Nothing should be more natural today than for the United States to be the champion of the continuing struggle for freedom in the world. But we tend to define freedom not as Franklin defined it—that is, as a dynamic and ongoing obligation—but as a posture or stance. We become detached all too easily from the kinds of human issues that burned in the bellies of the early Americans. We seem to be more interested in maintaining a world balance of power than in creating an interdependent world order. The result is that we have allowed ourselves to become juxtaposed against revolutionary movements in the world. Are revolutions acceptable only when they are neatly tucked away in archieves? Do we owe nothing to a heritage? Has the world become so tranquil, so free of abuse, so congenial to life in human form, so shielded in its environment, so abundant in its seed and its fields, that no special tending is necessary?

Does anyone doubt that the American Founding Fathers would urge on the world today a companion doctrine to go along with the one now being celebrated—and that they would call it "A Declaration of Interdependence"? Is there any question that they would regard the anarchy among nations as the principal threat to human freedom? Is it not likely that they would attempt to persuade us that national independence in today's world is possible only in a condition of world interdependence? And that, even though interdependence may not be achievable in our time, the articulation of that goal is where true security begins?

That is why the finest and most significant single thing that has come out of three years of preparation for the Bicentennial is Henry Steele Commager's draft for "A Declaration of Interdependence," prepared under the auspices of the World Affairs Council of Philadelphia. He has transported the spirit of 1776 to 1976. All the beautiful sounds that same out of that Revolution and out of the Philadelphia Constitutional Convention have been adapted to our time in the Commager draft. There are also clear echoes of Lincoln and Wilson and F.D.R. The central thrust of the document is that the world today is in need of a great unifying idea at a time of clearly visible common dangers and common needs.

To read Commager's "Declaration of Interdependence" is to realize that the core of the problem today is that we tend to think of security in terms of the number of bombs at our disposal instead of the number of people who are willing to entrust us with their hopes. Do we need to be reminded that the phrase "a decent respect for the opinions of mankind" came with the birth of this nation?—N.C.

HOUSE OF REPRESENTATIVES—*Monday, July 26, 1976*

The House met at 12 o'clock noon.

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

I am the vine, ye are the branches; he that abideth in Me and I in him, the same bringeth forth much fruit.—John 15: 5.

Almighty God, in whom we live and move and have our being, in this quiet moment we pray that Thy spirit may come anew into our hearts that we may serve our Nation worthily and well this day. May moral virtues and spiritual values reign in our personal lives and rule our public labors that genuine patriotism and sound religion may come to new life in us.

Speak to us of courage, faith, and vision. Save us from littleness in a day which demands greatness, from low pettiness in a time which calls for high principles and from a narrow spirit in a period which cries out for wide concerns.

Bless our country with responsive leaders and responsible citizenship that we may be one people under Thee with liberty and justice for all. Through Jesus Christ our Lord. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

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

H.R. 2943. An act for the relief of the estate of James J. Caldwell.

The message also announced that the Senate having proceeded to reconsider the bill (H.R. 12384) entitled "An act to authorize certain construction at military installations and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was resolved that the said bill do not pass, two-thirds of the Senators present not having voted in the affirmative.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 8410) entitled "An act to amend the Packers and Stockyards Act of 1921, as amended, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. TALMADGE, Mr. HUDDLESTON, Mr. MCGOVERN, Mr. HUMPHREY, Mr. CLARK, Mr. DOLE, Mr. CURTIS, and Mr. BELLMON to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3052) entitled "An act to amend section 602 of the Agricultural Act of 1954," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. TALMADGE, Mr. HUMPHREY, Mr. MCGOVERN, Mr. DOLE, and Mr. BELLMON to be the conferees on the part of the Senate.

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

S. 495. An act to establish certain Federal agencies, effect certain reorganizations of the Federal Government, and to implement certain reforms in the operation of the Federal Government recommended by the Senate Select Committee on Presidential Campaign Activities, and for other purposes; and

S. 3369. An act to amend the Small Business Act to increase the authorization for certain small business loan programs.

PERMISSION FOR SUBCOMMITTEE ON ENVIRONMENT AND THE ATMOSPHERE OF COMMITTEE ON SCIENCE AND TECHNOLOGY TO MEET DURING 5-MINUTE RULE ON THURSDAY, JULY 29, 1976

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent that the Subcommittee on Environment and the Atmosphere of the Committee on Science and Technology be permitted to meet on Thursday next, July 29, 1976, at 10 a.m. and 2 p.m., despite the fact that the House may be in session and proceeding under the 5-minute rule.

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

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON ADMINISTRATIVE LAW AND GOVERNMENTAL RELATIONS OF COMMITTEE ON THE JUDICIARY TO SIT TODAY DURING 5-MINUTE RULE

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Administrative Law and Governmental Relations of the Committee on the Judiciary be permitted to sit this afternoon, notwithstanding the 5-minute rule.

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

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

Mr. DANIELSON. I thank the gentleman.

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

There was no objection.

RULEMAKING REVIEW

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

Mr. DEL CLAWSON. Mr. Speaker, the criticism of the wielding of rulemaking powers which came in an announcement this weekend by the Secretary of Health, Education, and Welfare provided a welcome reinforcement for the point that many of us in the Congress have attempted to make regarding the lack of public input into the decisions of the bureaucracy. We understand that the Secretary shared our concern, and while we do not have the details of his proposals, it appears that he is attempting

to open departmental procedures and gain greater public acceptance for the rules and regulations which affect the lives of millions of Americans. These proposals will be reviewed in connection with legislation sponsored by a majority of the Members of this body. The legislation provides for congressional review and determination of the validity of the rules and regulations in terms of their legislative mandate. It also provides the people with appropriate opportunity to influence the major bureaucratic decisions through their elected representatives.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. ROBERTS. 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. 540]

Abzug	Evans, Ind.	Mineta
Alexander	Evins, Tenn.	Moffett
Ambro	Fithian	Nowak
Anderson, Calif.	Flowers	O'Hara
Anderson, Ill.	Ford, Mich.	Patterson, Calif.
Andrews, N.C.	Ford, Tenn.	Pepper
Aspin	Frey	Peyser
Badillo	Gonzalez	Pressler
Bell	Green	Richmond
Bevill	Gude	Riegle
Boland	Hansen	Risenhoover
Brademas	Harkin	Rodino
Brