temporary suspension of the column 1 rate of duty on manganese ore—including ferruginous ore—and manganiferous iron ore from June 30, 1976 to June 30, 1979. The column 2 rate of duty—applicable to nonmarket economy countries, except Poland, Yugoslavia, and Romania—is left unchanged.

Subsection (b) applies the amendment to articles entered or withdrawn from warehouse, for consumption after June 30, 1976.

The committee made technical amendments to the bill and unanimously reported the bill, as amended.

Manganese ore is used primarily for

metallurgical purposes in the production of steel. Much smaller amounts are used in the production of dry cell batteries and in the manufacture of manganese chemicals. The principal consumers of manganese ore are producers of ferroalloys, primarily ferromanganese and, to a lesser extent, silicomanganese.

There are no satisfactory substitutes for manganese in its principal use. Less than 1 percent of domestic consumption of manganese ore in recent years has been supplied by domestic production. In quantity terms imports were 577,509 short tons manganese content in 1974 and 765,592 short tons in 1975. In value terms imports increased from $34.4 million in 1972, to $43.3 million in 1974, and $77.1 million in 1975. The principal sources of imports in recent years are Brazil, Gabon, South Africa, and Zaire; approximately 45 percent of total imports are now subject to duty-free treatment under the generalized system of preferences—GSP.

Domestic shipments, which account for only about 5 percent of total new supply, totalled 34,804 short tons manganese content valued at about $2.3 million in 1974. Demand for manganese in the United States is expected to increase at an annual rate of about 2 percent. Demand will continue to be supplied primarily by imports except as supplemented by shipments from Government stockpile releases. There are no U.S. reserves of manganese ore.

The most recent extension of the temporary suspension passed both the House and Senate unanimously in 1973. No objections were received from the executive branch agencies or from other sources. Continuation of the suspension was believed desirable in 1973 for domestic producers of ferromanganese and other manganese alloys by reducing the costs of basic raw materials to these processors and enhancing the competitive position of domestically produced alloys.

Public hearings were held by the Subcommittee on Trade of the Committee on Ways and Means on February 19 and 20, 1976, on this and other duty-free entry and temporary suspension of duty bills. The administration has no objection to the continuation of the present duty suspension and is not aware of any objections to the bill. No objection to extension of the suspension has been made known to the committee from any source.

Two domestic producers of ferromanganese and other manganese products strongly favor the bill primarily on the grounds that restoration of the tariff on raw material imports would make the industry less price competitive.

Mr. Speaker, I urge the House to approve H.R. 12033.

Mr. SCHNEEBELI. Mr. Speaker, I support H.R. 12033, continuing until June 30, 1979, the existing suspension of duty on manganese ore and related products.

This suspension has been routinely passed year after year since 1964 because demand for manganese ore has always exceeded the limited amount available from known resources in the United States. Domestic producers supply less than 1 percent of the country's manganese ore needs, and the likelihood of finding additional sources is slight. There is no practical substitute for manganese in its major industrial uses. Thus, manganese ore will continue to play an important role in domestic production.

Duties on manganese imports are ultimately reflected in higher prices for manganese ore and related products, thereby contributing to inflation. If this suspension is not continued, domestic producers of ferromanganese and other manganese alloys will be at a competitive disadvantage with foreign producers of similar products containing these ores. Annual customs revenue loss related to the existing suspension is approximately $1 million. No additional revenue loss would be incurred from passage of this bill.

Mr. Speaker, the Committee on Ways and Means heard no oppostion to H.R. 12033 and reported the bill unanimously. I recommend passage by the House at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 12033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 911.07 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "June 30, 1976" and inserting in lieu thereof "June 30, 1979".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1976.

With the following committee amendments:

Page 1, line 5, strike out " 'June 30, 1976' " and insert in lieu thereof " '6/30/76' ".

Page 1, line 9, strike out "for consumption," and insert in lieu thereof "for consumption".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 10210, UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1975

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1183 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1183

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10210) to require States to extend unemployment compensation coverage to certain previously uncovered workers; to increase the amount of the wages subject to the Federal unemployment tax; to increase the rate of such tax; and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment to said bill in the House or in Committee of the Whole shall be in order except amendments recommended by the Committee on Ways and Means, and said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri (Mr. BOLLING) is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. DEL CLAWSON), and pending which I yield myself such time as I may consume.

Mr. Speaker, those who listened to the reading of the rule will understand that this is a closed rule providing for 3 hours of general debate.

Mr. Speaker, as I remember it, there was no controversy in the Committee on Rules about the rule being closed because this is a subject that if opened up to amendment really would be extraordinarily difficult to deal with. I think there was pretty much of a consensus on that notion.

However, Mr. Speaker, I think there is one aspect of the closed rule which is important for the Members to understand. It may make the rule more controversial.

This rule provides that we will consider the bill, but prohibits amendments, both amendments in the Committee of the Whole and in the House. That means that a motion to recommit with instructions to amend the title is not in order. In other words, the only motion to recommit that would be in order under this rule would be a straight motion to recommit. It seems to me that it is important, before we adopt the rule, that all Members understand that.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, I appreciate very much the yielding of my distinguished colleague, the gentleman from Missouri (Mr. BOL-

LING). He has been honest and candid, as he always is, in talking about the rule.

I am one of those who voted for the closed rule, on the recommendation of the Committee on Ways and Means.

I support the closed rule. I am bothered, however, by the role adopted by the Committee on Rules, which precludes a motion to recommit with instructions.

Why did the committee come to that decision?

Mr. BOLLING. We did not actually come to the decision. Nobody requested a special rule other than a straight closed rule. I made a motion, and frankly, I did not think of this particular aspect of it.

While I am prepared to sustain it, nobody from the committee, either from the majority or the minority, indicated any desire for recommital instructions, and we just did not think of it.

Mr. STEIGER of Wisconsin. If the gentleman will yield further, I guess all I can say is that I would hope in the future this rule would put us on warning so that if there is a reason to have any kind of instructions or the possibility of any kind of instructions, we will then have to make sure that the Committee on Rules is aware of it so that they do not put us in this position.

Mr. Speaker, I think we would be better off and I think the House would be better off were we to have a rule that would allow a motion to recommit with instructions.

Mr. BOLLING. Mr. Speaker, in reply to the gentleman, I would only say this, that I do not feel responsible for having put us in this position.

Mr. STEIGER of Wisconsin. I understood that. I thank the gentleman very much.

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

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

Mr. PICKLE. Mr. Speaker, the gentleman will remember that I appeared before the Committee on Rules.

Mr. BOLLING. I do, indeed. The gentleman opposed the rule as a whole.

Mr. PICKLE. Yes; I did oppose the rule and oppose the bill in its present form.

I am concerned that we have no chance, under this closed rule, to offer any kind of motion to recommit with instructions. I am particularly concerned about the fact that we increased the wage base from $4,200 to $8,000. I protested that before the Committee on Rules.

When the rule was granted, I was under the assumption that it would be in order to recommit, with instructions.

I must say, Mr. Speaker, that that is not the specific language of the rule. I see that now, but I am very disappointed; and I join the gentleman from Wisconsin (Mr. STEIGER) in saying that I had hoped that we would be able to offer a motion to recommit with instructions.

I am not trying to do great damage to the bill as such, although I oppose it; but I would like to be able to offer one amendment to curb this heavy increase in the wage base.

If we have this rule in its present form, there is no way to make such a motion. It cannot come out even as a committee amendment unless we go back to the committee.

Mr. Speaker, I wonder whether the gentleman from Minnesota (Mr. FRENZEL) would have any comment to make on this rule.

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

Mr. BOLLING. I yield to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Speaker, I do very much oppose the proposed amendment of the gentleman from Texas or motion to recommit, but I support very strongly his ability to have that opportunity.

I would, therefore, ask the gentleman from Missouri (Mr. BOLLING) whether he would object to a unanimous-consent request to strike the words "in the House" where they appear on line 2 of page 2 and add at the end of line 11 "with or without instructions."

Mr. BOLLING. Of course, I would object to it. I act only as an agent of the majority of the Committee on Rules and am bound by the action of the Committee on Rules. I am not authorized to yield for any such purpose or to allow any such unanimous-consent request to pass.

Mr. PICKLE. Mr. Speaker, if the gentleman will yield further, may I then ask the gentleman a question with regard to this same point? The Committee on Ways and Means is going to meet again in the morning for the purposes of changing effective dates for both the base and the rate.

If the committee says that as a committee amendment that they would also recommend a motion to recommit, with instructions, would the gentleman be willing to entertain such a motion or to listen to it, subject to the chairman's calling a meeting of the Committee on Rules for that purpose?

Mr. BOLLING. Mr. Speaker, the gentleman now managing the rule is not a member of the Committee on Ways and Means and he is not bound by the Committee on Ways and Means, although he has great respect for it. The gentleman now speaking is bound by the action of the committee which he now represents. The rule was called up by direction of the Committee on Rules and I have to follow the instructions of the Committee on Rules. There is no way that I can comply with what the gentleman from Texas suggests.

Mr. PICKLE. Mr. Speaker, I understand that the gentleman from Missouri (Mr. BOLLING) as a member of the Committee on Rules cannot be bound solely by the recommendations of the Committee on Ways and Means. But, in the event it did make such a recommendation, would the gentleman be willing to meet with the Committee on Ways and Means to entertain that request?

Mr. BOLLING. If the Committee on Rules decided to have another meeting on this matter, which was not brought up for some reason beyond the control of the gentleman from Missouri acting for the Committee on Rules, then obviously I would be willing to listen to the Committee on Ways and Means. All I know is that the Committee on Ways and Means did not seek a modified rule and that no person appeared before the committee and addressed themselves to that particular subject. The gentleman from Texas (Mr. PICKLE) opposed the rule and indicated this objection in some detail as to why he objected.

Mr. MYERS of Pennsylvania. Mr. Speaker, would the gentleman yield so as to answer a question?

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

Mr. MYERS of Pennsylvania. Mr. Speaker, I would ask the gentleman from Missouri if a possible resolution of this matter might be to defeat the previous question.

Mr. BOLLING. If the previous question were defeated—and I would oppose defeating the previous question—the control of the subject would go to the person who had proposed that the previous question be defeated, which means that at some point they would be able to offer a substitute rule.

Mr. MYERS of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding.

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

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

Mr. Speaker, as has been stated by my colleague from Missouri, House Resolution 1183 will make it in order for the House to consider H.R. 10210, Unemployment Compensation Amendments of 1975, under a closed rule with three hours of general debate. No amendments are in order except amendments recommended by the Ways and Means Committee, and such amendments shall not be subject to amendment.

Specifically, H.R. 10210 extends unemployment compensation coverage to certain previously uncovered workers, increases the amount of wages subject to the Federal unemployment tax while increasing the rate of tax and also provides a longer duration of benefits through a modified trigger mechanism.

Approximately 68 million of the 80 million wage and salary workers are covered under existing unemployment compensation programs. The 12 million not included in this figure are comprised of State and local government employees, agricultural employees and domestic workers.

The provisions of H.R. 10210 would extend unemployment compensation to about 9.5 million of the 12 million jobs not presently covered. The estimated cost for these extensions is $1,350 million in fiscal year 1978. This will result in substantial additional costs to State and local governments to insure their employees under the program.

To extend unemployment benefits and restore solvency to the unemployment compensation trust funds, that are now

depleted, employers will bear the burden through an increase in the taxable wage base from $4,200 to $8,000 for both Federal and State unemployment compensation taxes. Additionally, the net Federal uemployment compensation tax rate will be raised from 0.5 to 0.7 percent. The effect will be to increase annual taxes by about $20 per worker.

A serious problem associated with this legislation is the unnecessary financial burden placed on employers. Small businesses, in particular, will be hard hit. Unless a more equitable way to replenish the depleted trust funds without overly punishing the employers is devised, the Congress may be contributing to the already staggering unemployment rate by forcing some employers out of business.

According to the Committee on Ways and Means, the imposition of an $8,000 wage base will cost employers more than $6 billion in unemployment taxes annually. It was pointed out by Representatives BURLESON, WAGGONNER, and PICKLE in dissenting views that—

> This increase, which might have been spent on new plant production and other job-producing capital investments, will be funneled into unemployment taxes.

Representative KETCHUM further warned in accompanying minority views that—

> Another unpleasant side effect of this legislation could well be another round of inflation, as businesses, which are able, increase prices of consumers to offset the escalating costs of unemployment taxes.

H.R. 10210 will also provide extended benefits when there is a seasonally adjusted national insured unemployment rate of 4.5 percent, based on the most recent 13-week period or when the seasonally adjusted State insured unemployment rate is 4 percent, based on the most recent 13-week period.

Finally, this legislation will establish a National Commission on Unemployment Compensation to further study the problem and recommend further changes.

The administration has stated that it will not object to House passage of H.R. 10210.

Mr. Speaker, since the Budget Committee failed to recommend a waiver for this legislation under the first budget resolution, and because the extended coverage resulting from this bill will prove to be extremely costly and administratively unworkable, I urge my colleagues to reject the rule and the Unemployment Compensation Amendments of 1975, that it makes in order.

Mr. DEL CLAWSON. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. KETCHUM).

Mr. KETCHUM. I thank my colleague, the gentleman from California, for yielding.

Mr. Speaker, it is my intention if this rule passes to submit a motion to recommit. But we are denied by this rule offering a motion to recommit with instructions. It had been my intention, and I am sure I would have been joined—and as a matter of fact I know I would have been—by my friend, the gentleman from Texas (Mr. PICKLE) in a motion to recommit with instructions to lower the taxable wage base to $6,000 rather than to jump from $4,200 to $8,000, to lower the rate and to return to its former voluntary status those municipalities who chose to cover their workers.

I do not intend, Mr. Speaker, to debate the bill during the debate on the rule, but it seems to me that the House once again finds itself foreclosed of any possibility to legislate in the Committee of the Whole House. I am quite certain that there are some amendments that would have been offered that I would perhaps have objected to, and there are some, of course, that I would have gone along with. But the main point is that we are successfully precluded from participating in anything but a "yes" or "no" vote on this unemployment compensation bill, which I can assure the Members is not an unemployment insurance bill but an unemployment welfare bill. That is exactly what it is going to come down to.

I am going to vote "no" on the rule with the hope that we can get a rule that would allow the House to respond in the way that it should, to legislate the way that we should, rather than to have all 435 Members of the House precluded from an opportunity to do other than debate.

The SPEAKER. The time of the gentleman has expired.

Mr. DEL CLAWSON. Mr. Speaker, I now yield 3 minutes to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. I thank the gentleman for yielding.

Mr. Speaker, I am disturbed, as I am sure many Members of the House are, that we cannot offer any kind of an amendment. The Committee on Ways and Means is meeting in the morning to amend the effective dates of the wage and base increases, I hope that the committee might also agree to change the words to "recommit with or without instructions."

The chairman of the subcommittee is here on the floor. I am wondering if he would be agreeable to recommend to the committee a motion to offer a recommittal motion with or without instructions tomorrow? If the gentleman heard my remarks, I wanted to ask him what I asked previously of the gentleman from Missouri. Of course, the gentleman from Missouri replied he was merely bringing this rule here on behalf of the Rules Committee and he could not speak for the committee, although I realize he has great influence in that committee.

When the Committee on Ways and Means meets tomorrow morning, would the gentleman from California be willing to allow the minority side to offer one motion to recommit with instructions, regarding the wage base and rate and the expansion of coverage to public employees?

Mr. CORMAN. If the gentleman will yield, I cannot speak for the Rules Committee. When the Ways and Means Committee considered this bill they voted by a rather substantial margin for a closed rule, 23 to 13, and I would not be in a position to make a commitment as to what the committee would do if they were to reconsider the rule.

We will meet tomorrow to consider a committee amendment that will bring this bill into conformance with the fiscal 1977 budget resolution which passed subsequent to our original action.

I will say to the gentleman that all the motions which would be included in the proposed recommittal with instructions were considered and voted on in our committee.

Mr. PICKLE. I hasten to say to the gentleman, although this has been discussed over a period of 6 to 8 months, none of us is trying to delay the bill. I am not asking for a delay. I think it would be better for the rules of the House if we had a delay for 2 or 3 days in order to get a better understanding of this. I am not trying to delay. All I am asking for is a chance to offer a motion to recommit with instructions.

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

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

Mr. DENT. Mr. Speaker, I would also like to suggest that we open the bill up to the matter where an amendment could be offered to relieve the States of the unemployment compensation payments.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. DEL CLAWSON. Mr. Speaker, I yield the gentleman from Texas 2 additional minutes.

The SPEAKER. The gentleman from Texas is recognized for 2 additional minutes.

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

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

Mr. DENT. Mr. Speaker, I think we should relieve the States of the burden of paying unemployment compensation which results from unemployment which is the fault neither of the States nor employers nor employees and over which they have no control. It is wrong to charge our States when the unemployment is judged and ruled to be unemployment because of imports that take the jobs. Prior to the Trade Act of 1974, all trade adjustment assistance benefits have been paid for by the U.S. Treasury. Under the Trade Act of 1974, the States now pay trade adjustment assistance benefits out of their unemployment compensation funds, supplemented meagerly by Federal funds.

Mr. PICKLE. Mr. Speaker, I will say to the gentleman from Pennsylvania that this has been an item of some controversy. I would like to see it also be given some consideration. I would go along with that. I am not trying to get the bill opened up completely, but we did have a close vote on this matter.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, the gentleman is a day late and

a dollar short or even a vote short in asking the Ways and Means Committee to beseech the Rules Committee to grant a rule providing for a motion to recommit with instructions. If we want to do anything of that kind, it seems to me the alternative we have available to us now is to vote down the previous question and then provide in the rule for a motion to recommit with instructions. I can vote for that because I do think there ought to be an opportunity to offer a motion to recommit with or without instructions.

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

Mr. PICKLE. I yield to the gentleman from California (Mr. KETCHUM).

Mr. KETCHUM. Mr. Speaker, I thank the gentleman for yielding. I would like to ask the gentleman from Wisconsin, my colleague, a question.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. DEL CLAWSON. Mr. Speaker, I yield the gentleman an additional 3 minutes.

Mr. KETCHUM. Mr. Speaker, it seems to me that since the Committee on Ways and Means has sent out a notice for a meeting for tomorrow to correct an error in this bill, that perhaps the committee might find itself amenable to adopting these additional amendments at that time. What would the gentleman say to that?

Mr. STEIGER of Wisconsin. Mr. Speaker, would my friend, the gentleman from Texas, yield?

Mr. PICKLE. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, no way.

Mr. KETCHUM. Mr. Speaker, then I say to the gentleman there is no way for us to change the effective dates in the bill.

Mr. DU PONT. Mr. Speaker, I am disappointed that H.R. 10210, a bill with extremely serious economic ramifications may be considered by the House of Representatives under a closed rule. On principle, I am opposed to bringing any bill to the floor under the procedure which denies Members the opportunity to suggest what they believe would be legislative improvements. However, I feel that this is an especially bad policy in this instance for the following reasons:

This seems like a particularly inappropriate time to shift any of the costs of administration of the unemployment insurance program to the States. That section of H.R. 10210 that would alter the current Federal coverage should be subject to amendment. Using Delaware as just one example of what will take place under the provisions of this bill I have been informed by the Governor of Delaware that it will cause an additional $400,000 in cost to be borne by our State.

In addition to the provisions which would work hardships on the various State governments, I am also concerned that the portion of H.R. 10210 dealing with a reassessment of the method that unemployment statistics are gathered does not go far enough. I feel that several additional changes both in concept and operation should be made. Earlier in the Congress I introduced H.R. 11260, providing for a thorough reexamination of our unemployment statistics. If the bill is considered under an open rule, it is my intention to offer amendments based on H.R. 11260 which I feel expands and improves the counting and use of both employment and unemployment statistics.

So, Mr. Speaker, faced with the reality that this bill is inadequate in several respects and definitely needs amendment, I will be voting for an open rule.

Mr. KOCH. Mr. Speaker, I am voting against the rule notwithstanding the fact that I am for the bill which ultimately will be debated by this House. I believe these votes are consistent with one another. When a rule is a completely closed rule, no amendments are in order. I object to completely closed rules when they are offered by the "bad guys"—and by that description I mean those with whom I philosophically disagree—and I take the same position when a closed rule is offered by the "good guys"—and by that description I mean those with whom I philosophically agree. When the bill is debated under a rule permitting amendments, I assure those interested in this legislation I will vote against those amendments which seek to reduce the coverage of this bill. But it seems to me that at times like this, a statement attributed to Voltaire is particularly applicable:

I disapprove of what you say, but I will defend to the death your right to say it.

Mr. BURLISON of Missouri. Mr. Speaker, the unemployment compensation program has served us very well since its beginnings in 1935. The past few years, however, have been extraordinary ones for our Nation's economy and the tragically high rate of unemployment has placed an unprecedented strain on our unemployment insurance system. Moreover, the job situation remains quite poor today despite the much heralded upswing in the economy, and the drain on the State unemployment accounts continues. I am proud that the Congress has had the foresight and the conviction to enact the various emergency provisions and benefit extensions that were needed to help the American worker and his family through this period.

Yet, I am not convinced that this is the proper time to expand the program or to make permanent the extended benefit provisions. The accounts of several States are in dire need of replenishment, it is true; but a cost of $4.4 billion next year and $6.3 billion the year after is a heavy burden to place on a struggling economy.

Also, there are a number of immediate problems that are costing the system huge sums of money each year. I call the Members attention to the second paragraph on page 93 of the committee report, the dissenting views of Hon. OMAR BURLESON, JOE D. WAGGONNER, Jr., and J. J. PICKLE:

As unemployment has skyrocketed in the last two and a half years due to the energy boycott, world commodity shortage and numerous other factors, the State employment services have barely been able to process the claims which millions of jobless Americans have filed. There has been neither time nor money to investigate claims for validity. We are concerned that there are numerous instances of fraud involved with the program which is costing employers and ultimately, consumers, millions of dollars.

It seems to me that the logical course of action would be identify and correct this sort of problem prior to any expansion of the program. Indeed, the proposal to establish a National Study Commission after further expanding the system, perhaps beyond its limitations, seems a classic example of placing the cart before the horse.

The State employment services are inundated by work, they are barely able to process the claims they now have; and under these circumstances, the system is left open to widespread abuse and fraud that seriously undermine basic public confidence in the program. And I believe that confidence and support on the part of the general public is the single most vital element in the success of any program of social insurance. Unfortunately, it is becoming increasingly evident that this support is crumbling.

I have received numerous complaints from my constituents, pleading for corrective action. They are highly resentful, and rightly so, of the waste and outright thievery they perceive as part of the unemployment insurance system. The recent expansion and extension of benefits have led people to view the program, no longer as a system of social insurance, but as a dole, a system of income maintenance.

I find these complaints disturbing and, indeed, they have prompted me to ask the businessmen, the employers, of my district to relate to me any experiences they may have had with fraudulent claims or practices. The responses I received were even more disturbing. Almost to a one, they had some firsthand knowledge of instances of these abuses. The reports ranged from the obvious, the instances of individuals drawing benefits yet not actually looking for work, to the more devious, if not criminal, instances of individuals working for unreported wages while drawing benefits. One constituent, a construction contractor, writes:

I know for a fact, because the man told me himself, that he was not going to work this winter (His job is a seasonal type, overtime in the summer time and straight time in the winter months) because he would only gross about $120 per week and by the time that he paid Social Security, withholding tax, gasoline for transportation (he drives about fifteen miles to his job), and eating one meal away from home, that he would be better off financially not working and drawing unemployment compensation.

Other reports:

A recently retired individual who sold his concrete business has now decided he would like to collect unemployment compensation. He signed up at the local office and is collecting unemployment compensation on the basis that he has requested employment of a managerial or supervisory nature at various

concrete companies and there is no work for him. He calls here by phone to tell me that our Company has been given as a reference and if the Employment Security people call, I am to tell them that he has applied.

One person called, said she was out of work, but only wanted a job long enough to become re-eligible for unemloyment.

It is extremely difficult to find competent help in any business today. There are many jobs open today, but until the unemployment runs out they won't be filled. Many contractors in our area can't hire help because those drawing checks want cash and no records kept.

I've known people to quit their jobs and just say, "I'm going to draw my unemployment, why shouldn't I, every one else is doing it." So after a short period of disqualification, they draw it. I think the unemployment weekly rate in most instances are too high. They are too near what a lot of people make it they worked. This program has been so abused since the slow down, it is ridiculous.

It is evident to me that the present system cannot continue to operate this way without further erosion of support from those who are paying for it, either directly, as employers, or indirectly, as consumers and taxpayers.

Under current law, responsibility for policing the system against fraudulent claims is left up to the States; but, as we know, the State employment services are up to their ears in paperwork, with neither the time nor the money to administer their programs properly. The result is that the job does not get done. The State programs are left largely uncontrolled.

It was with "great expectations" that I looked to the Ways and Means Committee to address this problem, to determine the steps necessary to curb the rampant abuse, and to bring forth their recommendations to the full Congress. I cannot tell you of the disappointment I felt as I read through the committee's report and found not a single mention of the problem I have outlined above. Only under the dissenting views of the gentlemen from Texas and Louisiana that I cited earlier did I discover even an acknowledgement that the problems exist.

As I say, I am very disappointed that the committee has chosen not to address this problem. And almost as an insult, the bill before us today, the unemployment compensation amendments, comes to the floor under a closed rule. Thus, not only has the committee failed to address the problem, it has also denied the rest of the Congress the opportunity to do so. I resent very much the fact that the Members not serving on the Ways and Means Committee have no say in this legislation, other than yes or no. Our constituents deserve to be fully represented on this bill. There must be more input into this legislation. I shall vote against the rule for these reasons.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken.

Mr. CLANCY. 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 125, nays 219, not voting 88, as follows:

[Roll No. 272]

YEAS—125

Adams	Ford, Tenn.	Obey
Ambro	Fraser	O'Hara
Anderson, Ill.	Frenzel	O'Neill
Annunzio	Gaydos	Ottinger
Badillo	Gibbons	Patterson, Calif.
Baldus	Gonzalez	Pepper
Beard, R.I.	Harris	Perkins
Bergland	Hayes, Ind.	Pike
Biaggi	Hays, Ohio	Price
Bingham	Hechler, W. Va.	Rangel
Blanchard	Hicks	Rees
Boland	Holtzman	Reuss
Bolling	Howard	Rinaldo
Brodhead	Johnson, Calif.	Risenhoover
Brooks	Jordan	Rogers
Brown, Calif.	Kastenmeier	Rooney
Brown, Mich.	LaFalce	Rosenthal
Burke, Calif.	Lehman	Rostenkowski
Burke, Mass.	Long, La.	Roybal
Burton, John	Long, Md.	Ruppe
Burton, Phillip	Lundine	Ryan
Chisholm	McCormack	St Germain
Clay	McFall	Seiberling
Collins, Ill.	Matsunaga	Simon
Conable	Melcher	Solarz
Conte	Metcalfe	Staggers
Corman	Meyner	Stark
Cotter	Mikva	Steiger, Wis.
Daniels, N.J.	Mills	Stokes
Delaney	Mineta	Thompson
Dellums	Minish	Thornton
Dingell	Mink	Traxler
Early	Moffett	Uliman
Eckhardt	Mollohan	Vander Veen
Edwards, Calif.	Moorhead, Pa.	Vanik
Eilberg	Morgan	Whalen
Fary	Mottl	Wilson, Tex.
Fascell	Murphy, Ill.	Wright
Fisher	Murphy, N.Y.	Yatron
Flood	Nedzi	Young, Ga.
Florio	Nowak	Zeferetti
Ford, Mich.	Oberstar	

NAYS—219

Abdnor	Daniel, Dan	Hanley
Alexander	Daniel, R. W.	Hannaford
Andrews, N. Dak.	Davis	Hansen
	de la Garza	Harsha
Archer	Dent	Hefner
Armstrong	Derrick	Hightower
Ashbrook	Derwinski	Holland
Ashley	Devine	Holt
AuCoin	Dodd	Horton
Bafalis	Downey, N.Y.	Howe
Baucus	Downing, Va.	Hughes
Bauman	Drinan	Hungate
Beard, Tenn.	Duncan, Oreg.	Hutchinson
Bedell	Duncan, Tenn.	Hyde
Bennett	du Pont	Ichord
Bevill	Edgar	Jarman
Biester	Edwards, Ala.	Jeffords
Blouin	Emery	Jenrette
Bowen	English	Johnson, Pa.
Breaux	Erlenborn	Jones, N.C.
Breckinridge	Evans, Colo.	Jones, Tenn.
Brinkley	Evans, Ind.	Kasten
Broomfield	Fenwick	Kazen
Burgener	Findley	Kelly
Burke, Fla.	Fish	Kemp
Burleson, Tex.	Fithian	Ketchum
Burlison, Mo.	Flynt	Koch
Butler	Forsythe	Krebs
Byron	Fountain	Lagomarsino
Carr	Frey	Landrum
Chappell	Gilman	Latta
Clancy	Ginn	Leggett
Clausen, Don H.	Goldwater	Lent
	Goodling	Levitas
Clawson, Del	Gradison	Lloyd, Calif.
Cleveland	Grassley	Lloyd, Tenn.
Cochran	Gude	Lott
Cohen	Guyer	Lujan
Collins, Tex.	Hagedorn	McDade
Conlan	Haley	McDonald
Cornell	Hall	McEwen
Coughlin	Hamilton	McHugh
Crane	Hammer-schmidt	McKay
D'Amours		McKinney
Madden	Regula	Steed
Madigan	Richmond	Stratton
Maguire	Roberts	Studds
Mahon	Robinson	Sullivan
Mann	Roe	Symms
Martin	Roncalio	Talcott
Mathis	Rose	Taylor, Mo.
Mazzoli	Roush	Taylor, N.C.
Meeds	Runnels	Teague
Mezvinsky	Russo	Thone
Miller, Ohio	Santini	Van Deerlin
Mitchell, N.Y.	Sarasin	Vander Jagt
Montgomery	Satterfield	Waggonner
Moore	Scheuer	Walsh
Moorhead, Calif.	Schneebeli	Wampler
	Schroeder	Weaver
Murtha	Schulze	White
Myers, Ind.	Sharp	Whitehurst
Myers, Pa.	Shipley	Whitten
Natcher	Shriver	Wiggins
Neal	Shuster	Wilson, Bob
Nichols	Sikes	Winn
O'Brien	Skubitz	Wirth
Passman	Slack	Wolff
Pattison, N.Y.	Smith, Iowa	Wylie
Paul	Smith, Nebr.	Yates
Pickle	Snyder	Young, Alaska
Poage	Spellman	Young, Fla.
Preyer	Spence	Young, Tex.
Quie	Stanton, J. William	Zablocki
Randall		

NOT VOTING—88

Abzug	Harrington	Nix
Addabbo	Hawkins	Nolan
Allen	Hébert	Patten, N.J.
Anderson, Calif.	Heckler, Mass.	Pettis
	Heinz	Peyser
Andrews, N.C.	Helstoski	Pressler
Aspin	Henderson	Pritchard
Bell	Hillis	Quillen
Boggs	Hinshaw	Railsback
Bonker	Hubbard	Rhodes
Brademas	Jacobs	Riegle
Brown, Ohio	Johnson, Colo.	Rodino
Broyhill	Jones, Ala.	Rousselot
Buchanan	Jones, Okla.	Sarbanes
Carney	Karth	Sebelius
Carter	Keys	Sisk
Cederberg	Kindness	Stanton, James V.
Conyers	Krueger	
Danielson	Litton	Steelman
Dickinson	McClory	Steiger, Ariz.
Diggs	McCloskey	Stephens
Esch	McCollister	Stuckey
Eshleman	Macdonald	Symington
Evins, Tenn.	Michel	Treen
Flowers	Milford	Tsongas
Foley	Miller, Calif.	Udall
Fuqua	Mitchell, Md.	Vigorito
Giaimo	Moakley	Waxman
Green	Mosher	Wilson, C. H.
Harkin	Moss	Wydler

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo for, with Mr. Hébert against.

Ms. Abzug for, with Mr. Krueger against.

Mr. Tsongas for, with Mr. Stephens against.

Mr. Carney for, with Mr. Henderson against.

Mr. Patten for, with Mr. Stuckey against.

Mr. Brademas for, with Mr. Rousselot against.

Mr. Waxman for, with Mr. Treen against.

Mr. Rodino for, with Mr. Quillen against.

Mr. Harrington for, with Mr. Steiger of Arizona against.

Mr. Riegle for, with Mr. Michel against.

Mr. Diggs for, with Mr. Eshleman against.

Mr. Nix for, with Mr. Cederberg against.

Mr. Moss for, with Mr. Kindness against.

Mr. Conyers for, with Mr. Sebelius against.

Mr. Mitchell of Maryland for, with Mr. Carter against.

Mr. James V. Stanton for, with Mr. Buchanan against.

Mr. Hawkins for, with Mr. Dickinson against.

Mr. Green for, with Mr. Broyhill against.

Mr. Helstoski for, with Mr. Brown of Ohio against.

Mr. Moakley for, with Mr. Flowers against.

Mr. Sisk for, with Mr. Fuqua against.

Until further notice:

Mr. Aspen with Mr. Charles H. Wilson of California.
Mr. Jones of Oklahoma with Mr. Udall.
Mrs. Keys with Mr. Symington.
Mr. Nolan with Mr. Vigorito.
Mr. Foley with Mr. Jones of Alabama.
Mr. Bonker with Mr. Andrews of North Carolina.
Mr. Jacobs with Mrs. Boggs.
Mr. Danielson with Mr. Heinz.
Mr. Allen with Mr. Pressler.
Mr. Anderson of California with Mr. Hubbard.
Mrs. Heckler of Massachusetts with Mr. Litton.
Mr. Peyser with Mr. Bell.
Mr. Esch with Mr. Hillis.
Mr. Sarbanes with Mr. Wydler.
Mr. Macdonald of Massachusetts with Mr. Railsback.
Mr. Milford with Mr. McClory.
Mr. Evins of Tennessee with Mr. Mosher.
Mr. Giaimo with Mr. McCloskey.
Mr. Karth with Mr. Steelman.
Mr. Pritchard with Mr. Miller of California.
Mr. Harkin with Mr. McCollister.

Messrs. LLOYD of California, ASHLEY, JARMAN, WOLFF, FORSYTHE, WEAVER, SCHEUER, DODD, COHEN, and MAGUIRE changed their votes from "yea" to "nay."

Messrs. BURKE of Massachusetts, SEIBERLING, BROWN of Michigan, and TRAXLER changed their vote from "nay" to "yea."

So the resolution was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

JOE GANLEY GONE FROM THE PRESS GALLERY

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

Mr. HANLEY. Mr. Speaker, as we have occasion from time to time to note, the gallery immediately above the well of the House is the eyes and ears of our Nation, looking on as the people's business is transacted. It take a special kind of person to sit in that gallery, one who is bright and inquisitive, savy but not jaded, correct as well as compassionate, perceptive and objective. Many minds have worked in the House press gallery, most to the credit of the fourth estate, and some few to its everlasting honor and pride.

In the tradition of the Jeffersonian ideal for an informed citizenry which can entrust its future and fate to a representative democracy, the press corps reports the actions of Congress in its hours of greatness and its times of mundane routine. In turn for a credible and critical scrutiny of the conduct of elected Representatives, the people are able to extend that most fragile of gifts, trust. As accurate as the media insists on being, so the people directly benefit from having facts upon which to judge our Government.

And this body also benefits by having its collective conscience brought to attention on public matters by an insistent inquiry by the press about the way in which solutions are proposed, imposed, or disposed of to the good or peril of our fellow countrymen. A hard-working and fair-minded press corps is as important to good government as any other element in the conduct of public life. Our Government could not survive without its potent presence as stimulant and gadfly to action.

If we should notice a certain long-faced demeanor to the ladies and gentlemen of the press today, it may well be their saddened reaction to the leaving from their fellowship of the veteran correspondent from the Syracuse Herald Journal and Post Standard, Joseph Vincent Ganley. Any who have had the opportunity to be in the Gallery workrooms must have observed the famous Ganley treatment of colleagues and Members alike. One could always depend on Joe for a spirit-lifting remark or an ego-piercing barb that would keep somebody's feet on the ground even as he reached for the stars.

And this is the key to Joe Ganley's success story in Washington—candor and honesty. Without the puffery of flattery, he was able to represent his readers and the people of central New York by giving fair and frank coverage to the affairs of interest to the hometown constituencies.

Joe decided to go home to Syracuse a while back, but it was not until the finality of his actually moving north that it was possible to accept the decision as being real. We will miss him.

Joe brought an old school toughness to Capitol Hill journalism, one as unaffected by petty posturing as it was impressed by solid achievements. He made friends all over Washington and in very short order had diagnosed the operations and technique of Congress and the administrative agencies. He was able to cut through the blandness of canned releases to the meat of a problem. Often it was his penetration of a situation which was instrumental in its resolution, as in the case of the saving of the 174th Air National Guard Unit from a radical change of status and the exposure of EPA regulations which were costing dollars and delays in sanitation facility construction for Syracuse.

Just as it is a mistake to stereotype anybody, it is a special disservice to think of Joe Ganley as just a reporter. He is a good man. He is a guy of high personal ethics and standards of conduct. He is also the husband of one of the most charming ladies in Washington, Mary Ganley. His temperate recreations include an occasional visit to area links where some maintain the real decisions of commerce and government are made.

Joe will be missed by all who worked with him, but his career will be followed with great interest as he brings his wit and style to bear on the home front of central New York. No fish, no fairway, no maitre d' will rest easy with Joe on the job.

Good luck to him and God's choicest blessings upon him and his family.

NEW FTC RULE PROTECTS CONSUMERS AGAINST SHODDY SALES CLAIMS

The SPEAKER pro tempore (Mr. RYAN). Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO), is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, important new protection against faulty sales claims became available to consumers Friday.

Last fall, the Federal Trade Commission began the long process of promulgating a new rule which allows consumers to retain their rights and remedies on purchases made on time even though that credit account is later sold to a third party.

Upon enactment May 14, the holder in due course doctrine—so infamously known to consumers seeking damages in small claims courts—was finally struck down. Or in other words after Friday, any financial institution which buys a credit account will have to live up to the claims made about the product at the time of its purchase by the seller.

However, beneficial this rule can be it has received little public attention due I suspect to heavy pressure from administration and private business sources. As chairman of the Consumer Affairs Subcommittee it is my intention here to give the rule some of the public exposure it deserves and to compliment the FTC once again on its efforts to bring it to its effective date.

Under the FTC's trade regulation on preservation of consumers' claims and defenses as it is called, banks and others will have to become more interested in the kinds of products they buy paper on and as a result, will have to look closer at the sellers themselves. There is potential in this chain of events for cleaning up much of the shoddy business currently being done under the protection of the holder in due course doctrine.

Until this new ruling, consumers who bought products that wore out or broke down much too soon had no where to turn. Once the credit account was sold to a third party, the seller's claims were no longer legally binding leaving consumers appalled to learn that they must continue to make payments on items they had long since thrown out.

In December I commended the FTC for its work on this rule and strongly urged the support of my colleagues during the period of public comment and hearings. Now that long and hazardous obstacle course, which has been the demise of many consumer-oriented rules in the past, has been successfully negotiated by the FTC and the regulation officially became effective Friday. Truly, it was a significant day for consumers.

There is one problem though, the only information the FTC has for consumers is a 30-page report written in agency language and designed for businessmen who must now comply. A consumer interested in just how the rule can benefit him would have to spend hours studying the report in order to understand it.

Therefore I want to use this forum to urge the FTC to make a better effort to let the consumer know that this protection is now available. It would be a shame after all of the work that has gone into promulgating this rule, if consumers continued to pay for shoddy products when they no longer have to merely because the FTC neglected to

take the final step of informing the public.

THE PRESIDENT'S NARCOTICS TRAFFICKERS TAX PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 15 minutes.

Mr. VANIK. Mr. Speaker, in a message to the Congress on April 27, 1976, entitled "The Control of Drug Abuse," President Ford states that he has directed the Secretary of the Treasury to work with the Commissioner of the Internal Revenue to develop a tax enforcement program aimed at high-level drug traffickers. I find myself in agreement with the following statements of the President (H. Doc. No. 94–470):

> The first need for stronger action is against the criminal drug trafficker. These merchants of death, who profit from the misery and suffering of others, deserve the full measure of national revolusion. They should be the principal focus of our law enforcement activities—at the Federal, State and local level. * * *
>
> The Federal government must act to take the easy profits out of drug selling. * * *
>
> We know that many of the biggest drug dealers do not pay income taxes on the enormous profits they make on this criminal activity. I am confident that a responsible program can be designed which will promote effective enforcement of the tax laws against these individuals who are currently violating these laws with impunity.

The President's proposal, which comes at a time when narcotics usage is again on the rise, has a familiar ring. In 1971, Mr. Ford's predecessor announced an expanded effort by the Federal Government to combat drug abuse. Included in that Presidential message was a charge to the Treasury Department and the Internal Revenue Service to "intensify investigation of persons involved in large-scale narcotics trafficking." In response to this charge, the narcotics traffickers tax program was created, and the Congress appropriated huge new sums to implement it.

Under the administration of President Ford, that program unfortunately collapsed. The story of that collapse, which I wish to relate today, not only tells us something about how the IRS tail sometimes seems to wag the Treasury Department and White House dog, it also may help to explain why the President now seems compelled to tell Treasury and IRS to get moving again.

The Ways and Means Oversight Subcommittee has a keen interest in the problem of enforcing the tax laws against persons who derive income from illegal sources such as gambling, loan sharking, and narcotics trafficking. I have already expressed my concern about the refusal by the Treasury Department and the IRS to audit convicted gamblers—CONGRESSIONAL RECORD, February 2, 1976, page 1798. Today, I would like to express my concern about the failure of the Treasury Department and the IRS to adhere to Presidential and congressional policy of seeking convictions against the major narcotics wholesalers.

While President Ford's sentiments as expressed in his message of April 27 are laudable, apparently he has no control over the bureaucracy. As I have noted, the IRS did set up a narcotics traffickers tax program to accomplish the very mission that Mr. Ford now wishes to accomplish. But that program was merged out of existence by the IRS on July 1, 1975. And funds specifically requested of Congress for this program were diverted to other IRS programs.

As a result, under this President, tax and penalty recommendations have fallen off dramatically. For fiscal year 1974, almost $70 million in taxes and penalties were proposed against narcotics traffickers. Less than $10 million have been proposed against narcotics traffickers for the first 9 months of this fiscal year. If the narcotics traffickers tax program was not killed by this administration, it was certainly maimed. As a matter of fact, the Internal Revenue Service has become so embarrassed about its criminal tax enforcement statistics that it stopped publishing its quarterly statistics in June 1975.

THE BUDGET

The narcotics traffickers tax program—NTTP—grew from outlays of $10.2 million to fund 482 positions in fiscal year 1972 to outlays of $22.5 million to fund 913 positions in fiscal year 1974.

Thereafter, under this President, support for the narcotics traffickers tax program was cut drastically. The amount claimed by the IRS to have been spent for this program fell by one-third in fiscal year 1975 to only $15 million and 598 positions. Even these reduced amounts were not actually devoted to the NTTP. Inferring from the productivity figures for the period, 70 percent of these claimed outlays were actually diverted to other programs. Only 181 positions and $4.5 million of the amounts claimed to be allocated for tax cases against narcotics traffickers were actually used for that purpose in fiscal year 1975.

TABLE

	Fiscal year—					
				1975		
	1972	1973	1974	Claimed	Actual	Diverted
Positions	482	854	913	598	181	417
Outlays (millions)	$10.2	$19.9	$22.5	$15.0	$4.5	$10.5

There was no separate NTTP program for fiscal year 1976. Worse yet, the President's budget ax for fiscal year 1977 whacks a full one-third out of the special enforcement program. Not only has the President failed to seek a budget to fund a narcotics traffickers tax program, but under his proposed budget, there is no provision for Treasury enforcement of the gambling tax laws. Furthermore, the budget cut will result in a continuing decline of tax evasion cases brought against organized crime figures.

Agents in the special enforcement program work criminal tax cases against people who are suspected of deriving their income from illegal sources. Different techniques and criteria are needed in this program from those utilized in the general program. Agents in the general program work criminal tax cases against those taxpayers who engage in legal businesses but fradulently misstate their tax liability.

People who make their money illegally hide their dealings and generally do not use normal commercial institutions such as banks, brokerage houses, and certified public accountants. When they do use normal commercial institutions, they normally hide behind tiers of nominees. Most illicit profits are received in currency behind closed doors or in dark alleys. Because of the nature of these illegal transactions, it is necessary for the IRS to use different selection criteria to determine the person is engaged in an illegal business and does not report adequate income on his return, than are used in selecting cases where the subject makes an honest living. It is also more difficult and expensive to work a case where the income is illegal. But cutting one-third out of the budget for the special enforcement program, the President has doomed any program against narcotics traffickers to failure.

THE PROGRAM

No one can seriously dispute the fact that there have been serious abuses in the narcotics traffickers tax program in the past. Jeopardy assessments and tax year terminations were often used in violation of the constitutional and administrative rights of taxpayers suspected of being in the illegal business of drug trafficking. I agree with the President that these abuses can be corrected; they are not inherent in the program.

As an example of the administration's opposition to using the IRS to tax illegal drug profits, I cite the Commissioner of Internal Revenue's speech before the tax section of the American Bar Association on August 14, 1974:

> Selective enforcement of tax laws, designed to come down hard on drug dealers or syndicated crime, for example, may be applauded in many quarters, but it promotes the view that the tax system is a tool to be wielded for policy purposes, and not an impartial component of a democratic mechanism which applies equally to all of us.* * *
>
> [T]he overall emphasis of our criminal enforcement activities has been shifted away from special enforcement programs such as Narcotics Traffickers and Strike Forces, and have been aimed more directly toward the taxpaying public in general.

I disagree with this policy. Resistance to our voluntary tax system is more likely to occur if citizens perceive that the IRS is giving a free pass to the criminal element. The IRS cannot stop collecting taxes from gamblers, extorters and narcotics traffickers simply because they are not nice people.

If no special enforcement effort is made against the cleverest tax evaders, then the result will be selective enforcement against the poor, the middle class and the weak. If we are to give meaning to our democratic principles, we must take steps to insure that those in high places and white-collar criminals pay their fair share of taxes and obey the laws of the land.

The last people we want to exempt from taxation is the criminal element. The Supreme Court stated in Marchetti:

That the unlawfulness of an activity does not prevent its taxation.

Drug trafficking is a business. The only purpose of engaging in the business of narcotics trafficking is to earn illegal income. The huge profits of the drug trafficking business are largely unreported. This unreported income from drug trafficking is taxable and the Treasury Department has the responsibility of uncovering and taxing this income. It is a more difficult task than auditing a legal business which keeps books and records, but it is unfair to the general public to give those in illegal businesses a preference because they keep no books and records.

Major drug dealers are immune from conviction under substantive drug laws. They never touch the drugs themselves. They only touch the money. But even the most sophisticated money mover leaves a trail that can be found and followed.

The President's message on controlling narcotics trafficking appears to be campaign rhetoric. This administration has done very little to use the Treasury Department against the purveyors of narcotics. There is a glaring gap between promise and performance in the war against narcotics traffickers.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Mrs. COLLINS), is recognized for 5 minutes.

Mrs. COLLINS of Illinois. Mr. Speaker, during the period of April 30, afternoon, through May 5, I was away from the Congress on official business for the House Committee on International Relations.

Had I been present I would have voted as follows on the roll calls indicated:

ROLLCALL AND VOTE

FRIDAY, APRIL 30

H.R. 366, "no."
Amendment to deduct death benefit amounts from general revenue sharing funds of an employer, "no."
H.R. 365, "no."

MONDAY, MAY 3

S. 3065, final passage, "yes."
H.R. 7656 final passage, "yes."
H.R. 5523 final passage, "yes."
H.R. 11505 final passage, "yes."
H.R. 13035 final passage, "yes."
H.R. 11920 final passage, "yes."
H.R. 12168 final passage, "yes."

TUESDAY, MAY 4

H.R. 12216 final passage, "yes."
H.R. 9803 final passage, "yes."
H.R. 12704 final passage, "yes."
Ketchum Amendment 1, "no."

WEDNESDAY, MAY 5

H.R. 12234 final passage, "yes."
Skubitz Amendment, "no."
Maguire Amendment, "yes."
Amendment to prohibit use of federal funds, "no."
H. Res. 1165, "yes."

THE FORECAST ON FOOD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. COTTER) is recognized for 5 minutes.

Mr. COTTER. Mr. Speaker, an excellent editorial on the administration's recent food price predictions appeared May 12 in the Hartford Courant. I would like to insert it into the RECORD for the information of my colleagues.

THE FORECAST ON FOOD

An optimistic forecast on the price of food is such good news that we naturally receive it with considerable satisfaction. Even so, it is well to be aware of the pitfalls in those predictions, especially when the most basic commodity is involved.

The latest forecast has just come from Earl L. Butz, secretary of the U.S. Department of Agriculture. He said supermarket food prices would rise only 3 to 4 per cent this year, even if the Soviet Union purchases more American grain. The reduced inflation forecast, which Mr. Butz claimed would materialize if farmers experience average weather conditions this year, compares with price increases of 8.5 per cent in 1975 and 14.5 per cent in each of the two years that preceded.

A closer look at Mr. Butz' comments does indeed invite some skepticism. In the original 1972 grain deal, Russia obtained 19 million tons of wheat at a bargain price and the huge transaction contributed heavily to climbing food prices. Fortunately, subsequent deals with Moscow have been on more favorable terms to this country. Nonetheless, the market impact remains. Last August, for instance, American labor unions insisted that continued large shipments of grain to the Soviet Union would lift food costs here. Arthur Burns, chairman of the Federal Reserve Board, concurred and pegged the price rise at 2.5 per cent.

Mr. Butz also may be a bit too rosy about the weather, though admittedly it is still too early to tell. The current midwestern drought, for example, may have a damaging effect on the upcoming harvest. Some areas of the semi-arid Great Plains have received less than an inch of rainfall since mid-August of last year. As the drought has intensified farmers have plowed under thousands of acres of withered wheat.

Not to be overlooked, either, are the political implications of the Agriculture leader's crop predictions. In maintaining that food "will not be a political factor" in this year's White House campaign, he is indeed saying what every harried shopper would like to hear. Don't forget, however, that Mr. Butz is a solid supporter of President Ford and wants to portray his economic policies to the best advantage.

Several months hence, the reservations raised here regarding the weather, political propaganda and grain-dealing with the Russians may prove to be groundless. We sure hope so and would gladly celebrate same with a five-course feast.

THE ECONOMY: A CRUCIAL YEAR AHEAD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) is recognized for 5 minutes.

Mr. DOMINICK V. DANIELS. Mr. Speaker, the Wall Street Journal of May 3 contained an excellent article by Paul W. McCracken, citing the need for restraint in the year ahead to keep inflationary potential under control.

Dr. McCracken urges caution because he sees great danger for our personal liberties in a shift away from a market-oriented economy to one controlled by the Government.

The task ahead of us will be to balance expansion in employment and output without creating an unsatisfactory rate of inflation.

The House Education and Labor Committee has reported out H.R. 50, the Full Employment and Balanced Economic Growth Act of 1976.

This landmark legislation provides us with the framework within which we can begin to develop responsible public policies that will encourage stability in our economy.

It is a document that makes a national commitment to the jobless: We will begin in earnest to discover ways to put the unemployed back to work, to create opportunities for those entering the labor market, and to encourage growth in our businesses and industries that will provide jobs for vast numbers of Americans.

Most of our recent discussions on manpower policy have been fragmented into two schools of thought: Those who favor expansion of the public service jobs concept, and those who believe that the real answer to unemployment lies in creating jobs in the private sector.

Ideally, our approach to the unemployment problem should embrace both concepts. At the outset, we may have to create public service jobs and training programs to take up the employment slack in the private sector. Then, as the economy improves, we should be able to shift the emphasis to private sector jobs, creating the kind of training programs and business incentives that will enable the private sector to take on the lion's share of employment.

Mr. Speaker, I know that my colleagues will devote considerable time and effort to studying the issues surrounding the full employment bill in the weeks ahead. In the hope that Dr. McCracken's overview on the economy might be helpful to them in that effort, I include it at this point in my remarks:

[From the Wall Street Journal, May 3, 1976]

THE CRUCIAL YEAR AHEAD

(By Paul W. McCracken)

The year ahead may not be the most important 12 months ever for the U.S. economy, but it is high on the list. It is there on the list because we are now under way on the second year of this economic expansion, and how things fall into place during this year will set the course for several years to come.

More is involved here than the usual questions about whether the expansion in markets for output will be ebullient or merely good, or whether the commercial paper rate will be X percent at the end of the year rather than a bit higher or a bit lower. The fact is that the performance of the American economy as it moves through the second year of the current expansion will also profoundly influence the prospects for retaining those freedoms of the individual that cannot really flourish except within the ambit of a market-organized economic system.

All kinds of groups, of course, loudly invoke the interests of "the people" to justify enlarging further the scope of government. It remains true, however, that the person for whom the right to lead his life and spend his income in ways that to him seem good, and that includes the vast majority of us, does far better in a market-organized economy

than if it is operated by government dictates. Yet if evidence should emerge that the American economy is once again starting off on another of the roller coaster loops that have dominated our history since 1965, already powerful trends toward far more extensive direct state organization of economic life in the countries of the industrial world (not excluding the United States) would be reinforced. And free collective bargaining would not be excluded from the casualty list. The managers of economic policy have narrow margins for error at this juncture in history.

The key questions, of course, have to do with the price level. Can we have a satisfactory rate of expansion in employment and output without creating an unsatisfactory rate of inflation? Is there any real hope that we can get the rate of inflation down further, down to those rates where concern about the future purchasing power of money ceases to dominate thinking and planning? For our history since the mid-1960s makes it abundantly clear that even with indexation, escalators, and other ingenious arrangements, our economic system loses its balance capability for smooth performance when rates of inflation are high.

SOME ENCOURAGING OMENS

There are, of course, some encouraging omens. The most obvious is what has happened to the rate of inflation itself. Less than two years ago, during the third quarter of 1974, consumer prices in this country were rising at the rate of over 13% per year, and in that same quarter wholesale prices for industrial products were rising at a 28% per year rate. One year later the figures were 7.3% and 8.0% respectively. And in the first quarter of 1976 consumer prices were rising at the rate of 3% per year, and for prices of industrial products at wholesale the figure was below 7%.

Moreover, somewhat similar rates of deceleration have taken place elsewhere in the industrial world. Just a year ago consumer prices in Germany, the bastion of price stability, were rising at a 9% rate, but the rate thus far in 1976 seems to be at about half that. And the horrendous U.K. inflation of last year, reaching a 40% per year rate, is now down to something like one-third of that pace. These slower rates of inflation elsewhere will help to discipline price-making forces here at home.

Even trends in labor costs per unit of output have their encouraging features. For the first quarter this year they were rising at the rate of somewhat over 4% per year for the private nonfarm part of the economy. In part this reflected fairly strong gains in productivity, but compensation per hour rose at only 7.8% annual rate. While the latest wage negotiation gets the headlines, it is never a good indicator of what is going on for the whole economy.

We also see less in the way of imbalances and disequilibria within the wage structure. These imbalances can be a powerful force driving wages upward at rates which seem to defy any relevance to the state of the economy. The more rapid advances in non-union wage rates in the late 1960s, for example, helped to explain the large union demands in 1970 that were wholly out of character with weak markets that prevailed in the shallow 1970 recession.

This is, however, the time to keep our optimism on a firm leash. The basic rate of inflation embedded in the economy remains at not less than a 5% pace, and probably it is closer to 6%. A review of our experience in other expansions during the last two decades shows no case where the rate of inflation during the second year of the expansion was below that for the first. Indeed, the rate accelerated in all of these cases except for 1970–1974, when the second year of the expansion came during price controls. And the results of that second-year moderation were lost in the inevitable price explosion that followed the demise of controls.

If the rate of inflation is to be worked down further to levels that would revive longer-run confidence in the purchasing power of money, the year ahead must produce something that has not occurred since World War II—a lower rate of inflation in the second year of an expansion than during the first.

Cost developments do not lend much support to the hope that this pattern is being broken. In this early part of the active year of the three-year cycle for wage negotiations we find ourselves with expressions of relief over wage bargains in the 10% per year zone. This does not mean immediately 10% for the whole economy, since smaller adjustments from contracts negotiated in 1975 and 1974 will be affecting the over-all average, but they are tending to put labor costs per unit of output on something like a 7% per year rising trend. Since compensation of employes accounts for about 88% of net domestic product in the corporate sector, the path of the price level will never vary much from the trend of labor costs per unit of output.

Is there any route by which historical patterns can be broken, so that we can work toward lower rates of inflation as the economy continues to expand?

We shall, no doubt, be hearing a great deal about the need for a prices and incomes policies program that, if it would only be used, would in some mysterious way make a large difference in the rate of inflation. Noisy harangues hurled at companies from important offices in Washington make for good news copy that gratifies the insatiable political appetite for publicity. Somehow the ensuing pyrotechnics prove that "Washington is doing something." By contrast staying on the course of moderate monetary and fiscal policies must be "doing nothing" since there is no overt battle to be reported between the white knight (government) and the villain (a corporation, or on rarer occasions a union).

Reliance on a prices and incomes program always turns out to have two problems. One is that such programs are ineffective, in spite of the exciting sparks that may fly in the process. The second problem is that those who urge "a flexible and effective incomes policy" have never had much success in laying out precisely what such a program would be. An indication that the administration was placing major reliance on incomes policies would be bad news for the future of the price level.

THE MATTER OF ARITHMETIC

The next requirement is to get some arithmetic straight. The economy cannot deliver ongoing increases in real income per job at the rate of over 2% per year, and the actual figure will probably be somewhat below 2%. Wage-making arrangements that include "improvement factors" of more than 2% constitute perpetual motion toward inflation.

Output per man hour in the private nonfarm sector during the quarter of a century from 1948 to 1973 (both peak cyclical years) rose at the average rate of 2.67% per year. This total gain in productivity, however, must be shared with the 17% of our employment that is in government (where the statisticians assume, some would say optimistically, that productivity does not change), and this reduces to 2.21% per year the extent to which incomes per job could be raised, still maintaining a stable price level. A part of this increase in average productivity comes about because productivity at each job was rising. Indeed, the economy's average productivity could rise even though productivity at each job slipped if enough people moved from low to high productivity jobs.

We must also assume that the diversion of capital outlays to purposes that do not improve measured productivity will have some adverse effect on the capability of the economy to deliver gains in measured real income.

We shall be close to the mark if we assume that on the average increases in income per job of more than 2% per year will produce an upward drift in unit costs and the price level for the economy.

The most important requirement, of course, is that government, at both ends of Pennsylvania Avenue and on Constitution Avenue at the Federal Reserve, stick by its determination to permit a solid but not spectacular expansion. That is the path of the economy that can be sustained for years, and it is the path that will minimize total unemployment in, say, the decade ahead. Moreover, it provides our best hope for a deceleration of inflation during the second year of expansion. In markets that are enlarging persistently but at a moderate pace, strong competitive pressures will discipline price decisions. And the more extensive use of cost of living escalators can serve to transmit moderating price trends more quickly to wage adjustments and the cost level.

If this strategy does not work, we shall be faced with an issue as momentous as that leading to the Sherman Act 86 years ago—dealing with agglomerations of market power in a free society, political democracy, and a market-organized economy.

NEW ERDA STUDY SUPPORTS CONCEPT OF SEPARATING NUCLEAR WEAPONS AND ENERGY PROGRAMS IN ERDA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 60 minutes.

Ms. ABZUG. Mr. Speaker, the ERDA authorization measure we will consider tomorrow is a major anomaly since it contains funds both for nuclear weapons activities and for civilian energy programs. It is difficult to imagine two programs which are more distinct in their intent and purpose than these. Each should be given separate consideration by Congress, and that is why I will offer an amendment to strike nuclear weapons activities authorization from H.R. 13350.

Last week President Ford released to Congress a study conducted by ERDA on the management of its nuclear weapons complex which gives new support to the concept of segregating weapons program from the overall energy program. The study concluded that ERDA should retain control of the weapons program rather than shifting it to a different Federal agency but that "fiscal and administrative separation of weapon and energy programs within ERDA . . . is desirable to insure that each can be managed in a manner best suited to meet its own needs."

Mr. Speaker, since the ERDA will not be able to supply copies of the study to every Member prior to debate on H.R. 13350, I am submitting for the RECORD the major concerns, options, and conclusions of the study for the review of every Member. The study raises important organizational and jurisdictional questions which must be examined in order to arrive at the best possible arrangement for responsible weapons and energy programs.

While the study endorses the desirability of separating programs, it does not go far enough in its recommenda-

tions to achieve that goal. It recommends that the OMB create a separate budget category—title—for nuclear weapons activities and that the DOD report to Congress on the costs incurred by ERDA for each nuclear weapons system. These managerial reforms are necessary, but by no means are they sufficient to enable Congress to give serious consideration to weapons policy. A separate authorization for nuclear weapons is the needed legislative reform.

Unfortunately, President Ford has not firmly committed the executive branch to implementing ERDA's recommendations of administrative and fiscal reform. In his letter of transmittal to Congress accompanying the report, the President "noted the recommendations" of the study and said only that "I will consider these recommendations in developing my future budget."

Therefore, the basic issue of achieving the separation remains unresolved. We should act now to separate the nuclear weapons from the energy authorization, a concept which has been given important new support by the ERDA study.

I am inserting five excerpts from the study for the RECORD.

The first lists the major concerns noted by ERDA in considering whether or not to transfer management of the weapons program.

The second excerpt lists the nine main options considered.

The third is the description of the alternative finally chosen.

The fourth is the set of recommendations by the ERDA Administrator.

The fifth outlines the implementation considerations if ERDA's recommendations were to be accepted.

FUNDING AND MANAGEMENT ALTERNATIVES FOR ERDA MILITARY APPLICATION AND RESTRICTED DATA FUNCTIONS

[Excerpt No. 1]

CONCERNS SUGGESTING A NEED FOR CHANGE[1]

There is concern:

1. That the nuclear weapon development and production program may unduly restrain ERDA progress in energy development—that administration of the weapon program is incompatible with the assignment of appropriately high priority to EDRA's energy responsibilities.

2. That the nuclear weapon development and production program may receive diminishing management attention and resources in ERDA because of high priorities accorded energy R&D, and may thus eventually fail to be responsive to DoD requirements.

3. That nuclear weapon costs may not be sufficiently visible to the Congress—that the Congressional armed services appropriations and authorization committees are not afforded convenient total weapon-system cost visibility.

4. That the DoD is not sufficiently accountable for ERDA costs incurred as a result of DoD requirements—that the DoD does not adequately consider the financial implications of its requirements and cannot fully rationalize its allocations of resources because it does not have to budget for ERDA costs.

CONCERNS SUGGESTING RESTRAINT AGAINST CHANGE

There is concern:

1. That changes in funding or management arrangements will adversely affect characteristics of the nuclear weapon complex which relate in a key way to the quality of future nuclear weapons.

2. That safety, security, control, and performance features of nuclear weapons will be compromised in the absence of dual-agency judgments.

3. That the capabilities of the nuclear weapon complex will not be readily available to the National Energy Research and Development Program if the complex is separated from ERDA.

4. That separation of program funding and management responsibilities will result in steadily increasing involvement of the funding agency in the management of the program, with a resultant diffusion of responsibility to a level detrimental to weapon quality.

5. That changes in funding or management arrangements will increase pressures toward duplication of facilities, staff, and other resources and/or may lead to a new bureaucracy (i.e., a new executive agency).

6. That transfer alternatives requiring major statutory changes will take time to implement and that the delay can cause serious uncertainties to the detriment of both the weapon and energy programs.

[Excerpt No. 2]

ERDA ALTERNATIVES[2]

Alternative 1

Retain the status quo.

Alternative 2

Retain current ERDA responsibilities but increase cost visibility and separation of weapon and energy programs in ERDA. Review the situation in 2 to 3 years if ERDA or DoD so recommend.

DOD FUNDING ALTERNATIVES

Alternative 3

Require DoD to fund weapon production and new SNM production for weapons.

Alternative 4

Require DoD to fund weapon production and new SNM production for weapons plus weaponization RD&T, but not exploratory RD&T.

DOD FUNDING AND MANAGEMENT ALTERNATIVES

Alternative 5

Require DoD to fund and manage the Nuclear Weapon Production Complex and fund new SNM for weapons plus weaponization RD&T, but not exploratory RD&T.

Alternative 6

Requiring DoD to assume full funding and management responsibility for the weapon program and the weapon complex and to fund new SNM production for weapons.

Alternative 7

Require DoD to fund and manage the entire weapon program and weapon complex but retain one weapon laboratory in ERDA for nonweapon R&D. Require DoD to fund new SNM production for weapons.

NEW AGENCY FUNDING AND MANAGEMENT ALTERNATIVES

Alternative 8

Establish a new Federal agency to assume responsibility for funding and management of the entire weapon program and weapon complex and to fund new SNM production for weapons.

Alternative 9

Establish a new Federal agency to assume management responsibility for the entire weapon program and weapon complex, but require DoD to fund weapon production and production of new SNM for weapons.

[Excerpt No. 3]

ALTERNATIVE 2—RETAIN CURRENT ERDA RESPONSIBILITIES BUT INCREASE WEAPON COST VISIBILITY AND SEPARATION OF WEAPON AND ENERGY PROGRAMS IN ERDA[3]

a. Definition—

As in Alternative 1, program funding and management, and the entire weapon complex, would remain ERDA responsibilities.

By Executive direction, the ERDA nuclear weapon program and budget would be submitted and treated as a separate budget activity (Title), and separate budget target ceilings, budget reviews, and apportionments would be provided. The DoD, using revised budget and cost reporting submittals, would advise the appropriate Congressional committees of all ERDA development, test, and production costs associated with each new nuclear weapon system in development or production, including costs for new SNM production attributed to these systems (but not including any initial-value charges for material recovered from the stockpile). These ERDA costs would be shown as nonadd items in the DoD budget and program submission. . . .

b. Evaluation Factors—

Alternative 2 would reduce the possibility of competition between energy and weapons for management support and funding within ERDA.

This alternative would also make more visible to the Congress the ERDA costs of nuclear weapons in DoD weapon systems through new cost-reporting procedures.

As in Alternative 1, this alternative retains nuclear weapon research, development, test, and production under single-agency management, and preserves existing smoothly working interfaces between elements of the weapon complex. It maintains interlaboratory peer review and design competition, permits continued assignment of single-laboratory responsibility over the life cycle of each weapon system and component, and continues dual-agency judgments on weapon safety, security, control, and performance features. This alternative assures simple ERDA access to weapon complex capabilities for nonweapon work. It requires no additional facilities or staff, and entails no delays or uncertainties that might attend extensive statutory revision and reorganization.

Alternative 2 does not fully respond to concerns regarding inadequate DoD accountability for ERDA costs resulting from DoD weapon system requirements.

c. Implementation—

No legislative changes would be required for this alternative. Modification of DoD's reporting systems would be required to include pertinent ERDA costs. As part of implementation, a continuous review would be made by ERDA, in collaboration with DoD, to determine whether this alternative was adequately eliminating the concerns expressed early in this chapter. If ERDA or the DoD considered it necessary after an additional two to three years of experience, another study would be recommended to the President to determine whether further changes were desirable.

[Excerpt No. 4]

RECOMMENDATIONS OF THE ADMINISTRATOR OF ERDA[4]

The Administrator of ERDA, on the basis of the background covered in this report and the foregoing analysis, recommends that current ERDA responsibilities regarding the nuclear weapon program and complex be retained and that Alternative 2 be implemented. He recommends that the President direct that:

[1] Page 8 of the "Executive Summary."

[2] Page 9 of the "Executive Summary."

[3] Page 55 of the main report.

[4] Page 78 of the main report.

OMB establish a separate budget activity (Title) for the ERDA Weapon Program, providing budget target ceilings, budget reviews, and apportionments separate from other programs in ERDA.

The DoD revise its nuclear weapon budget and cost reporting submissions to the Congress to include, on a non-add basis, additional detail of the ERDA costs associated with each new nuclear weapon or weapon system.

If DoD or ERDA conclude, after 2 to 3 years of experience, that this arrangement needs to be reconsidered, the President could direct an update of this study and its recommendation.

In effecting a budgetary separation of energy and weapon programs within ERDA, it is important to recognize that the entire nuclear weapon effort, unlike energy development, must for security reasons be largely accomplished within a government-owned complex. Capabilities within the private sector cannot be substituted for those of the government nuclear weapon complex. The Administrator believes that the paramount mission of the weapon complex is the successful execution of the weapon program, and intends to take the steps necessary to preserve this principle. In this regard, although he recognizes that the weapon laboratories can and should play a role in energy R&D, he intends to keep under his personal review the allocation of the resources of the complex to ensure that the weapon and energy development programs do not interfere unduly with one another. He intends further to have the AANS continue reporting directly to the Administrator, and to hold the AANS responsible for overseeing the utilization of weapon complex resources. In addition, administration and direction of the weapon complex will be carried out under the overall control of the AANS, and to the degree necessary and practical, apart from the integrated or coordinated administration of ERDA's responsibility in the energy development area.

Unless the President or the Congress disagrees with his recommendations, the Administrator intends to proceed with internal actions consistent with this recommendation, as outlined in Alternative 2.

[Excerpt No. 5]

PRELIMINARY REVIEW OF KEY IMPLEMENTATION CONSIDERATIONS [5]

The following were considered for each alternative:

Changes in Law,

Budget Processing and Funding Changes,

Transfers of Facilities and/or Organizations,

Interagency Agreements and Intra-agency Procedures,

Other Implementation Matters (personnel, international agreements, etc.).

Only elements of major significance are discussed below. Implementation actions applicable to more than one alternative are discussed only once and are referenced thereafter.

A. ERDA alternatives

Under Alternative 2, the nuclear weapon program would be treated as a separate entity in the ERDA's budget, receiving a separate ceiling and apportionment.

1. Changes in Law—

None required.

2. Budget Processing and Funding Changes—

An Executive directive would need to be issued requiring that separate OMB target ceilings and apportionments be established for ERDA nuclear weapon activity and other ERDA functions. The directive would also require that the DoD, via expanded and/or new budget and cost-reporting submittals, advise the Congress of all ERDA development, testing, and production costs (as non-add items) associated with each new nuclear weapon system in development or production, including costs for new SNM production attributed to these systems. . . .

ERDA budgeting and accounting procedures are capable of providing ERDA cost information in sufficient detail to support expanded DoD reporting to the Congress. . . .

3. Interagency Agreements and Intra-agency Procedures—

Alternative 2 can be implemented under the direction of the Secretary of Defense and the Administrator of ERDA, subject to OMB approval and consent by Congressional committees. Day-to-day management of the program would be affected to the extent that programmatic budgeting channels and associated planning, accounting, and reporting procedures would be refined by both ERDA headquarters and the field offices to make them consistent with the separate weapon program ceiling.

4. Other Implementation Matters—

As part of the implementation process, ERDA and DoD would continuously review the situation to determine whether this alternative was adequately diminishing the concerns expressed in Chapter III (weapon and energy program competition, weapon system cost visibility, etc.). If after 2 to 3 years of experience, ERDA or DoD recommended further review, the President could direct an update of this study and its recommendations.

[5] Page 1 of Appendix F.

TOWARD IMPROVEMENT OF MASS TRANSIT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. HOLTZMAN) is recognized for 15 minutes.

Ms. HOLTZMAN. Mr. Speaker, today I am introducing a bill to require public hearings before a mass transit system receiving Federal funds can raise fares or make substantial route changes.

Mass transit fare increases can have serious adverse consequences for riders who depend on public transportation. Higher transit fares cut into the pocketbooks of working people and can even prevent the unemployed from seeking and keeping jobs. For many people, a fare increase will mean a reduction in their standard of living.

Major route changes for transit buses or subways are also of serious concern to the public. Transportation routes determine whether people can conveniently get to work, school, shopping. Routes affect a city's growth and development.

Although public hearings are now required before a Federal mass transit project is funded, once Federal money is received, fares can be raised and routes changed or discontinued with no public input whatsoever. Decisions that raise fares or change routes are too important to be left to bureaucratic fiat.

The public should be guaranteed a voice in decisions on mass transit fares and routes—decisions that vitally affect their lives. Decisions that have passed the test of public hearings are bound to be better than those arrived at behind closed doors.

In many municipalities, however, there is no legal requirement that public hearings be held on fare increases or route changes. There were no hearings on New York City's last fare increase. Now another fare increase is rumored. The public's right to be heard on future increases should be assured.

The Congress has required public hearings before there can be any change in interstate highway routes. There must be public hearings on airline and railroad fare increases and on rates for all kinds of interstate shipping. Certainly the fares and routes of buses and subways used daily by millions of people are equally important matters.

My bill would mandate that transit authorities or other appropriate public bodies hold public hearings on the economic, environmental, social and energy conservation consequences of raising fares or changing routes. If no hearings are held, Federal payments could be suspended and no new applications approved for urban mass transit.

I urge support for this bill. The text follows:

H.R. 13814

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 et seq.) is amended by adding at the end thereof the following new section:

"ESTABLISHMENT OR CHANGE OF FARES OR SERVICES

"SEC. 17. (a) The Secretary shall not approve any grant or loan under this Act unless the applicant agrees and gives satisfactory assurances, in such manner and form as may be required by the Secretary, that prior to the establishment or change (1) in any fare, or (2) in any service which the Secretary has, by rule, determined may substantially affect any community or segment thereof, the applicant—

"(A) will afford an adequate opportunity for public hearings on such establishment or change in such fare or such service and will hold such hearings pursuant to adequate prior notice;

"(B) will give proper consideration to views and comments expressed in such hearings and will consider the effect on energy conservation and the economic, environmental, and social impact of the establishment or change in such fare or such service; and

"(C) will have determined that the establishment or change in such fare or such service is consistent with official plans, or plans of local planning agencies, for the comprehensive development of the urban area affected by such fare or such service.

Notice of any hearing held pursuant to this section shall include a concise statement of the establishment or change in the fare or service and shall be published in a newspaper of general circulation in the geographic area affected by such fare or such service and on every vehicle which is owned by the applicant and is used for mass transportation in such area. A transcript shall be made of any such hearing and shall, upon request of the Secretary, be submitted to the Secretary.

"(b) If the Secretary determines, after giving an applicant proper notice and an opportunity for a hearing, that such applicant has established or changed any fare or any such service without first complying with the procedural requirements set forth in subsection (a) with respect to which the applicant has entered into an agreement with the Secretary, the Secretary shall—

"(1) suspend any further payment due under any grant or loan agreement for which such requirements were necessary for approval of such grant or loan agreement; and

"(2) not approve any other application for any grant or loan under this Act submitted by such applicant,

until the Secretary determines that such applicant has established or changed such fare or such service pursuant to such procedural requirements.".

SEC. 2. The amendment made by the first section of this Act shall apply with respect to all grant or loan agreements made under the Urban Mass Transportation Act (49 U.S.C. 1601 et seq.) after the date of enactment of this Act.

A CONTINUING DISCUSSION ON THE PROPOSAL TO ESTABLISH A COMMISSION TO STUDY THE RESULTS OF AND OTHER QUESTIONS RELATING TO THE RACIAL INTEGRATION OF PUBLIC SCHOOLS AND THE USE OF BUSING TO ACHIEVE IT

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, it is reported that the Justice Department is considering filing a friend of the court brief asking the Supreme Court to reverse the U.S. District Court order which at the present time governs the Boston school desegregation case. I oppose the Justice Department intervening for that purpose, and I hope they will not for the reasons so eloquently set forth in the New York Times editorial of today, a copy of which I am appending.

I do, however, believe that my proposal which I introduced on January 29 as a bill, H.R. 11613, to establish a commission to study the results of and other questions relating to the racial integration of public schools and the use of busing to achieve it, is even more relevant today than it was on the day it was introduced. When I introduced that bill I said that, "I am no longer certain that I am correct in my belief that compulsory busing and racial balance in schools help to achieve the goals of quality education for all and an integrated, stable society. My heart tells me that in certain circumstances we should bus, but my gut tells me it is not working, and my mind asks why not ascertain the facts for review? No matter how controversial this issue has become, whatever the facts are, we should ferret them out."

I also stated, "I will continue to vote to allow the busing of schoolchildren to achieve racial balance in schools, unless and until I am shown by an impartial source that such busing does not achieve or frustrates the purposes for which it was designed. I continue to support the racial integration of schools. I support the rights of all children—regardless of ethnic or racial identity—to a good education. I support the integration of neighborhoods, the access of all to a decent job."

My proposal has been the subject of comments from those who believe that any questioning on this issue is a "sell-out" to the forces of reaction and that it makes no difference whether compulsory racial integration is related to quality education or not, it must be employed in pursuit of a higher societal goal of compulsory racial integration.

Equally polarized at the opposite end of the issue are those who assail my proposal to find the facts as a "cop out," for they believe they know the facts: to wit, that busing does not work and should be ended immediately.

Of course, it is pleasing to report that there is support for my proposal as a reasonable way to ascertain what the facts are. I always like to mention at this point that Dr. James Coleman has endorsed my proposal.

I have on several occasions placed in the RECORD differing letters that I have received on this issue, as I am doing today. I would hope that rather than seeking to intervene in opposition to the Boston decree the Justice Department would support my proposal to establish a fact-finding commission. Let me first restate my proposal for those who are interested.

To make this study, I am proposing that we establish, through legislation, a 13-member Commission, 11 members of which would be selected by the 11 chief judges of our Federal circuit courts of appeals and 2 members of which would be selected by the Chief Justice of the United States. The Commission's responsibility would be to take testimony across the country on all the paramount factual issues involved in achieving racial balance in schools and the means of effecting it in particular by busing. The Commission would report its findings, as well as any recommendations for appropriate legislation, to the Congress no later than 12 months from the time the Commission commences its work. The Commission members would be required to serve full-time and would be supported by a professional staff and adequate appropriations.

The questions I believe the Commission should address itself to are the following:

First. What are the fundamental goals of racial integration of our educational systems, and how effective have been the various methods to achieve them?

Second. What are the standards that should be used in evaluating the quality of education in our schools?

Third. What has been the impact of compulsory racial integration, achieved through busing or other means, on the quality of education and on other social goals?

Fourth. What has been the impact of measures other than busing taken by communities to achieve the goals of racial balance among schools, and have these methods been more or less effective than busing in meeting educational and social goals?

Fifth. What has been the impact of the effort to insure racial balance among schools on school enrollment, on violence and discipline problems, and on the reported movement of middle-class families from central city areas?

Sixth. Has the effort to insure racial balance in school systems had a positive effect in promoting the goal of a racially integrated society or has it intensified racial divisions within the community?

Seventh. What has been the effect of differing allocations of resources—Federal, State, and local—among and within school districts on the quality of education, and to what extent does the taxing method—for example, local property tax versus general appropriations—affect these disparities?

Eighth. Are there any important educational or social values to be gained by maintaining a commitment to the so-called neighborhood school?

Ninth. What disparities, if any, exist in the training, experience and qualifications of teachers assigned to schools whose pupils are predominantly white, black, Puerto Rican, Mexican-American, Indian, or any other race?

Tenth. What are the effects, if any, of the racial balance or imbalance of the teaching staff on the educational program of a racially balanced or imbalanced school? What are the problems of maintaining a racially integrated teaching staff in a racially imbalanced school?

I believe these questions should be addressed thoroughly by an impartial body, before the Congress or the administration commit themselves to policies that further polarize the Nation.

I append a copy of the New York Times editorial and three letters I have received about my proposal for a commission to study the problems of school busing and racial integration of the public schools. I think these letters represent three general points of view: those who are busing, those who favor busing as a sound means to integrate the schools or society and oppose a study commission, and those who favor the establishment of a commission to study school integration problems in order to help them evaluate what should be done.

The material follows:

[From the New York Times, May 17, 1976]

AN ANTI-BUSING BRIEF?

Solicitor General Robert Bork is reportedly urging the Justice Department to file a friend of the court brief asking the Supreme Court: (1) to overturn the Federal District Court's order in the Boston school desegregation case; and (2) to reconsider its ruling in the 1971 North Carolina case approving transportation (busing) as a remedy for unconstitutional discrimination against black schoolchildren. The recommendation is reckless, foolish and destructive.

By way of background, it should be remembered that after an extensive trial, Federal District Judge W. Arthur Garrity found that the Boston School Committee had discriminated deliberately and in violation of the Constitution against Boston's black schoolchildren over a long period of time. Consequently, prior to the opening of school in the fall of 1974, he ordered a limited integration plan including some busing. His order was upheld in the First Circuit Court of Appeals. The school year was marked by violent resistance to the order by white children and their parents.

During that year (1974–75) the school administration, at Judge Garrity's insistence, drew up a more comprehensive integration plan involving additional transportation. Once again the judge's order was upheld by the appeals court and once again there has been violent resistance to the decree. It is that second order that is now before the Supreme Court in four separate appeals. The Justice Department is considering lending support to one of them.

The Solicitor General no doubt honestly believes that he has found a legal flaw in Chief Justice Burger's opinion for a unanimous Court in the Charlotte fusing case and

that his amicus brief would simply constitute an effort to tidy up the constitutional law. In fact, he could hardly send as many destructive messages or do more harm to the fabric of law if he attacked the marble walls of the Supreme Court with spray paint and a crowbar.

The first message—even worse than that issued by President Ford in 1974 when he "respectfully disagreed" with Judge Garrity's original order—would be to encourage resistance to the orders of the Federal courts. The signal would simply read that if one disagrees loudly enough, throws enough bricks, breaks enough windows and injures enough people, the Justice Department ultimately will back down and ask the courts to bend the law to accommodate violent resistance to it.

A similarly destructive message would spread throughout the Federal court system, where such judicial heroes as Frank Johnson of Alabama, J. Skelly Wright of Louisiana, James B. McMillan of North Carolina, Judge Garrity himself and a host of others withstood the most intense hostility in their home communities in order to vindicate the rule of law. With very few exceptions, they have been supported in their lonely courage by all the effort and skill the Department of Justice could marshal. Such men will now be put on notice that they indulge in honor at their peril.

Black Americans will be put on notice that the Department of Justice, after reviewing the experience with *Brown* v. *Board of Education*, has concluded that there are no remedies for their rights and that the last 22 years have been nothing more than a cruel hoax.

Finally, the filing of an anti-busing brief this week would—however unjustly—be interpreted as a political move connected with the current primary campaign in the Republican Party. From every possible point of view, it would be an act of monumental folly for the United States Department of Justice to proceed in this way against the law and the Constitution.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,
New York, N.Y., April 7, 1976.

Hon. EDWARD KOCH
U.S. House of Representatives
Washington, D.C.

DEAR CONGRESSMAN KOCH: A copy of a letter you sent prominent educators across the nation has been shared with me. We are deeply concerned about its contents and implications.

I am, of course, referring to your request for reactions to your proposal to establish a National Commission to study the "Results of and Other Questions Relating to the Racial Integration of Public Schools and the Use of Busing to Achieve It." Inasmuch as you placed some importance on the respondents' views being published in the Congressional Record, I would hope that you extend us the same courtesy.

First, let me state the Association's viewpoint on busing as a means for promoting racial integration in our schools. We fully support busing as a legitimate and, in many instances, a necessary tool for dismantling racially segregated school systems. Morever, we deplore the efforts of federal, state and local officials, and others, who seek to postpone meaningful school desegregation by attacking busing or questioning anew the legal and moral command for desegregation. No amount of negative public opinion will convince us that the constitutional rights of our children to a quality, integrated education should be denied, abridged, suspended, or postponed.

I'm sure our position on school integration and, specifically, busing has been known to you. But I want to state as candidly as I must that we have received your proposal in the context of the political and open assaults on the principles of racial equality, as public officials attempt to pander and encourage the senseless fears of white bigots.

It is not my intention here to quarrel with you over the goals or strategies of the racial equality movement, or to pursue the rather crude intimations that busing is not "popular" within the black or white communities. The NAACP's goal is to eliminate black ghettoes and white ghettoes, and to put an immediate end to racially-isolated schools.

I think it would be a national tragedy for Congress to attempt to straddle the courts, to impose upon them extraordinary limitations in using their equitable powers to remedy racial segregation in the public schools. We have many many studies which portend the inherent inequality in separate schools and pronounce the negative effects of segregation on black and white children. If there is another study required, it is one which would lay the foundation for federal [congressional] action to eliminate so-called "de facto" segregation and to help integrate so-called "private" school academies. Such a study, for example, would seek data on the number of school districts which divert public school equipment and public funds to support segregated academies through the machinations of School Boards, County Boards of Revenue, City Councils or Commissions, Pensions and Security Offices and other public agencies. Such a study would examine such Congressional remedies as denial of tax deductibility to contributions to private segregated academies on the ground that they are not set up primarily for educational purposes but to evade the mandate of the law.

Finally, let me say a few words about the composition of your proposed National Commission. We have obvious and serious questions about the sincerity of "disinterested" scholars to study the effects of busing. The danger is that such persons will pursue their charge in a literal fashion and obfuscate the issues by disassociating remedy from the vindication of constitutional rights. There is a clear and present danger to the constitutional system of adjudication when members of National Commissions appointed by federal judges,—or the Chief Justice of the United States,—attempt to second-guess the factual determinations of the triers of fact and interject "non-controversial" remedies for constitutionally-mandated remedies.

Similarly, what has busing to do with mandated equal education? Why would you have such a Commission study the question of "white flight" from the cities in the context of litigation for school desegregation?

It has been my understanding for some time that we already have a National Commission of distinguished citizens to consider the many related questions in race relations, and to propose federal action. The United States Commission on Civil Rights has been performing a distinguished service in this regard, and has awarded a contract to the Rand Corporation to design a national study of the impact of school desegregation. The design will, I understand, seek to fill the gaps in available social science research, for whatever it's worth. You may be interested in Gary Orfield's article on the subject, published in the Commission's Summer 1973 Civil Rights Digest, entitled "School Integration and its Academic Critics." I am enclosing a copy for your reading.

With every good wish,

Sincerely yours,

ROY WILKINS,
Executive Director.

THE KOSCIUSZKO FOUNDATION,
New York, N.Y., April 7, 1976.

Mr. EDWARD KOCH,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN KOCH: I am pleased to learn that you are reconsidering your position on school busing. As a former teacher in the schools in the City of New York, and as a teacher at one of our local universities, I can only state that the forcible busing of children has been one of the greatest disasters of our times. Were it not for the fact that I can send my children to private school, I would have left the City of New York, together with the Foundation that I head.

Where the school district bounds were created deliberately to exclude blacks, they should have been changed. Where blacks would like to leave their particular school, voluntarily, to attend the neighbouring school, would likewise not cause any concern on my part. But to deliberately force children into buses, is not merely educationally unsound, has not merely done more to set the races apart than perhaps any other issue in our times, but it is likewise contrary to the spirit of the democratic form of the government.

What is most regrettable, however, especially from a Congressman who represents our City, where our population is so completely rootless, is that you have not been able to see the importance of a neighbourhood school, one that would build up pride in the area in which one lives.

With every best wish, I remain

Cordially yours,

EUGENE KUSIELEWICZ,
President.

NEW YORK UNIVERSITY,
New York, N.Y., March 29, 1976.

Representative EDWARD L. KOCH,
House of Representatives, Longworth House Office Building, Washington, D.C.

DEAR SIR: I was very faborably impressed by your proposal to establish a Commission to Study the Results of and Other Questions Relating to the Racial Integration of Public Schools and the Use of Busing to Achieve It. I think you have raised the right questions for the Commission to investigate. I have studied the questions which you have listed and have tried to think of others which should be studied. I cannot think of any other major questions, so I would conclude that your list is complete and comprehensive.

The only question that I have to raise about your proposal is the method of selection of the Commission. While I agree that your method will very probably be objective, certainly more objective than many other methods that we could think of, I think it poses one problem. I would hope that there would be precautions taken so that all of the Commissioners would not be lawyers. In fact, I think that the number of lawyers on the Commission should be restricted to the proportion that they are in the total population. Further great pains should be taken with the selection of the professional staff. I do not think that any professional who has taken a public position on busing should be a member of the staff. The major advantage of this Commission should be that it takes a fresh look at the question and that the Commission not have any previous position as to the answers that it is looking for.

I want to congratulate you on taking a bold step towards solving one of our most vexing problems. I would certainly offer my services and the services of the School of Education, Health, Nursing, and Arts Professions at New York University.

Very truly yours,

DANIEL E. GRIFFITHS, *Dean.*

INFORMATION ON H.R. 166 AND THE RECENT SUPREME COURT DECISION ON SEXUALITY

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, during the past few weeks I have called my colleagues' attention to the recent ruling of the U.S. Supreme Court on the States' right to regulate private sexual conduct, which had the effect of permitting States to prosecute those who engage in homosexual acts. I have urged Members to support H.R. 166, which would amend the Civil Rights Act of 1964 to prohibit discrimination on the basis of affectional or sexual preference. That legislation is cosponsored by Ms. ABZUG, Mr. BADILLO, Mr. BINGHAM, Mr. BROWN, Mr. JOHN L. BURTON, Mrs. CHISHOLM, Mr. DELLUMS, Mr. FAUNTROY, Mr. FRASER, Mr. HARRINGTON, Ms. HOLTZMAN, Mr. KOCH, Mr. MCCLOSKEY, Mr. MINETA, Mr. MITCHELL, Mr. NIX, Mr. RANGEL, Mr. RICHMOND, Mr. ROSENTHAL, Ms. SCHROEDER, Mr. SOLARZ, Mr. STARK, Mr. STUDDS, and Mr. WAXMAN.

I am certain that many Members here in the Congress would like to support H.R. 166 on the basis of simple equity and conscience. I also believe that a substantial number of our colleagues disagree with the recent Supreme Court decision on this subject, but hesitate to take a public position because of the possible political repercussions. For that reason I would like to bring to the attention of our colleagues the results of a recent poll conducted by the New York Daily News which shows that over half the persons interviewed disagreed with the Supreme Court decision permitting a State to outlaw homosexual acts, and 63 percent stated they believe homosexuals should be accepted in society and treated the same as anyone else.

In addition, I am also setting forth an article which appeared in the New York Times on May 15 concerning the scope of the Supreme Court decision on sexuality as it affects both heterosexuals and homosexuals. The article was written by Jean O'Leary and Bruce Voeller who are respectively, legislative director and executive director of the National Gay Task Force.

The two articles follow:

[From the Daily News, May 17, 1976]

FIFTY-EIGHT PERCENT IN POLL HIT SUPREME COURT'S RULING ON GAYS

(By Mark Andrews)

More than half the residents of the metropolitan area disagree with the U.S. Supreme Court's recent decision that a state may outlaw homosexual acts, according to The Daily News Opinion Poll.

Almost two-thirds of those interviewed said they thought that homosexuals should be accepted in society and treated the same as anyone else. Respondents were about equally divided on whether they thought homosexuals were treated fairly in America.

The Supreme Court, in a brief order on March 29, upheld a Virginia law providing up to five years in prison and a fine of up to $1,000 for persons convicted of homosexual activities.

535 PERSONS

The News asked New Yorkers on April 19, 20 and 21 what they thought of the high court's ruling. The poll was a random telephone sampling of 535 persons 18 and older in the city, northern New Jersey, and Westchester, Rockland, Nassau and Suffolk counties. Richard F. Link of Artronic Information Systems, Inc., a consultant.

The question was: "The U.S. Supreme Court recently ruled that a state may outlaw voluntary homosexual acts committed by adults in their own homes. Do you agree or disagree with this decision?" The response was:

[In percent]

Agree	18
Disagree	58
Don't Know	24

Agreeing with the decision were 21% of the Catholics polled, 15% of the Jewish respondents, and 14% of the Protestants interviewed.

63 PERCENT SAY YES

Another question was: "Do you think that homosexuals should be accepted in society and treated the same as anyone else?" The replies were:

[In percent]

Yes	63
No	21
Don't Know	16

This question was answered "yes" by 73% of the Jewish respondents, 63% of Protestants and 61% of Catholics who were polled.

Respondents also were asked: "Do you think that homosexuals are treated fairly in America today?" The answers were:

[In percent]

Yes	36
No	38
Don't Know	26

Protestants gave a slightly higher percentage of affirmative answers to the final question than did Catholics. "Yes" answers were given by 43% of the Protestants, 41% of the Catholics, and 28% of the Jewish respondents polled.

Comments from respondents reflected a wide range of opinions. Some of those interviewed said that homosexuals were "sick" and should be treated. Others said that homosexuals should simply be left alone to lead their own lives.

A few respondents said that homosexuals should be accepted in society, but should not be allowed to be teachers.

[From the New York Times, May 15, 1976]

IMPLICATIONS OF THE SUPREME COURT DECISION ON SODOMY

(By Jean O'Leary and Bruce Voeller)

Two hidden implications in the recent United States Supreme Court decision upholding the constitutionality of a Virginia law against sodomy have largely been neglected by the press. The first is that technically far more heterosexual women and men are affected by the ruling than lesbians or homosexual men.

In expert testimony at the recent Air Force hearing on T. Sgt. Leonard L. Matlovich, who was discharged from the service because he is a homosexual, Kinsey Institute researchers testified that about two-thirds of Americans engage in illegal sexual acts. A recent Redbook survey found an even greater percentage, raising the question of just whose sexual acts are deviant.

It is usually estimated that about 10 percent of the population (or twenty million Americans) are predominantly homosexual. If at least 60 percent of the heterosexual population engages in the illicit acts, some 120 million people are "presumptive criminals." All of this is to say that far more people are tarred by the brush of criminality than the press, and perhaps the Court, have perceived.

The second hidden implication lies in the dismaying erosion of privacy that the Supreme Court ruling creates, an erosion that deeply compromises the Court's earlier decisions and should raise great fears.

The right to one's own body and the right to the privacy of one's own home have been vigorously protected by the Court: the right to practice contraception in private, to have pornographic material in one's home, the right to abortion.

Yet, the Court has now ruled that we Americans, gay or heterosexual, may not engage in most of the sexual acts recommended by marriage therapists and encouraged by physicians and researchers who have written sexual counseling books.

Thus, a nagging question surfaces that often has been raised by legislators, but only now fully begins to take on its true coloration.

As a legislator might put it, "How can I vote job protection for a person [read: homosexual] who violates the sodomy laws and is thus a presumptive criminal?"

But the fact is that the laws pertain to far more heterosexual women and men than to lesbians and gay men, and another fact is that, contrary to press reports, the sodomy laws do not make homosexuality a crime or criminalize all homosexual acts.

It is perfectly possible for a pair of homosexual lovers never to violate a sodomy statute, but the assumption is made that they always do. Non-gay women and men should now ask those legislators if their right to privacy, just curtailed by the Supreme Court, will now also be violated by employers and landlords and Government agents making the same (warranted) assumptions and inquiring into their sexual practices.

The big questions become: Did the Court act too hastily, not realizing the full implication in law or numbers of affected people? Is the largely Nixon-appointed majority in this Court testing the water on a "despised minority" before mounting a larger campaign to shrink the protected areas of privacy for all?

In the several other areas of privacy litigation recently before the Court, their rulings give cause for great alarm. They refused to block dissemination of stigmatizing police lists, to protect the privacy of bank records or of tax records, to block police search of automobiles and drivers in the absence of a warrant, to permit police officers to decide on their own hair length.

Postscript: Lest anyone think that only homosexuals' privacy is at stake, a married couple, husband and wife, were recently sentenced in Virginia to five-year jail terms following conviction for engaging together in an act of sodomy. Last fall, the Supreme Court upheld the conviction of a Tennessee man for engaging in oral sodomy with a woman.

SOVIET REPRESSION OF HUMAN FREEDOM

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, it was my privilege this morning to participate in a national leadership assembly sponsored by the National Conference on Soviet Jewry, and to express my strong belief that the Congress must stand firm in denying trade and credit advantages to the Soviet Union as long as it continues its policy of repression and denial of basic human liberties.

I include the text of my remarks at the assembly at this point in the RECORD:

STATEMENT BY CONGRESSMAN CLAUDE PEPPER

I am glad to be with you this morning and to commend your determination not to take passively or without concern the harassment and the persecution and the heinous wrong which is being perpetrated upon the Jewish people of the Soviet Union.

I want to join you all and our fellow Americans in welcoming in the warmest way Dr. Alexander Luntz, who waited four years in the Soviet Union and after undergoing many heinous persecutions is finally not only living in Israel but free to travel at long last wherever his cause is found.

I say my friends, a very simple issue presented to us is, whether the Jewish people of the world, whether the government and people of the United States, long dedicated to the cause of human freedom, human liberty and human dignity, are going to sit passively by, callously unconcerned, or at least unconcerned, by the harassment and persecution committed on the Jewish people of the Soviet Union, or are we going to do our best to use those weapons we have, of a peaceful nature but pressure nevertheless, to try to bring about a change of policy and a change of course toward the Jewish people on the part of the Soviet Union.

I have a quote from a letter that was sent to this country to be disseminated by Dr. Alexander Luntz. I don't know whether Dr. Luntz made the same statement this morning or not but I commend it to you. "What can really hurt the Soviet Jews is any spreading of the thesis, 'Do not annoy the Soviets, or they will be harder on their Jews'—particularly when it is said by high officials. The Soviet Union can provide as many proofs of this thesis as it wishes to, as well as it can intensify the pressure if it sees that such action weakens the West's position. It appears that this is what has been happening in recent months. Now it is up to the West. If, in reply, it sacrifices its humanitarian demands, this will only prove to the Soviet leaders that pressure and repression are productive means of negotiation."

Just yesterday or day before yesterday I had a visit from a friend from my area who had been with a group of Baptists to visit a Baptist church in Moscow in December of last year. This Baptist church was filled to standing room only with only one announcement over the Voice of America that there was going to be this visiting delegation of American Baptists to this church in Moscow. In the course of the service my friend, a former mayor in my area, was permitted to give greetings to the Soviet people who came to that church. He conveyed warm greetings from their Baptist brothers and sisters in America and concluded his remarks by saying that "we your fellow Baptists in America pray that you shall at long last enjoy full religious liberty."

There was a man sitting right behind him with a tape recorder. And there were many others in that church who obviously were there to report to Soviet authorities what was said and done at that service.

When the American group finally concluded their visit to Moscow and stopped in Leningrad on the way home they visited another Baptist group. My friend, who had given the greeting with the statement about full religious liberty in Moscow, asked to be permitted to give greetings to the group in Leningrad. The Soviet authorities denied him the right to give greetings unless he would write out what he proposed to say to give them an opportunity to approve it ahead of time. They had detected in his remarks in Moscow that he had called for all-out religious freedom for the Soviet people and they refused to give him a chance to speak because they thought he might tell that audience that we were praying that they might enjoy full religious freedom.

You and I know that historically, under the Czars and under the Soviet regime, the Jewish people have been persecuted. They have been made the victims of programs and all other forms of harassment and tyranny. Now the question is whether we are going to sit by and say, very well you Soviets persecute your Jewish people, harass them, make them pay enormous taxes and fines, put them in mental institutions, incarcerate them in prison camps, exile them, take their jobs away from them if they ask to go to Israel, break up families, deny the opportunity of families to be reunited in various parts of the world—it's wholly your business. Are we going to say that inhuman treatment is no concern of America in our 200th year when we commemorate this great experiment in human dignity and freedom here upon this great continent? Or, are we going, with determination and persistence and consistency, to tell the Soviet Union that if you want to live in an advanced, modern society, act like a modern, socialized and civilized country!

We don't have to have Russian trade. We're not living off of Russian wheat. We don't need to have Russian techniques in order to have a viable economy in America. But they do need ours!

The only way we are ever going to get them to change their historic policy against the Jews is to put enough pressure on them to make it advantageous for them to change it. They have never loved their Jewish people. They have never felt kindly toward the Jews among their people. They have been hostile to them, on the contrary, because the Jews wouldn't allow themselves to be assimilated into the Russian people and culture. The Jews would not abandon their glorious religion, their historic culture, their determination to see that religion and culture enjoyed and perpetuated by their children. The Russians have never reconciled themselves to the unwillingness of the Jew to abandon everything that he and his people had stood for—for thousands of years—and become another digit in the Russian social structure, which alone is acceptable to their Communist hierarchy.

I'll just say in conclusion my friends: I recently had heart surgery, open heart surgery. I have a new heart. I got mine voluntarily. But the Soviets are never going to change their heart voluntarily. We have got to make them change it by making it in their interest to change it—into a willingness to show some respect and consideration for human dignity, human liberty and human freedom.

NATIONAL HANDICAPPED WEEK

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I would like to call to the attention of my colleagues that this is National Handicapped Week. The theme Independence Through Awareness is most appropriate when we consider that the solution of the problems of the handicapped lies largely in awareness of those problems.

I am especially pleased to announce that Dade County, Fla., which encompasses my district, planned an Action Week May 7 to 14 as a preliminary to National Handicapped Week. Only last Friday, I received word that the Dade Hire-the-Handicapped Committee had collected over 5,000 signatures in support of H.R. 7754, which I am privileged to cosponsor and which would amend the Civil Rights Act of 1964 to make it an unlawful employment practice to discriminate against anyone because of physical disability. This legislation is vital to the elimination of discrimination against someone because of disability, with no regard to ability.

One of the primary activities of our Dade County preliminary observance was a Symposium on Freedom of Access to the Handicapped—an event aimed at one of the most critical problems facing the disabled—restricted access to public facilities and transportation because of architectural barriers. A panel of distinguished community leaders addressed themselves to the issues involved in this area. In addition, the symposium included an opportunity for architects, building inspectors, and contractors to get into wheelchairs and experience firsthand the architectural barriers that currently exist.

In awareness of these difficulties, I have sponsored H.R. 6173 and cosponsored H.R. 10707 and House Concurrent Resolution 386, all of which deal with the removal of architectural barriers from public facilities and buildings. I hope that all of my colleagues are also aware of these difficulties, and perhaps they could encourage similar activities in their own districts.

Mr. Speaker, I would like to close by commending the concerned people of Dade County for these actions they have taken on behalf of the handicapped and once again emphasize the importance of making it possible for the handicapped to realize their full potential as a productive and valuable sector of our population.

WHERE HAVE ALL THE WETLANDS GONE?—PART I

(Mr. GUDE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, the House will soon be voting on H.R. 9560, a bill to amend the Federal Water Pollution Control Act of 1972 (Public Law 92–500). Section 17 of H.R. 9560 drastically alters section 404 of the Water Pollution Control Act which requires the Corps of Engineers to regulate the discharge of dredged or fill material into the navigable waters of the United States. The basic purpose of such regulations is to protect municipal water supplies, shellfish beds and fishery areas, wildlife, and recreational areas.

What exactly does section 17 do? Section 17 would restrict the jurisdictional scope of the present dredge and fill regulation program by limiting the Corps' authority to those waters which are or could be used for transportation in interstate commerce, and to the ordinary high, water mark of such waters. This limitation would remove Federal regulatory authority from approximately 85 percent of the Nation's remaining wetland resources according to the Natural Resources Defense Council Environmental Lobby.

In view of the fact that nearly half of America's wetlands have already been destroyed by unthinking, antinature actions, this is hardly the time to step backward from the limited protection provided to wetlands under section 404 of the Water Pollution Control Act. In fact,

given the rate of decline of our wetland resources, a good case could be made for more stringent Federal protection of wetland areas. I hope the appropriate congressional committees will soon take a hard look at this Nation's sorry record in its use of wetlands and pass needed legislation to protect these vital national and world resources for all time. In the meantime, this Congress can act to continue the current limited protection afforded wetland areas by rejection of section 17 of H.R. 9560—also known as the Breaux amendment.

The following article, "Who's Protecting the Wetlands?" by Paul Clancy, appeared in the May 16, 1976, issue of the Washington Post. It details one observer's view of the political context in which the Breaux amendment was generated. After reading the article, it is hard to escape the conclusion that section 17 of H.R. 9560 is a reaction to a nonevent; that is, the dredge and fill regulations issued by the corps in July 1975, were not nearly as restrictive or as unreasonable as they were initially touted to be by he corps and alarmed farming and ranching interests. In fact, the regulations according to EPA Director Russell Train, provide a balanced decision-making process to protect America's remaining wetland resources from destruction and our estuarine waters from pollution by toxic dredged or fill materials. In short, the regulations issued under section 404 of the Water Pollution Control Act help accomplish the very goal Congress established for the Nation in 1972: the restoration and maintenance of the chemical, physical, and biological integrity of the Nation's waters.

WHO'S PROTECTING THE WETLANDS?

(By Paul Clancy)

Like hunters in a duckblind, a small but determined group of congressmen on the House Public Works Committee took aim a few weeks ago at a public law that protects the nation's fragile wetlands from destruction. Then they pulled the trigger.

The committee's action, stripping the U.S. Army Corps of Engineers of much of its jurisdiction over wetlands areas, may ultimately not find its way into law. All the same, it seemed a startling leap backward. Even lobbyists for the dredgers and fillers of wetlands were surprised. Environmentalists were positively shocked.

What was at work was not so much a renunciation of the nation's long-standing commitment to preserve and protect the environment, but a rubbing together of politics and misinformation.

The politics of it has to do with a perceived national mood against Washington and its meddlesome federal bureaucracy. Clearly fanned by the leading presidential contenders, this wind whipped hot through the committee room during the April 13 markup of amendments to the Federal Water Pollution Control Act.

This political perception combined with a largely overblown and distorted contention that Section 404 of the act was to be enforced by a literal army of bureaucrats backed up by intolerable and unnecessary regulations.

The result was a 22 to 13 vote to restrict federal authority over wetlands to that fraction which are adjacent to navigable waters and subject to the ebb and flow of the tides. In the view of Environmental Protection Agency officials, this would leave some 80 per cent of the ecologically important wetlands open to destruction by dredgers and developers.

Responsibility then would fall to the states—not a bad idea, a number of congressmen contend. Some states have rigorous wetlands protection laws. But the problem, as environmentalists see it, is that others do not.

CHANGE IN ATTITUDES

The welands, a term that applies to marshes, swamps, bogs, sloughs and river floodlands, were until quite recently viewed as an annoying hindrance to man's enjoyment of the outdoors and to the flow of commerce. This land was thus "reclaimed" for use as farms, second home developments, jetports, causeways and channels. In the past hundred years or so, an estimated 45 million acres, or 40 percent, of the nation's coastal wetlands have been lost.

Now, perhaps not too late, conservationists have convinced us that wetlands are a priceless work of nature, that they are delicate and irreplaceable breeding grounds for fish, waterfowl and fur-bearing wildlife. They aid in flood control and remove pollutants from the air and water. It takes an estimated 4,000 years for marshlands to grow to their normal teeming productivity; man can destroy them in a day.

As it tursn out, the principal agency for protecting the wetlands that remain is the U.S. Army Corps of Engineers. Asking the Army to protect wetlands is like asking the Redskins' front line to dance the ballet. But no one else is doing it. Since the Corps already was issuing dredge and fill permits for waterways, it might as well assume the additional role of wetlands protector.

It is difficult at this point to say exactly what Congress intended for wetlands when it passed the amendments to the Water Pollution Control Act in 1973—except to say that the Corps would have the power to issue or deny permits to anyone wishing to discharge dredged or fill material into navigable waters. And what it meant by navigable waters was anybody's guess.

"There was a lack of information as to just what we were dealing with," says Bill Hedeman of the Corps. "The legislative history was not much help."

Without further guidance, the Corps of Engineers decided to restrict itself to the turn-of-the-century definition of waters affecting interstate commerce. It took a court order to convince the Corps that its responsibility extended to most waters of the United States, particularly swamplands and tributaries of navigable streams and rivers.

Traditionalists in the Corps were obviously horrified at this. They estimated they would have to hire an additional 1,750 employees and spend an extra $50 million annually to write all the permits that would be required. Then, in what seemed to many a deliberate attempt to sabotage the ruling, the Corps issued a confusing four-pronged set of regulations and a press release that flatly stated:

"Under some of the proposed regulations, federal permits may be required by the rancher who wants to enlarge his stock pond, or the farmer who wants to deepen an irrigation ditch or plow a field, or the mountaineer who wants to protect his land against stream erosion."

SOUNDING THE ALARM

The release hit with explosive force. The Associated Press said flatly that the Corps was seeking to extend its authority "over every lake, stream, stock pond, irrigation ditch and marsh in the nation." The next day the wire service added backyard swimming pools. Farm journals and conservation district newsletters jumped in with editorials denouncing the move as a naked power grab, a taking of private land.

Within a few days, newspapers around the country sounded the alarm: Once again the heavy hand of the federal bureaucracy had thrust itself into the lives of rural Americans. One paper actually said that the Corps of Engineers would "soon be in our backyards." An editorial cartoon showed a battleship sailing up into a farmer's creek and claiming it as government property.

It wasn't long before the U.S. Department of Agriculture (USDA) joined the chorus. Secretary Earl Butz called the proposal "a dangerous extension of the long hand of the federal government into the affairs of private citizens."

The Corps did little to discourage the growing alarm. Some of its own officials went to public meetings and added their own embellishments to the story. One estimated that the Corps would regulate every creek that farmers could not jump across. Another said that, since the Corps would not have the manpower to police all the streams, it would rely on farmers to snitch on each other.

Needless to say, the Corps was flooded with angry comments. But then, as environmental groups and officials who took time to read the regulations had a chance to react, a counterattack was begun. EPA Administrator Russell Train sharply rebuked the Corps and demanded that Lt. Gen. William C. Gribble of the Corps take immediate action to correct the false statements.

Finally, in July, the Corps backed down. Hard. Assistant Secretary of the Army Victor Veysey assured the House Public Works Committee that the Corps never had any intention of interfering with normal farming, ranching or forestry operations. He said no one was more astonished than he that the misstatements had been made; it wouldn't happen again.

And it didn't. Where there had been resistance and breast-beating, the Corps succumbed to what even its harshest critics saw as an evenhanded concern for the environment. Such an about-face, one EPA official said, "is really more possible in a military organization than a civil bureaucracy. They had their orders and they carried them out."

New regulations, written in collaboration with the EPA, were published on July 25, 1975. They did indeed envision a wide program of permit issuing—but, according to officials, moderate and reasonably. At least, that's what the court seemed to require.

In a three-phased program, the regulations required permits immediately for discharge of dredged or fill material into coastal waters and inland navigable waters and adjacent wetlands. A second phase, that goes into effect July 1, 1976, extends this authority into primary tributaries, lakes and adjacent wetlands. The third and final phase, beginning a year later, goes into all navigable waters, meaning lakes of 5 acres or more and streams with a flow of at least 5 cubic feet per second.

But the regulations were remarkable not so much for what they included but what they specifically excluded.

Excluded from regulation were drainage and irrigation ditches, stock watering ponds and settling basins and farming activities "such as plowing, cultivating, seeding and harvesting for the production of food, fiber and forest products." Again: "Farming conservation practices such as terracing check dams and land-levelling would also not be regulated unless they occur in navigable waters."

In addition, the engineers held meetings around the country to make sure people understood the regulations. Environmentalists now found themselves on the side of the Corps of Engineers and together the agency and the groups worked to dispel the past misunderstandings.

That should have been that. But it wasn't. Like a fire smoldering under ashes, the Corps'

original untruths, perpetuated by critics of the program, lived on. They would continue to burn brightly, not only in the minds of the public but in the minds of members of Congress and in the minds of members of the committee that held oversight hearings on the water quality act.

More than one observer offered the explanation that Congress is not interested in the facts but only the public perception of the facts.

GOVERNORS JOIN IN

Neither the public nor Congress got much help from the USDA. A month after the new regulations were published—after the government's position was supposedly reversed—the Department sent out a press release which began:

"WASHINGTON, Aug. 8.—New 'dredge and fill' regulations of the U.S. Army Corps of Engineers impose the threat of 'cumbersome, time-consuming procedures' on farmers and ranchers every time they clean a ditch or build a pond, according to Robert W. Long, assistant secretary of agriculture for conservation, research and education."

The USDA kept this up for months. For instance, at a breakfast meeting last November with representatives of the South Carolina Association of Conservation Districts, Paul A. Vander Myde, Long's assistant, lashed out at "this 404 situation," calling it federal land-use control by another name. "It could be construed as federal taking of privately owned land rights without due process of law and certainly without just compensation," he said.

The soil conservation districts, guided by their national association in Washington, kept up a steady campaign against 404, as did the National Farm Bureau Federation and a number of other grass-roots organizations. Many of the governors joined in and so did their state ports authorities. Then the industries—home builders, road builders and dredgers—and finally some of the unions—particularly the dredging operators and the harbor crews—added their voices.

In short, congressmen were swamped. They faced angry farmers at home and increasingly organized lobbyists in Washington. And they witnessed a divided government.

Furthermore, it was becoming apparent that the entire federal water pollution control effort was bogged down. Congressmen were convinced that it was the EPA bureaucracy that was unnecessarily tying up grants for municipal water treatment plants. The agency was being charged with hindering, rather than promoting, the cleanup of municipal wastes.

The temptation to strike out at the environmental bureaucracy had grown dangerously by the time the Public Works Committee began markup sessions on water pollution control amendments. Congressmen didn't like the way the government had backed into wetlands protection, the way the judges and the bureaucrats were—once again—deciding national policy.

FEELING THE PRESSURE

But most people involved, including committee staff, figured nothing would be done about Section 404 until next year when a massive review of the act is scheduled to take place. The most that could happen, they said, would be a temporary slowdown of the regulations while Congress decided whether to write a real wetlands bill. But the pressures were such that anything could happen.

There is in Washington a lawyer named Robert E. Losch. Along with other clients, he represents the National Association of Dredging Contractors and the International Association of Operating Engineers, the ones who operate machinery in the ports. The dredging business has been slow these days and so is the harbor business. And Losch's clients are upset.

They believe that the new restrictions on dumping dredged materials are sending costs out of sight. They no longer can simply dump the material in wetlands areas above the high-water mark the way they used to. Furthermore, the Corps, long a friend of the dredgers, is saying that areas that are *periodically* flooded qualify as wetlands. That's bad for business.

Losch is an affable man, late 40s, Midwestern. He recently brought a tiny hermit crab all the way back from Hilton Head and gave it to the aquarium at the Department of Commerce because he was afraid it would fall prey to seagulls.

Bob Losch likes the way things work on the Hill and will admit to playing a part in a lot of key legislation. Like the deepwater ports bill and, interestingly, the original Section 404 of the water quality act. He didn't actually write any legislation, although some people apparently think so, but he knows the subjects well and has plenty of helpful suggestions. He's a compromiser.

A few weeks ago, Losch began getting pressure from a number of ports authorities—among them Charleston and Corpus Christi—to do something about Section 404. He thus began coordinating the lobbying effort to bring this about. It was not a massive undertaking. Most of the lobbyists did not think there was a chance to do anything this year.

The American Farm Bureau Federation sent letters to all committee members on the Friday before the vote and urged bureaus in states that had committee members to do some calling. The forestry products people did some low-key lobbying.

Losch, figuring there might be room for compromise, pushed a bill that would have allowed states to issue their own permits for filling in land areas above the high-water mark. All the lobbyists knew that Rep. John Breaux (D.-La.) intended to introduce his amendment to restrict the Corps' wetland jurisdiction, but they thought it would be shot down.

"I nearly fell out of my chair," said Keith Hundley of the Weyerhaeuser Company about what happened next.

PARTY-LINE VOTE

It was a perceptible shifting of power blocs in the committee. Chairman Bob Jones of Alabama, wielding five proxies, made some brief remarks about restrictions never intended by Congress. But the real signal was an unexpectedly heated pitch for the Breaux amendment by the man who expects to be the committee's next chairman, Jim Wright of Texas.

Wright, considered a smart, articulate man, has had what environmentalists view was an increasingly poor record. He has been accused of being in the pockets of the billboard lobby and of pushing pork barrel projects in his district against environmental interests. Such accusations make him angry. In fact, environmentalists themselves have recently made him angry.

"I am not aware that they have been elected to speak for the environment; I have been," he said in an interview. "I was an environmentalist before many of them even heard the word. Hell, I was fighting for soil and water conservation back when I was a kid in the Texas legislature."

Environmentalists have been generally friendly with Wright, not wanting to make enemies with the expected next chairman of a committee as important as Public Works. But his actions on 404 may have edged him into the ranks of the Dirty Dozen.

Wright asserted at the committee meeting that "any farmer or anybody who is going to dredge and fill around any water, any stock pond, any stream, any little creek running through his property" will have to get permission from the Corps of Engineers. Furthermore, he claimed, "Anybody who wants to have a little terrace across his property to hold his land as a soil conservation measure is going to have to go to the Corps to get a permit." Several other committee members echoed these beliefs.

It appeared that the Corps' careful efforts to clarify its position, even the extraordinarily specific regulations, had little impact on the committee. The vote fell largely along party lines, with Republicans, following the lead of their ranking member, William Harsha, voting against Breaux.

Wright now concedes that the committee may have gone too far. He said that EPA Administrator Train recently expressed concern to him that, in passing the amendment, "we may have restricted the Corps to a lesser application than we wanted to. Maybe he's right."

Wright said he may offer an amendment on the floor of the House that would delay implementation of phases 2 and 3 of the regulations, giving Congress time to conduct an in-depth inquiry.

That will be fine with Breaux, although he will fight all the way for his amendment. "I may get my rear end beat on the floor, but at least Congress will have expressed its intent," he says. "I got their attention."

The lobbyists will be fighting, too. On the industrial-agricultural side, those who would have settled for a moderate change are saying, "We now go for Breaux." On the environmental side, the Section 404 fight has pushed some of the purely educational groups into active lobbying. It will be quite a fight when the bill gets to the House floor.

Whatever happens, Wright feels that Congress is just reacting to public alarm over increasing intrusions of the federal government into the daily lives of Americans. When those Americans happen to be farmers, that's political trouble.

There seems to be a general bureaucratic head hunt in Congress this year. Among other alleged excesses, Wright lists busing, the seat belt interlock, the paperwork demands of the Occupational Safety and Health Administration and a host of "nitpicking" EPA demands.

This may be a year of running for cover. "When a guy like Jimmy Carter runs for President and rails against the Washington bureaucracy, it has to tell you something," Wright said.

INTRODUCTORY STATEMENT ON FRANKING BILL

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, in order for Members to represent the people effectively, we must be aware of their views on the major issues that face the country. Many Members send questionnaires to every household to ascertain their views. A large number of complaints are received that we can send out the questionnaires on the frank, but they have to pay postage to mail the answer. To overcome this inequity, I am today sponsoring legislation to permit constituents to return these questionnaires for free on the frank.

My bill permits the postage free return of only a questionnaire answer sheet—either enclosed with the questionnaire in an envelope or to be detached from it.

Effective communication with constituents is imperative if we are going to represent them adequately. The problem of not being aware of the views of the

people we represent is a serious one; yet at the same time we can do something to help the situation now. This bill represents a responsible, practical step to increase the public voice in Congress.

The text of the bill follows.

H.R. 13825

A bill to amend title 39, United States Code, to provide that any person receiving a questionnaire from a Member of Congress may return such questionnaire under the frank

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3210 of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

"(g)(1) Any congressional questionnaire which is frankable under subsection (a)(3)(C) of this section may be returned as franked mail by the person receiving such questionnaire to the Member of Congress mailing such questionnaire. Any such questionnaire shall contain a preprinted frank to enable the return of such questionnaire in accordance with this subsection.

"(2) Any mail matter which is mailed as franked mail in accordance with this subsection may not include any material unrelated to the questionnaire involved or unnecessary for the completion of such questionnaire.".

THE LATE HONORABLE LIVINGSTON T. MERCHANT

(Mr. MORGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORGAN. Mr. Speaker, the Nation has lost one of its ablest and most dedicated citizens with the death of the Honorable Livingston T. Merchant.

As a young man with a successful career in finance, Livingston Merchant joined the State Department early in World War II to take part in our defense effort. He served initially in the division of defense materials.

Fortunately for our country, he chose to remain in Government ranks and he entered the Foreign Service after the war. He went on to become one of the most distinguished career diplomats of the Nation's postwar period.

After early assignments connected with Far Eastern affairs, he took on important roles in the reconstruction of Europe and the building of NATO. He twice was assistant Secretary of State for European Affairs, he twice served as Ambasasdor to Canada, and late in the Eisenhower administration he held the high post of Undersecretary of State for Political Affairs.

Livy Merchant served in Democratic and Republican administrations alike with talent and devotion to his country. He was both an expert in economic affairs, and an accomplished negotiator on problems ranging from Germany to Panama.

We are grateful for his service, and saddened by his death. I extend sincerest condolences to his family.

J. J. P. REMARKS ON THE ROBINSON-PATMAN ACT

(Mr. PICKLE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PICKLE. Mr. Speaker, unlike previous years, there are several front-page issues generated by the FTC this year. Logically, these items are being discussed today.

Because of these issues, I think it is very important to discuss the Robinson-Patman Act and the FTC today.

Beyond this, this FTC authorization bill makes the first such authorization since the passing of Dean Wright Patman of Texas. I think that many observers outside of the Congress had let slip from mind the fact that the Patman in Robinson-Patman meant Wright Patman. The Robinson-Patman Act, the Magna Carta for small business in America, was his bill, his legislation.

Personally, I feel that those of us who believe in this law would be very derelict if we did not discuss the current status of Dean Patman's great legislative legacy.

Since we are looking at the Federal Trade Commission today, I do not wish to take the time to discuss extensively the onslaught being made on this legislation. In passing, I will say that seldom do we see the big money boys making medicine with the well-meaning consumerists. But this is what is happening in the attack against the Robinson-Patman Act.

It is easy to understand why an administration, which is friendly toward big business, would want to emasculate the Robinson-Patman Act, a law which is designed to help keep competition keen. Not so easy to conceive is why certain consumer groups have swallowed the line that the Robinson-Patman Act is anticompetition. This is a view that leads one to cut one's nose off despite the best of efforts.

Certainly, a big bakery, or a big beer maker, or a big supermarket chain, or whatever big, can go into a market, offer discounts to wholesalers and retailers, and undersell the local or regional bakers, brewers, or grocers. As the local people are fighting the big people, the consumer may be paying lower prices. But once the local people are driven from business, what happens? The answer is clear—a marketplace monopoly is created and the prices go up permanently. In the end, the violation of the Robinson-Patman Act means the consumer pays, and pays, and pays.

So in my opinion, and I have listened to many an economic expert on this, the consumer advocates joining with big business and this administration to get rid of the Robinson-Patman Act are being led down the primrose path.

Mr. Chairman, I confess to saying more about the outside attack on the Robinson-Patman Act than I intended, but I do react strongly to these attacks.

On the other hand, I think even a part-time observer of the Congress can realize this Congress is not going to repeal the Robinson-Patman Act.

So, de jure, the Robinson-Patman Act remains entrenched. The problem is, Mr. Chairman, the Robinson-Patman Act is being repealed de facto; and the chief culprit is the very agency we are authorizing today—the Federal Trade Commission.

I say this without any real malice toward the FTC. I am not out to get the FTC. The FTC has heard from me when I have disagreed with some of its actions, but I have never advocated that the agency be abolished.

In fact, if anything, I implore the FTC to carry out its congressional mandate to enforce the Robinson-Patman Act.

During the 93d Congress, it was my privilege to chair a series of oversight hearings on the FTC and its recent activities on the Robinson-Patman Act. The conclusion I drew from the hearings was that the FTC had a lack, or even next to none, of activity in this Robinson-Patman area.

For example, in 1960 there were 130 complaints and 45 orders by the FTC under the Robinson-Patman statute. With the advent of a new attitude in the late 1960's and early 1970's, those actions dwindled drastically. In fiscal year 1975 there were just 2 complaints and 3 orders. To me, this record spells de facto repeal of the law by FTC officials. Please remember, Congress has never instructed the FTC to ditch enforcement of this longstanding national policy.

So with this legislation, I urge the Congress to send the FTC a message that's loud and clear—a message that says "Enforce the Robinson-Patman Act."

As we watch the FTC, all of us who are supporters of the Robinson-Patman Act should be prepared to do more than make speeches. It may be necessary to be doubly diligent at Senate confirmation hearings on nominees for the Commission. As House Members, however, our greatest control should center around the appropriations process, either by earmarking money or holding money back.

In conclusion, I ask the committee to remain on guard to see that the FTC undoes its unilateral repeal of the Robinson-Patman Act.

HOW TO SAVE $150 MILLION A YEAR? LET'S HAVE BETTER RECORDS MANAGEMENT

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RANDALL. Mr. Speaker, I am pleased to introduce the "Federal Records Management Amendments of 1976." The Federal Government's records management program is now more than 25 years old. It needs updating and clarifying. The growth of Government and new technologies like quick-copying, micrographics, and automation have thrust recordkeeping and records management into a new dimension. Moreover, Congress again needs to reassert its purpose that there be strong, clearly defined administrative authority to deal quickly and effectively with today's huge, complex problems.

The Government Operations Committee's Subcommittee on Government Activities and Transportation, which I have the honor to chair, held hearings

last July 11 on records management legislation. Witnesses from the General Services Administration and the General Accounting Office considered it a conservative estimate that a saving of $150 million a year could result from enactment of the legislation. How conservative is indicated by the fact that this saving equals a mere 1 percent of the total annual cost to the Government of its records management.

This bill is based on legislation introduced last year in the form of 12 identical or closely related bills sponsored by 71 Members. The various bills are generally grouped under H.R. 4574 or H.R. 2265, introduced by Mr. WHITE and Mr. ARCHER. Both have joined as cosponsors of our new bill, along with Chairman BROOKS of the Committee on Government Operations and Messrs. HORTON and THONE, ranking minority members of the committee and the subcommittee respectively.

When the original Federal Records Act was passed in 1950, it became title 5 of the Federal Property and Administrative Services Act. These provisions now appear as part of title 44 of the United States Code, enacted as positive law in 1968. The law gave the Administrator of General Services central staff responsibility for the Federal records management program. This included developing and improving standards, procedures, and techniques for better records management, including records disposition. The Administrator also got responsibility for inspecting agency records and practices and for establishing and operating Federal records centers.

After the hearings, we began a period of intensive analysis of the bills, the record, and existing law.

From the review emerged a consensus that although a wholesale replacement of the present language based on the old Federal Records Act was not necessary, there was clear need to update, clarify, and streamline existing law.

In the main, the bill now provides better and more consistent definitions, a strong declaration of records management objectives, and careful enumeration of the responsibilities of the Administrator of General Services with respect to records management.

The bill is composite in its inputs, which come from many sides: The authors of the prior bills, the Committee on Government Operations, the General Services Administration, the Congressional Research Service, the General Accounting Office, the Joint Committee on Printing, and the Commission on Federal Paperwork. It represents very broad agreement.

Let me add my appreciation here for the cooperation and help we have received from our full committee chairman and from the ranking minority members of the committee and subcommittee.

Mr. Speaker, the cost, effort, and physical space required for Federal paperwork are mushrooming. It is vital to the efficiency and economy of Government operations that such growth be systematically curbed and contained. Our legislation is essential to that end. I look forward to early favorable action by our subcommittee and committee so that this excellent piece of legislation may be brought before the House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DANIELSON (at the request of Mr. O'NEILL), for today, on account of official business of the Committee on Veterans' Affairs.

Mr. MICHEL (at the request of Mr. RHODES), for today, on account of personal reasons.

Mr. MILFORD (at the request of Mr. O'NEILL), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. DOWNEY of New York, for 15 minutes, today, and to include extraneous matter.

(The following Members (at the request of Mr. BRODHEAD) and to revise and extend their remarks and include extraneous matter:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. VANIK, for 15 minutes, today.

Mrs. COLLINS of Illinois, for 5 minutes, today.

Mr. COTTER, for 5 minutes, today.

Mr. DODD, for 10 minutes, today.

Mr. DOMINICK V. DANIELS, for 5 minutes, today.

Ms. ABZUG, for 60 minutes, today.

Mr. CHARLES H. WILSON of California, for 60 minutes, on May 24.

Mr. MURPHY of New York, for 60 minutes, on May 24.

Ms. HOLTZMAN, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FISH, to have his personal explanation on rollcall No. 271 today appear in the RECORD immediately after the vote on that rollcall.

Mr. DU PONT, to revise and extend immediately prior to the vote on House Resolution 1183 in the House today.

Mr. KOCH, to revise and extend his remarks immediately before the vote on House Resolution 1183 today.

Mr. BURLISON of Missouri, to revise and extend his remarks immediately prior to the vote on House Resolution 1183 in the House today.

(The following Members (at the request of Mrs. SMITH of Nebraska) and to include extraneous matter:)

Mr. CRANE.

Mr. QUIE.

Mr. HYDE.

Mr. GRASSLEY.

Mr. WIGGINS.

Mr. VANDER JAGT.

Mr. DEL CLAWSON in three instances.

Mr. BURGENER.

Mr. RUPPE.

Mr. KETCHUM.

Mr. DERWINSKI.

(The following Members (at the request of Mr. BRODHEAD) and to include extraneous matter:)

Mr. ANNUNZIO in six instances.

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in three instances.

Mr. BROWN of California in 10 instances.

Mr. SANTINI.

Mr. ROSENTHAL.

Mr. WAXMAN in two instances.

Mr. HAWKINS.

Mr. ROYBAL.

Mrs. SCHROEDER.

Mrs. MEYNER.

Mr. MCDONALD of Georgia.

Mr. FRASER in three instances.

Mr. CHARLES H. WILSON of California in two instances.

Mr. DE LUGO.

Mr. AUCOIN.

Mr. HARRIS in 10 instances.

Mr. RANGEL in 10 instances.

Mr. WEAVER.

Mr. HUNGATE.

Mr. GAYDOS.

Mr. HARRINGTON.

Mr. STOKES.

Mrs. SULLIVAN.

Mr. EVINS of Tennessee.

Mr. FASCELL.

Mr. DOMINICK V. DANIELS.

Mr. FITHIAN in two instances.

Mr. VANIK.

Mr. KASTENMEIER.

Mrs. CHISHOLM.

Mr. AMBRO.

Mr. BRODHEAD.

Mr. TEAGUE in two instances.

Mr. RICHMOND.

Mr. RONCALIO.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2398. An act to authorize the establishment of the Eugene O'Neill National Historic Site, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3095. An act to increase the protection of consumers by reducing permissible deviations in the manufacture of articles made in whole or in part of gold; to the Committee on Interstate and Foreign Commerce.

S.J. Res. 196. Joint resolution providing for the expression to Her Majesty, Queen Elizabeth II, of the appreciation of the people of the United States for the bequest of James Smithson to the United States, enabling the establishment of the Smithsonian Institution; to the Committee on Post Office and Civil Service.

ENROLLED BILLS SIGNED

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 7656. An act to enable cattle producers to establish, finance, and carry out a coordinated program of research, producer and consumer information and promotion to improve, maintain, and develop markets for cattle, beef, and beef products;

H.R. 8957. An act to raise the limitation on appropriations for the U.S. Commission on Civil Rights; and

H.R. 12216. An act to amend the Domestic Volunteer Service Act of 1973 to extend the operation of certain programs by the ACTION Agency.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 510. An act to amend the Federal Food, Drug, and Cosmetic Act to provide for the safety and effectiveness of medical devices intended for human use, and for other purposes.

ADJOURNMENT

Mr. BRODHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 22 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 18, 1976, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3266. A letter from the President of the United States, transmitting a proposed supplemental appropriation for fiscal year 1976 for foreign assistance (H. Doc. No. 94–498); to the Committee on Appropriations and ordered to be printed.

3267. A letter from the Under Secretary of Housing and Urban Development, transmitting the Department's comments on the report of the Comptroller General dated April 20, 1976 (H. Doc. No. 94–466) on the alleged rescission of rental housing assistance funds; to the Committee on Appropriations.

3268. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report on the value of property, supplies, and commodities provided by the Berlin Magistrate, and under the German Offset Agreement for the quarter ended March 31, 1976, pursuant to section 719 of Public Law 94–212; to the Committee on Appropriations.

3269. A letter from the Assistant Secretary of Defense (Comptroller), transmitting selected acquisition reports and the SAR summary tables for the quarter ended March 31, 1976, pursuant to section 811 of Public Law 94–106; to the Committee on Armed Services.

3270. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend chapter 5 of title 37, United States Code, to make permanent the special pay provisions for reenlistment and enlistment bonuses, and for other purposes; to the Committee on Armed Services.

3271. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for inrceased participation by the United States in the International Bank for Reconstruction and Development, and for other purposes; to the Committee on Banking, Currency and Housing.

3272. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for increased participation by the United States in the Asian Development Bank; to the Committee on Banking, Currency and Housing.

3273. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for increased participation by the United States in the Asian Development Fund; to the Committee on Banking, Currency and Housing.

3274. A letter from the Administrator of General Services, transmitting a draft of proposed legislation to amend the Bank Holding Company Act Amendments of 1970; to the Committee on Banking, Currency and Housing.

3275. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a draft of proposed legislation to amend and extend the Export-Import Bank Act of 1945, as amended; to the Committee on Banking, Currency and Housing.

3276. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council Act No. 1–113, "To amend Regulation 72–17 relating to standards of assistance for public assistance applicants and recipients," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

3277. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on Education and Labor.

3278. A letter from the Director, Office of Regulatory Review, Department of Health, Education, and Welfare, transmitting a proposed allocation formula and program guidelines for the postsecondary education comprehensive statewide planning grants program, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

3279. A letter from the Army Representative, Defense Privacy Board, transmitting notice of a proposed new system of records for the National Guard Bureau, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

3280. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Colorado School of Mines, Golden, Colo., for a research project entitled "The Effect of In Situ Retorting on Oil Shale Pillars," pursuant to section 1(d) of Public Law 89–672; to the Committee on Interior and Insular Affairs.

3281. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with D'Appolonia Consulting Engineers, Inc., Pittsburgh, Pa., for a research project entitled "Design and Evaluation of a Coal Mine Entry System for Longwall Top Slicing of Thick Coal Seams," pursuant to section 1(d) of Public Law 89–672; to the Committee on Interior and Insular Affairs.

3282. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with 3R Corp., Denver, Col., for a research project entitled "Underground Disposal of Spent Shale from the Paraho Retorting Process," pursuant to section 1(d) of Public Law 89–672; to the Committee on Interior and Insular Affairs.

3283. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Cementation Co., of America, Inc., Tucson, Ariz., for a research project entitled "Impact Rock Brakers for Shaft Excavation," pursuant to section 1(d) of Public Law 89–672; to the Committee on Interior and Insular Affairs.

3284. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract of R. A. Hanson Co., Inc., Spokane, Wash., for a research project entitled "Highwall Mining Equipment," pursuant to section 1(d) of Public Law 89–672; to the Committee on Interior and Insular Affairs.

3285. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with The Dow Chemical Co., Midland, Mich., for a research project entitled "Development and Evaluation of Polymer Modified Portland Cement Concrete Lagging for Mine Openings," pursuant to section 1(d) of Public Law 89–672; to the Committee on Interior and Insular Affairs.

3286. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Dravo Corp., Denver, Col., for a research project entitled "Stope Mechanization Vein Mining," pursuant to section 1(d) of Public Law 89–672; to the Committee on Interior and Insular Affairs.

3287. A letter from the Chairman, Indian Claims Commission, transmitting the final determinations of the Commission in Docket No. 18–K, *Red Lake Band [of Chippewa Indians], et al.*, plaintiffs, v. *The United States of America*, defendant, and Docket No. 341–D, *The Seneca-Cayuga Tribe of Oklahoma, and Peter Buck, et al.*, members and plaintiffs, v. *The United States of America*, defendant, pursuant to 60 Stat. 1055 [25 U.S.C. 70t]; to the Committee on Interior and Insular Affairs.

3288. A letter from the Chairman, Indian Claims Commission, transmitting the final determinations of the Commission in Docket No. 18–L, *The Red Lake Band [of Chippewa Indians], et al.*, plaintiffs, v. *The United States of America*, defendant, and Docket No. 341–C, *The Seneca-Cayuga Tribe of Oklahoma, and Peter Buck, et al.*, members and representatives of members thereof, plaintiffs, v. *The United States of America*, defendant, pursuant to 60 Stat. 1055 [25 U.S.C. 70t]; to the Committee on Interior and Insular Affairs.

3289. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in Docket No. 89, *The Six Nations, et al.*, plaintiffs, v. *The United States of America*, defendant, pursuant to 60 Stat. 1055 [25 U.S.C. 70t]; to the Committee on Interior and Insular Affairs.

3290. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for increased participation by the United States in the International Development Association; to the Committee on Banking, Currency and Housing.

3291. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations; to the Committee on International Relations.

3292. A letter from the Administrator, Agency for International Development, Department of State, transmitting a draft of proposed legislation to amend the Foreign Assistance Act of 1961, and for other purposes; to the Committee on International Relations.

3293. A letter from the Director, U.S. Arms Control and Disarmament Agency, transmitting a draft of proposed legislation to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations; to the Committee on International Relations.

3294. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to section 112(b) of Public Law 92–403; to the Committee on International Relations.

3295. A letter from the President, Overseas Private Investment Corporation, transmitting a draft of proposed legislation to amend the Foreign Assistance Act of 1961, as amended, to authorize additional authority for Overseas Private Investment Corporation for fiscal year 1978; to the Committee on International Relations.

3296. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of March 31, 1976, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

3297. 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.

3298. A letter from the Attorney General, transmitting a draft of proposed legislation to authorize the creation of a record of admission for permanent residence in the cases of certain refugees from the Republic of Vietnam, Laos, or Cambodia; to the Committee on the Judiciary.

3299. A letter from the Chairman, Administrative Conference of the United States, transmitting a draft of proposed legislation to amend the Administrative Conference Act; to the Committee on the Judiciary.

3300. A letter from the Director, National Science Foundation, transmitting a draft of proposed legislation authorizing appropriations for the National Science Foundation for fiscal year 1978; to the Committee on Science and Technology.

3301. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend chapter 3 of title 37, United States Code, to adjust the pay of cadets and midshipmen at the U.S. Military, Naval, Air Force, and Coast Guard Academies, to equalize the pay of members of, and applicants for, the Senior Reserve Officers' Training Corps while attending field training or practice cruises, and for other purposes; jointly, to the Committees on Armed Services, and Merchant Marine and Fisheries.

RECEIVED FROM THE COMPTROLLER GENERAL

3302. A letter from the Comptroller General of the United States, transmitting a report that providing economic incentives to farmers increases food production in developing countries; jointly, to the Committees on Government Operations, and International Relations.

3303. A letter from the Comptroller General of the United States, transmitting a report on improvements needed in rehabilitating social security disability insurance beneficiaries; jointly, to the Committees on Government Operations, and Ways and Means.

3304. A letter from the Comptroller General of the United States, transmitting a report on the Navy's activities to develop and maintain the naval petroleum reserves; jointly, to the Committees on Government Operations, Armed Services, and Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[*Pursuant to the order of the House on May 7, 1976 the following reports were filed on May 14, 1976*]

Mr. MURPHY of New York: Ad Hoc Select Committee on Outer Continental Shelf. Supplemental report on H.R. 6218. A bill 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. (Rept. No. 94–1084, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. Supplemental report on H.R. 11193. A bill to amend title 18 of the United States Code to provide for more effective gun control, and for other purposes. (Rept. No. 94–1103, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. ULLMAN: Committee on Ways and Means. H.R. 3052. A bill to amend section 512(b)(5) of the Internal Revenue Code of 1954 with respect to the tax treatment of the gain on the lapse of options to buy or sell securities; with amendment (Rept. No. 94–1134). Referred to the Committee of the Whole House on the State of the Union.

Mr. CHARLES H. WILSON: Committee on Post Office and Civil Service. H.R. 10922. A bill to amend title 39, United States Code, to require the furnishing of certain information in connection with the solicitation of charitable contributions by mail, and for other purposes; with amendment (Rept. No. 94–1135). Referred to the Committee of the Whole House on the State of the Union.

Mr. STRATTON: Committee on Armed Services. H.R. 13549. A bill to provide for additional income for the U.S. Soldiers' and Airmen's Home by requiring the Board of Commissioners of the Home to collect a fee from the members of the Home; by appropriating nonjudicial forfeitures for support of the Home; and by increasing the deductions from pay of enlisted men and warrant officers; with amendment (Rept. No. 94–1136). Referred to the Committee of the Whole House on the State of the Union.

Mr. KASTENMEIER: Committee on the Judiciary. H.R. 11877. A bill to extend the authorization of appropriations for the National Commission on New Technological Uses of Copyrighted Works to be coextensive with the life of such Commission (Rept. No. 94–1137). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works and Transportation. H.R. 13124. A bill to amend the Hazardous Materials Transportation Act to authorize appropriations, and for other purposes; with amendment (Rept. No. 94–1138, Pt. I). Ordered to be printed.

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 5682. A bill to provide for certain additions to the Tinicum National Environmental Center; with amendment (Rept. No. 94–1139). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 8471. A bill to authorize the President to prescribe regulations relating to the purchase, possession, consumption, use, and transportation of alcoholic beverages in the Canal Zone; with amendment (Rept. No. 94–1140). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 13380. A bill to amend the Central, Western, and South Pacific Fisheries Development Act to extend the appropriation authorization through fiscal year 1979, and for other purposes; with amendment (Rept. No. 94–1141). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 5621. A bill to authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes; with amendment (Rept. 94–1142). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 9549. A bill to provide for the establishment of the Old Ninety-six Star Fort National Battlefield in the State of South Carolina; with amendment (Rept. No. 94–1143). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on International Relations. H.R. 13680. A bill to amend the Foreign Assistance Act of 1961 and the Foreign Military Sales Act, and for other purposes; (Rept. No. 94–1144). Referred to the Committee of the Whole House on the State of the Union.

Mr. REUSS: Committee on Banking, Currency and Housing. S. 3103. An act to provide for increased participation by the United States in the Asian Development Fund; (Rept. No. 94–1145). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 10138. A bill to create the Young Adult Conservation Corps to complement the Youth Conservation Corps; with amendment (Rept. No. 94–1146). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 13555. A bill to amend the Federal Metal and Nonmetallic Mine Safety Act and to transfer certain functions relating to coal mine health and safety under the Federal Coal Mine Health and Safety Act of 1969; with amendment (Rept. No. 94–1147). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 9291. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations; with amendment (Rept. No. 94–1148). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on International Relations. S. 2679. An act to establish a Commission on Security and Cooperation in Europe; with amendment (Rept. No. 94–1149). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 11909. A bill to authorize appropriations for the Indian Claims Commission for fiscal year 1977; with amendment (Rept. No. 94–1150). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE: Joint Committee on Atomic Energy. H.R. 8401. A bill to authorize cooperative arrangements with private enterprise for the provision of facilities for the production and enrichment of uranium enriched in the isotope 235, to provide for authorization of contract authority therefor, and for other purposes; with amendment (Rept. No. 94–1151). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 50. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; with amendment (Rept. No. 94–1164). Referred to the Committee of the Whole House on the State of the Union.

[*Pursuant to the order of the House on May 7, 1976, the following reports were filed May 15, 1976,*]

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 13124. A bill to amend the Hazardous Materials Transportation Act to authorize appropriations, and for other purposes (Rept. No. 94–1138, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 1194. A bill to authorize the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park in the States of Alaska and Washington, and for other purposes with amendment (Rept. No. 94–1153). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 7792. A bill to designate the Alpine Lakes Wilderness, Mount Baker-Snoqualmie and Wenatchee National Forests, in the State of Washington; with amendment (Rept. No. 94–1154). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 13636. A bill to amend title I (Law Enforcement Assistance) of the Omnibus Safe Streets and Crime Control Act of 1968, and for other purposes; with amendment (Rept. No. 94–1155). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Agriculture. H.R. 10133. A bill to upgrade the position of Under Secretary of Agriculture to Deputy Secretary of Agriculture; to provide for two additional Assistant Secretaries of Agriculture; to increase the compensation of certain officials of the Department of Agriculture; to provide for an additional member of the Board of Directors, Commodity Credit Corporation; and for other purposes; with amendment (Rept. No. 94–1156). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Agriculture. H.R. 10930. A bill to amend section 7(e) of the Cotton Research and Promotion Act to provide for an additional assessment and for reimbursement of certain expenses incurred by the Secretary of Agriculture and to repeal section 610 of the Agricultural Act of 1970 pertaining to the use of Commodity Credit Corporation funds for research and promotion; with amendment (Rept. No. 94–1157). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Agriculture. H.R. 11868. A bill to amend section 602 of the Agricultural Act of 1954; with amendment (Rept. No. 94–1158). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Committee on Small Business. H.R. 13567. A bill to amend the Small Business Act and the Small Business Investment Act of 1958; with amendment (Rept. No. 94–1159). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Agriculture. S. 18. An act to amend the act of August 31, 1922, to prevent the introduction and spread of diseases and parasites harmful to honeybees, and for other purposes; with amendment (Rept. No. 94–1160). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Agriculture. S. 532. An act to authorize the Secretary of Agriculture to amend retroactively regulations of the Department of Agriculture pertaining to the computation of price support payments under the National Wool Act of 1954 in order to insure the equitable treatment of ranchers and farmers (Rept. No. 94–1161). Referred to the Committtee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 13713. A bill to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes; with amendment (Rept. No. 94–1162). Referred to the Committee on the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 13777. A bill to establish public land policy; to establish guidelines for its administration; to provide for the management, protection, development, and enhancement of the public lands; and for other purposes (Rept. No. 94–1163). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 11804. A bill to amend the Federal Railroad Safety Act of 1970 to authorize additional appropriations, and for other purposes; with amendment (Rept. No. 94–1166). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 13490. A bill authorizing appropriations for the 1980 Olympic winter games at Lake Placid, N.Y.; with amendment (Rept. No. 94–1167). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 13601. A bill to amend the Rail Passenger Service Act to authorize additional appropriations, and for other purposes (Rept. No. 94–1168). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE: Committee on Science and Technology. H.R. 13655. A bill to establish a 5-year research and development program leading to advanced automobile propulsion systems, and for other purposes; with amendment (Rept. No. 94–1169). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Agriculture. H.R. 10546. A bill to amend the act of June 22, 1948, as amended, to provide for the acquisition of additional lands, and for other purposes; with amendment (Rept. No. 94–1171). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Agriculture. H.R. 11743. A bill to establish a National Agricultural Research Policy Committe, and for other purposes; with amendment (Rept. No. 94–1172). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Agriculture. H.R. 11998. A bill to establish a National Commission on Food Costs, Pricing, and Marketing to appraise the food marketing industry; with amendment (Rept. No. 94–1173). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 13711. A bill to revise and extend the Horse Protection Act of 1970; with amendment (Rept. No. 94–1174). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 10498. A bill to amend the Clean Air Act, and for other purposes; with amendment (Rept. No. 94–1175). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted May 17, 1976*]

Mr. TEAGUE: Committee of conference. Conference report on H.R. 12453. (Rept. No. 94–1176). Ordered to be printed.

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:

[*Pursuant to the order of the House on May 13, 1976, the following report was filed on May 14, 1976*]

Mr. HÉBERT: Committee on Armed Services. H.R. 13615. A bill to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes; with amendment (Rept. No. 94–1152, Pt. I). Referred to the Committee on Appropriations for a period not to exceed 15 legislative days with instructions to report back to the House as provided in section 401(b) of Public Law 93–344. Ordered to be printed.

[*Pursuant to the order of the House on May 7, 1976, the following report was filed on May 15, 1976*]

Mr. BROOKS: Committee on Government Operations. H.R. 13367. A bill to extend and amend the State and Local Fiscal Assistance Act of 1972, and for other purposes; with amendments (Rept. No. 94–1165, Pt. I). Referred to the Committee on Appropriations for a period not to exceed 15 legislative days with instructions to report back to the House as provided in section 401(b) of Public Law 93–344. Ordered to be printed.

Mr. TEAGUE: Committee on Science and Technology. H.R. 12112. A bill to provide additional assistance to the Energy Research and Development Administration for the advancement of nonnuclear energy research, development, and demonstration; with amendment. (Rept. No. 94–1170), Pt. I). Referred to the Committees on Banking, Currency and Housing, and Interstate and Foreign Commerce for a period ending not later than June 10, 1976, for concurrent consideration of such provisions of the bill as fall within the jurisdictions of those committees under rule X, clause 1(d) and clause 1(l), respectively. Ordered to be printed.

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. ALEXANDER:

H.R. 13805. A bill to establish the National Diabetes Advisory Board and to take other actions to insure the implementation of the long-range plan to combat diabetes; to the Committee on Interstate and Foreign Commerce.

By Mr. BERGLAND:

H.R. 13806. A bill to amend title XVIII of the Social Security Act to authorize payment under the supplementary medical insurance program for optometic and medical vision care; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 13807. A bill to provide that the rates of pay for Members of Congress shall be the rates in effect on September 30, 1975, until such time as they are fixed otherwise by law, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 13808. A bill to revise the salary structure for teachers in the Department of Defense's overseas dependents' schools, to provide a sabbatical leave program for such teachers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DOWNING of Virginia (for himself, Mr. MURPHY of New York, Mr. BOWEN, Mr. EILBERG, Mr. AUCOIN, and Mr. SNYDER):

H.R. 13809. A bill to amend the Merchant Marine Act, 1936, as amended, by inserting a new title X to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

By Mr. FINDLEY:

H.R. 13810. A bill to amend the Social Security Act to require States to prepare and implement contingency plans to insure that unemployment benefits will be promptly paid in periods of high unemployment; to the Committee on Ways and Means.

By Mr. FLYNT:

H.R. 13811. A bill to amend the Solid Waste Disposal Act to prohibit the promulgation of certain regulations respecting beverage containers sold, offered for sale, or distributed at Federal facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. GUDE (for himself, Mr. MITCHELL of Maryland, Mr. OTTINGER, Mr. WHITEHURST, Mrs. SPELLMAN, Mr. KASTEN, Mr. FISHER, Mr. HARRIS, Mr. AUCOIN, and Mr. DRINAN):

H.R. 13812. A bill to require the payment of interest by Federal agencies on overdue contract payments, to amend the Office of Federal Procurement Policy Act, and for other purposes; to the Committee on Government Operations.

By Mr. HALL:

H.R. 13813. A bill to reffirm the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce; to grant additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest; to reaffirm the authority of the States to regulate terminal and station equipment used for telephone exchange service; to require the Federal Communications Commission to make certain findings in connection with Commission actions authorizing specialized carriers and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Ms. HOLTZMAN:

H.R. 13814. A bill to amend the Urban Mass Transportation Act of 1964 to require that any mass transportation system receiving Federal assistance under the act comply with certain notice and hearing requirements before the establishment or change of any fare or certain services, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. HOWARD for himself and Mrs. FENWICK):

H.R. 13815. A bill to terminate the authorization for the Tocks Island Reservoir project as part of the Delaware River Basin project, and for other purposes; jointly to the Committees on Public Works and Transportation, and Interior and Insular Affairs.

By Mr. HOWE (for himself and Mr. MCKAY):

H.R. 13816. A bill to increase the amount which is authorized by Public Law 92-287 to be appropriated for the establishment of a metallurgy research center on the Fort Douglas Military Reservation, Utah, in replacement of the facility now located on the campus of the University of Utah; to the Committee on Interior and Insular Affairs.

By Mr. HUNGATE:

H.R. 13817. A bill to reaffirm the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce; to reaffirm the authority of the States to regulate terminal and station equipment used for telephone exchange service; to require the Federal Communications Commission to make certain findings in connection with Commission actions authorizing specialized carriers; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13818. A bill to delay the effective date of certain proposed amendments to the Federal Rules of Criminal Procedure and certain other rules promulgated by the U.S. Supreme Court; to the Committee on the Judiciary.

By Mr. ICHORD:

H.R. 13819. A bill to reaffirm the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce; to grant additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest; to reaffirm the authority of the States to regulate terminal and station equipment used for telephone exchange service; to require the Federal Communications Commission to make certain findings in connection with Commission actions authorizing specialized carriers; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOLLOHAN:

H.R. 13820. A bill to increase for a 5-year period the duty on certain hand tools, and for other purposes; to the Committee on Ways and Means.

By Mr. MURTHA:

H.R. 13821. A bill to authorize the Administrator of the National Fire Prevention and Control Administration to make grants to volunteer fire departments which are unable to purchase necessary firefighting equipment because of the increased cost of such equipment as the result of inflation; to the Committee on Banking, Currency and Housing.

H.R. 13822. A bill to amend the Internal Revenue Code of 1954 to exempt nonprofit volunteer firefighting or rescue organizations from the Federal excise taxes on gasoline, diesel fuel, and certain other articles and services; to the Committee on Ways and Means.

H.R. 13823. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for clothing purchased and used by taxpayers serving in volunteer firefighting organizations; to the Committee on Ways and Means.

By Mr. O'NEILL:

H.R. 13824. A bill to provide certain amounts of broadcast time for candidates for President and Vice President of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. OTTINGER:

H.R. 13825. A bill to amend title 39, United States Code, to provide that any person receiving a questionnaire from a Member of Congress may return such questionnaire under the frank; to the Committee on Post Office and Civil Service.

By Mr. PICKLE:

H.R. 13826. A bill to amend title XVIII of the Social Security Act to authorize payment under the medicare program for occupational therapy services, whether furnished as a part of home health services or otherwise; jointly to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. QUIE (for himself and Mr. KARTH):

H.R. 13827. A bill to amend the Tariff Schedules of the United States in order to eliminate all import duties on wool not finer than 46s and for other purposes; to the Committee on Ways and Means.

By Mr. RANDALL (for himself, Mr. BROOKS, Mr. WHITE, Mr. THONE, Mr. HORTON, and Mr. ARCHER):

H.R. 13828. A bill to amend title 44, United States Code, to strengthen the authority of the Administrator of General Services with respect to records management by Federal agencies, and for other purposes; to the Committee on Government Operations.

By Mr. SIKES:

H.R. 13829. A bill to amend the Internal Revenue Code of 1954 to treat the noncash remuneration paid to certain workers on fishing boats as self-employment income for purposes of the Federal Insurance Contributions Act, and for purposes of Federal income tax withholding requirements; to the Committee on Ways and Means.

By Mrs. SPELLMAN:

H.R. 13830. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for State or local taxes imposed on the rental of dwelling units; to the Committee on Ways and Means.

By Mr. ULLMAN (for himself and Mr. SCHNEEBELI):

H.R. 13831. A bill to amend certain provisions of the Internal Revenue Code of 1954 relating to the Tax Court; to the Committee on Ways and Means.

By Mr. WEAVER:

H.R. 13832. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 (88 Stat. 476), and for other purposes; to the Committee on Agriculture.

By Mr. CONTE (for himself, Mr. BUCHANAN, Mr. HELSTOSKI, Mr. JONES of North Carolina, Mr. PICKLE, Mr. ROE, Mr. THONE, and Mr. WINN):

H.J. Res. 953. Joint resolution designating National Coaches Day; to the Committee on Post Office and Civil Service.

By Mr. GUDE:

H.J. Res. 954. Joint resolution to authorize the Committee for an American Hungarian Bicentennial Monument, Inc., to erect a monument in honor of the late Col. Michael Korvats de Fabrici in the District of Columbia or its environs; to the Committee on House Administration.

By Mr. DELANEY:

H. Con. Res. 637. Concurrent resolution requesting release of Ukrainian intellectual Valentyn Moroz; to the Committee on International Relations.

By Mr. CRANE (for himself, Mr. SYMMS, and Mr. SNYDER):

H. Res. 1193. Resolution directing the Secretary of Defense to furnish to the House of Representatives documents and other pertinent information relative to the extent of Cuban or other foreign military or paramilitary presence in the Republic of Panama or in the Panama Canal Zone; to the Committee on International Relations.

By Mr. GUDE (for himself, Mr. ANDERSON of Illinois, Mr. MCKINNEY, Mr. KOCH, Mr. ROSENTHAL, Mr. OBERSTAR, Ms. CHISHOLM, Mr. VAN DEERLIN, Mr. EDWARDS of California, Mr. AUCOIN, Mr. MCCLOSKEY, Ms. MEYNER, and Mr. HARRINGTON):

H. Res. 1194. Resolution supporting the new U.S. policy toward Africa; to the Committee on International Relations.

By Mr. GUDE (for himself, Mr. FRASER, Mr. OBEY, Mr. WHALEN, Mr. BINGHAM, Mr. RANGEL, Mr. BROWN of California, Mr. YOUNG of Georgia, Mr. THOMPSON, Mr. SOLARZ, Mr. DIGGS, Mr. TSONGAS, Mr. SIMON, Mr. NIX, Mr. OTTINGER, and Mr. MITCHELL of Maryland):

H. Res. 1195. Resolution supporting the new U.S. policy toward Africa; to the Committee on International Relations.

By Mr. HOWE (for himself and Mr. MCKAY):

H. Res. 1196. Resolution disapproving the proposed deferral of budget authority for the design of a metallurgy research center to be established on the Fort Douglas Military Reservation, Utah (deferral No. D 76-110); to the Committee on Appropriations.

MEMORIALS

Under clause 4 of rule XXII,

388. The SPEAKER presented a memorial of the Senate of the State of Oklahoma, relative to the jurisdiction of Federal courts; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 13833. A bill for the relief of Stefan Kowalik; to the Committee on the Judiciary.

By Mr. PHILLIP BURTON:

H.R. 13834. A bill for the relief of Gilberto Taneo Gilberstadt; to the Committee on the Judiciary.

H.R. 13835. A bill for the relief of Preny Donna Gracia Gandeza; 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:

460. By the SPEAKER: Petition of the Fourth Northern Mariana Islands Legislature, Susupe, Saipan, Mariana Islands, Trust Territory of the Pacific Islands, relative to the establishment of a Commonwealth of the Northern Mariana Islands; to the Committee on Interior and Insular Affairs.

461. Also, petition of the Marshall Islands Nitijela, Majuro, Marshall Islands, Trust Territory of the Pacific Islands, relative to Mili Atoll; to the Committee on Interior and Insular Affairs.

462. Also, petition of Ruta V. Svilpis, Silver Spring, Md., and others relative to release of Vladimir Bukovsky, Gunars Rode, Balentyn Moroz, and Gavril Superfin from Vladimir prison; to the Committee on International Relations.

463. Also, petition of the city council, Bedford Heights, Ohio, relative to the Criminal Justice Reform Act; to the Committee on the Judiciary.

464. Also, petition of Ki Doo Chung, Seoul, Korea, relative to redress of grievances; to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 13350

By Mr. OTTINGER:

On page 16, between lines 2 and 3, insert the following:

"SEC. 117. None of the funds authorized to be appropriated under this title or title III of this Act shall be construed by the Administrator to be available to fund an Office of Commercialization."

On page 32, between lines 6 and 7, insert a new section to read as follows:

"SEC. 405. Section 103(d) of the Energy Reorganization Act of 1974 (42 U.S.C. 5818 (d)) is amended by striking the words 'two years' and inserting therein 'four years', and at the end thereof adding the following:

" 'Beginning February 1, 1977, the Council shall annually provide to Congress a detailed report of the actions it has taken or not taken in the preceding fiscal year to carry out the duties and functions referred to in subsection (b) of this section, together with such recommendations, including legislative recommendations, the Council may have concerning the development and implementation of energy policy and the management of energy resources. The report shall include a summary of each of the meetings of the Council and such other information as may be helpful to the Congress and the public.' "

By Mr. STARK:

Page 32, immediately after line 6, insert the following:

"SEC. 405. The Administrator shall not use any funds appropriated pursuant to this Act under any contract in effect on or after October 1, 1977 for research, services, or material conducted or supplied by the Lawrence Livermore Laboratory for the Energy Research and Development Administration unless that contract specifically provides that the employees of the Lawrence Livermore Laboratory will be guaranteed the establishment of an impartial grievance procedure and further guarantees employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities."

FACTUAL DESCRIPTIONS OF BILLS AND RESOLUTIONS INTRODUCED

Prepared by the Congressional Research Service pursuant to clause 5(d) of House rule X. Previous listing appeared in the CONGRESSIONAL RECORD of May 13, 1976, page 13816.

HOUSE BILLS

H.R. 13401. April 28, 1976. Small Business. Amends the Small Business Act to revise the eligibility requirements for small business home-building firms for assistance under this Act. Stipulates that determinations by the Small Business Administration of the reasonable assurance of repayment of prospective loans shall be made on a case-by-case basis.

H.R. 13402. April 28, 1976. Ways and Means. Amends the Tariff schedules of the United States to repeal the duty imposed on (1) articles assembled abroad with components produced in the United States, and (2) certain metal articles manufactured in the United States and exported for further processing.

H.R. 13403. April 28, 1976. District of Columbia. Amends the District of Columbia Code to revise the conditions for detention of accused criminal offenders prior to trial. Allows detention of such individuals if their release would pose a threat to the security of the property of others. Revises the Code to prohibit release prior to trial of persons accused of first or second degree murder, with certain exceptions.

H.R. 13404. April 28, 1976. District of Columbia. Amends the District of Columbia Police and Firemen's Salary Act to establish new salary schedules.

Specifies guidelines relating to payment of retroactive compensation by reason of such revised schedules.

Increases the additional compensation paid to dog handlers and specified technicians in the Metropolitan Police Force, the Fire Department of the District of Columbia, the Executive Protective Service, and the United States Park Police.

H.R. 13405. April 28, 1976. Veterans' Affairs. Increases from ten to fifteen years the delimiting period after which no educational assistance shall be afforded eligible veterans, certain wives of veterans, or the widows or orphans of veterans.

H.R. 13406. April 28, 1976. Education and Labor. Directs the Secretary of Labor to enter into arrangements with States to provide Federal financial assistance for establishing part-time school year and full-time summer employment opportunity programs for youths.

Requires the Secretary of the Interior and the Secretary of Agriculture to jointly extend the Youth Conservation Corps so as to make possible the year-round employment of young adults.

Establishes a permanent year-round recreation support program within the Department of Labor.

H.R. 13407. April 28, 1976. Agriculture. Amends the Agricultural Adjustment Act of 1938 to direct the Secretary of Agriculture to establish national acreage allotments for the 1976 through 1980 crops of peanuts. Establishes the minimum peanut allotments for such years. Amends the Agricultural Act of 1949 to establish a price support for peanuts at 15 cents per pound for the 1976 and 1977 crops. Allows for adjustment of such prices for the 1977 through 1980 crops.

H.R. 13408. April 28, 1976. International Relations. Requires that private channels be used to the maximum extent possible in international sales of agricultural commodities for foreign currencies and long-term-dollar credit under the Agricultural Trade Development and Assistance Act of 1954.

H.R. 13409. April 28, 1976. Science and Technology. Establishes the position of Assistant Administrator for Solar and Geothermal Energy and Conservation within the Energy Research and Development Administration.

Directs the Assistant Administrator to implement solar and geothermal energy development programs designed to meet the following goals: (1) ten percent of all energy used in the United States from solar and geothermal sources within ten years; and (2) 20 percent by year 2000.

Directs the Assistant Administrator to implement energy conservation programs designed to achieve a ten percent reduction in national energy consumption by 1985.

H.R. 13410. April 28, 1976. Science and Technology. Establishes the position of Assistant Administrator for Solar and Geothermal Energy and Conservation within the Energy Research and Development Administration.

Directs the Assistant Administrator to implement solar and geothermal energy development programs designed to meet the following goals: (1) ten percent of all energy used in the United States from solar and geothermal sources within ten years; and (2) 20 percent by year 2000.

Directs the Assistant Administrator to implement energy conservation programs designed to achieve a ten percent reduction in national energy consumption by 1985.

H.R. 13411. April 28, 1976. Veterans' Affairs. Directs the Secretary of Defense to provide for the burial at the Arlington Memorial Amphitheater, Arlington National Cemetery, of the remains of an unknown American Soldier who lost his life in the American Revolutionary War.

H.R. 13412. April 28, 1976. Education and Labor. Authorizes the creation of a special Opportunities Industrialization Centers job training and job creation program in order to provide jobs to unemployed Americans.

Directs the Secretary of Labor to enter into contract with Opportunities Industrialization Centers to provide comprehensive employment services for unemployed persons in depressed urban and rural areas.

Sets forth conditions governing the provision of Federal financial assistance and authorizes appropriations to fund the program for the next four fiscal years.

H.R. 13413. April 28, 1976. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce. Grants additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service. Requires the Federal Communications Commission to make specified findings in connection with Commission actions authorizing specialized carriers.

H.R. 13414. April 28, 1976. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 13415. April 28, 1976. Judiciary. Declares a certain individual to be entitled to retirement pay based upon certain National Guard service.

H.R. 13416. April 28, 1976. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full

settlement of such individual's claims against the United States arising from wrongful dismissal of such individual from employment with the Department of Defense.

H.R. 13417. April 28, 1976. Judiciary. Authorizes classification of certain individuals as children for purposes of the Immigration and Nationality Act.

H.R. 13418. April 28, 1976. Judiciary. Declares certain individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 13419. April 29, 1976. Ways and Means. Amends the Social Security Act to authorize payment under the Medicare program for specified services performed by chiropractors, including X-rays, and physical examination, and related routine laboratory tests.

H.R. 13420. April 29, 1976. Education and Labor. Amends the Vocational Education Act of 1963 to increase the percentage of funds available to States for research and training programs in vocational education which may be used by State boards. Requires that at least ten percent of such funds be used for programs to coordinate research and development with the labor needs of the State.

H.R. 13421. April 29, 1976. Education and Labor. Amends the General Education Provisions Act to incorporate the National Center for Education Statistics into the process of the collection of statistics in the field of vocational education.

H.R. 13422. April 29, 1976. Education and Labor. Authorizes the use of Federal grants under the Higher Education Act of 1965 for programs designed to encourage skilled craftsmen and technicians to enter the teaching fields of vocational education and in-service training programs.

H.R. 13423. April 29, 1976. Education and Labor. Amends the Vocational Education Act of 1963 to require State boards receiving funds under such Act to use a portion of such funds for research into the areas of in-service training in vocational education program development and the recruitment of skilled craftsmen and technicians employed in the community into the vocational education teaching profession.

H.R. 13424. April 29, 1976. Education and Labor. Amends the Vocational Education Act of 1963 to redefine "high school" as including grades seven through twelve. Sets forth minimum expenditure requirements by States receiving funds under such Act for vocational education programs for high school students. Requires that specified programs under such Act include students at junior high schools as well as senior high schools.

H.R 13425. April 29, 1976. Post Office and Civil Service. Repeals the authority of the Commission on Executive, Legislative, and Judicial Salaries to review the rates of pay of Members of Congress.

H.R. 13426. April 29, 1976. Veterans' Affairs. Increases the period of entitlement for educational assistance for eligible veterans.

Eliminates the ten-year time limitation within which such assistance must be used.

H.R. 13427. April 29, 1976. Veterans' Affairs.

Allows an eligible veteran who is pursuing a program of education at the close of the ten-year delimiting period to continue to receive educational assistance in specified circumstances.

H.R. 13428. April 29, 1976. Interstate and Foreign Commerce.

Amends the Public Health Service Act to authorize and direct the Secretary of Health, Education, and Welfare to make grants to designated State agencies to meet part of the costs involved in planning, establishing, maintaining, coordinating, and evaluating programs for comprehensive services for school-age girls, their infants and children.

Specifies the requirements for State plans to qualify for Federal aid under this Act.

H.R. 13429. April 29, 1976. Judiciary.

Transfers from Federal to State courts, jurisdiction over cases in which the remedy of assignment of children to public schools on the basis of race or creed, and requiring the transportation of such children, is either sought or may be granted. Vests appellate jurisdiction of such cases in the Supreme Court of the United States by writ of certiorari from the highest State or territorial court exercising such jurisdiction.

H.R. 13430. April 29, 1976. Ways and means.

Provides, under the Emergency Unemployment Compensation Act of 1974, that the eligibility of unemployed construction workers for emergency unemployment compensation will be determined on the basis of the rate of unemployment in the construction industry.

H.R.13431. April 29, 1976. Judiciary.

Transfers responsibility for furnishing certified copies of Miller Act payment bonds from the Comptroller General to the officer that awarded the public contract for which the bond was given.

H.R. 13432. April 29, 1976. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce. Grants additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service. Requires the Federal Communications Commission to make specified findings in connection with Commission actions authorizing specialized carriers.

H.R. 13433. April 29, 1976. Ways and Means. Amends the Tariff Schedules of the United States to suspend through December 31, 1977, the customs duty on rubber-modified acrylonitri e-copolymer methly acrylate.

H.R. 13434. April 29, 1976. Ways and Means. Allows a tax credit, under the Internal Revenue Code, for a specified amount of the tax on employees paid during the taxable year by the corporation.

H.R. 13435. April 29, 1976. Government Operations. Establishes the Commission on Organization of the Executive Branch of the Government. Directs the commission to study the present organization and methods of operation of all agencies of the executive branch to determine what changes are necessary to improve the efficiency and to eliminate unnecessary functions of such agencies.

H.R. 13436. April 29, 1976. Ways and Means. Amends the Social Security Act to require that Old-Age, Survivors and Disability Insurance benefits be paid for the month during which a beneficiary dies.

H.R. 13437. April 29, 1976. Post Office and Civil Service. Prohibits the United States Postal Service from closing any post office which serves a rural area or small town unless (1) a majority of the persons regularly served by such post office approve the closing, (2) it establishes a rural station or branch which provides the same postal services as the post office and does not result in any change in the address of persons served by such post office, or (3) it establishes a rural route to serve the area. Allows the Postal Service to establish a rural route as a substitute for an existing post office upon making specified determinations.

H.R. 13438. April 29, 1976. Interstate and Foreign Commerce. Directs the Secretary of Commerce to make grants available, on a matching basis with non-Federal funds, to States or subdivisions thereof, or private or public, nonprofit organizations or associations for the purpose of encouraging and promoting travel within the United States and its territories.

H.R. 13439. April 29, 1976. Ways and Means. Amends the Old-Age, Survivors, and Disability Insurance program of the Social Security Act (1) to provide benefits thereunder for widowed fathers with minor children on the same basis as benefits for widowed mothers with minor children; and (2) to grant eligibility for husband's insurance benefits to husbands having a child in their care.

H.R. 13440. April 29, 1976. Ways and Means. Requires, under the Medicare program of the Social Security Act, that skilled nursing facilities be adequately equipped with wheelchairs and other appropriate equipment and supplies.

H.R. 13441. April 29, 1976. Ways and Means. Authorizes a taxpayer, under the Internal Revenue Code, to elect to treat qualified architectural and transportational barrier removal expenses which are paid or incurred during the taxable year as expenses which are not chargeable to capital account. Deems such expenses so treated as allowable tax deductible expenditures.

H.R. 13442. April 29, 1976. Ways and Means. Amends the Internal Revenue Code and the Old-Age, Survivors, and Disability Insurance program of the Social Security Act to include within the coverage of such program all Members of Congress and officers and employees in the legislative branch of the Government.

H.R. 13443. April 29, 1976. Ways and Means. Amends the Internal Revenue Code and the Old-Age, Survivors, and Disability Insurnace program of the Social Security Act to provide coverage of such program to all officers and employees of the United States other than those in the judicial branch.

H.R. 13444. April 29, 1976. Merchant Marine and Fisheries. Amends the Great Lakes Pilotage Act of 1960 to limit the liability of United States registered pilots or authorized Association of U.S. Registered Pilots for any injury, damage, or other loss which results from their negligence in navigating any vessel on the Great Lakes.

H.R. 13445. April 29, 1976. Banking, Currency and Housing; Armed Services; Education and Labor; Government Operations; Ways and Means. Establishes in the Executive Office of the President the Defense Economic Adjustment Council to facilitate the economic adjustment of communities, industries, and workers who may be substantially affected by reductions in defense contracts and facilities.

Requires defense contractors to make plans for the continued employment of workers and utilization of facilities once such defense contract is completed.

Authorizes financial assistance to unemployed or underemployed employees of defense contractors.

H.R. 13446. April 29, 1976. Armed Services. Provides a subsistence allowance for members of the Armed Forces when enrolled in an officer candidate program which requires a baccalaureate degree as a prerequisite to being commissioned as a regular or reserve officer.

H.R. 13447. April 29, 1976. Banking, Currency and Housing. Authorizes the Comptroller General to audit the programs, activities, and financial operations of the Federal National Mortgage Association.

Amends the Housing and Urban Development Act to provide counseling to owners of single-family dwelling units.

Amends the National Housing Act to limit mortgage insurance to individuals whose mortgage payments do not exceed a specified portion of their income and to increase the

amount required to be paid by a mortgagor on a residence before the mortgage is eligible for insurance.

H.R. 13448. April 29, 1976. Interstate and Foreign Commerce; Interior and Insular Affairs; Public Works and Transportation. Directs the Secretary of the Interior and the Federal Power Commission to issue appropriate permits and authorizations for United States participation in the construction of the Alaskan natural gas pipeline system through Canada.

Suspends administrative procedure requirements with respect to obtaining rights-of-way for such pipeline. Exempts requirements of the Mineral Leasing Act of 1920 concerning environmental protection, technical and financial capacity, public hearings, and licensing of applicants.

Imposes limitations on judicial review of administrative actions taken pursuant to this Act, including challenges based on the National Environmental Policy Act of 1969.

H.R. 13449. April 29, 1976. Interstate and Foreign Commerce. Amends the Federal Energy Administration Act of 1974 to authorize appropriations to the Federal Energy Administration through fiscal year 1977 on a program-by-program basis. Specifies limitations on the use of funds for nuclear affairs and public relations activities. Extends authorizations under such Act through fiscal year 1979.

H.R. 13450. April 29, 1976. Ways and Means. Amends the program of Grants to States for Services under the Social Security Act. Increases the Federal share of the cost of such services to 100 percent of such cost.

Removes the requirement for Federal standards of State-operated day care facilities.

Removes specified restrictions on the classes of persons to whom States may provide social services under the program.

H.R. 13451. April 29, 1976. Interstate and Foreign Commerce. Creates the National Power Grid Corporation to operate a national power grid system to supply electric power through regional bulk power supply in the area of electric power generation and transmission, with priority given to environmental protection and land use research.

Transfers certain existing Federal power facilities to the national grid system. Defines rights, powers, and duties of national and regional corporations and employees. Requires compliance with environmental standards.

H.R. 13452. April 29, 1976. Education and Labor. Authorizes the Secretary of Health, Education, and Welfare to make grants to a local education agency which demonstrates that: (1) for bona fide budgetary reasons it has been forced to reduce the expenditure of funds for essential elementary and secondary education services, making it impossible to maintain such services at a quality level; and (2) that it or the local government unit responsible for providing its revenues has made bona fide efforts to raise the revenue necessary to support essential elementary and secondary educational services and maintain quality education.

H.R. 13453. April 29, 1976. Science and Technology. Requires the Director of the Geological Survey to carry out a program of research and implementation designed to predict earthquakes and evaluate earthquake control methods.

Requires the Director of the National Science Foundation to carry out a program of research and implementation designed to advance basic earthquake engineering and earthquake mitigation research.

H.R. 13454. April 29, 1976. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce. Grants additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service. Requires the Federal Communications Commission to make specified findings in connection with Commission actions authorizing specialized carriers.

H.R. 13455. April 29, 1976. Armed Services. Requires each Federal agency to undertake steps to assure that no major action is taken which involves placing a significant burden on competition unless the agency finds that no alternative means are available. Directs each independent regulatory agency to submit to the Attorney General procedures by which the Attorney General shall be notified of major proposed actions.

HOUSE JOINT RESOLUTIONS

H.J. Res. 921. April 13, 1976. Judiciary. Limits judges of the Supreme Court and Federal Courts to terms of eight years, with additional terms contingent upon the advice and consent of the Senate.

H.J. Res. 922. April 14, 1976. Judiciary. Proposes a constitutional amendment to prohibit compelling a student to attend a public school other than the one nearest his residence. Provides that no teacher or student shall be assigned to schools, classes, or courses for reason of race, religion, sex, or national origin.

H.J. Res. 923. April 26, 1976. Merchant Marine and Fisheries; Ways and Means. Amends the Fisherman's Protective Act of 1967 to direct the Secretary of the Treasury to place an embargo on the products of all foreign enterprises engaged in commercial whaling.

H.J. Res. 924. April 27, 1976. Post Office and Civil Service. Authorizes and requests the President to issue a proclamation designating the week beginning on November 7, 1976, as "National Respiratory Therapy Week."

H.J. Res. 925. April 27, 1976. Armed Services. Directs the President to restore to Doctor Mary Edwards Walker the Congressional Medal of Honor.

H.J. Res. 926. April 27, 1976. Education and Labor. Directs the President to convene a White House Conference to evaluate the success of compulsory busing to achieve integration.

H.J. Res. 927. April 28, 1976. International Relations. Authorizes the President to implement the provisions of the Treaty of Friendship and Cooperation between the United States and Spain.

H.J. Res. 928. April 28, 1976. Post Office and Civil Service. Designates the week beginning on May 2, 1976, as "National Vandalism Prevention Week."

H.J. Res. 929. April 28, 1976. Judiciary. Proposes a constitutional amendment which provides that the House of Representatives shall be composed of Members chosen for a term of four years by the people of the several States.

H.J. Res. 930. April 28, 1976. Post Office and Civil Service. Authorizes the President to issue annually a proclamation designating the seven-day period commencing on April 30 of each year as "National Beta Sigma Phi Week."

HOUSE CONCURRENT RESOLUTIONS

H. Con. Res. 608. April 8, 1976. Ways and Means. Expresses the sense of the Congress that the President shall seek the elimination of surety deposit requirements on vegetable protein products imposed by the European Economic Community, provides that if the President shall fail to eliminate such requirement, he shall obtain full compensation for such actions under article XXIII of the General Agreement on Tariffs and Trade.

H. Con. Res. 609, April 8, 1976. Agriculture; International Relations. Declares it the sense of Congress that every person has the right to a nutritionally adequate diet and that the United States increase its assistance for self-help development among the world's poorest people until such assistance reaches one percent of our total national production.

H. Con. Res. 610. April 9, 1976. International Relations. Expresses the sense of Congress that if the United States sells C–130 aircraft to Egypt, in accordance with the statement submitted pursuant to transmittal number 76–47, no additional sales of defense articles or defense services should be made to Egypt until the President certifies to the Congress that Egypt has stated that a state of war no longer exists between it and Israel and has renounced the use of war against Israel except in its military self-defense.

H. Con. Res. 611. April 9, 1976. Sets forth the congressional budget for the United States Government for the fiscal year 1977. Specifies the appropriate level of new budget authority and the estimated budget outlays for each major functional category. Revises the congressional budget for the transition period beginning July 1, 1976.

H. Con. Res. 612. April 12, 1976. International Relations. Expresses the objection of the Congress to the proposed sale to Egypt of C–130 aircraft as described in transmittal number 76–47.

H. Con. Res. 613. April 12, 1976. Post Office and Civil Service. Expresses the sense of the Congress that the theme and slogan "Lasting Independence From Empire (LIFE" be adopted for the United States Bicentennial.

H. Con. Res. 614. April 13, 1976. Ways and Means. Expresses the sense of Congress that the President should, and is hereby urged to, provide effective import relief to the domestic nonrubber footwear industry.

H. Con. Res. 615. April 13, 1976. Agriculture; International Relations. Declares it the sense of Congress that every person has the right to a nutritionally adequate diet and that the United States increase its assistance for self-help development among the worlds' poorest people until such assistance reaches one percent of our total national production.

HOUSE RESOLUTIONS

H. Res. 1161. April 26, 1976. Standards of Official Conduct. Amends Rule XLIII of the Rules of the House of Representatives by requiring that a Member's salary be paid into an escrow account whenever such Member is convicted by a court of record for specified crimes.

H. Res. 1162. April 27, 1976. Rules. Amends Rule X of the House of Representatives to mittee on Standards of Official Conduct may, provide that any Member of the House Com-at his own discretion, disqualify himself from participating in any investigation of the conduct of any Member, officer, or employee of the House.

H. Res. 1163. April 27, 1976. Post Office and Civil Service. Designates the week beginning April 4, 1976, as "National Rural Health Week." Urges that health services and dissemination of health information be improved in rural America.

H. Res. 1164. April 28, 1976. Provides that until May 16, 1976, all committees of the House shall be permitted to sit while the House is reading a measure for amendment under the five-minute rule.

H. Res. 1165. April 28, 1976. Sets forth the rule for the consideration of H.R. 8410.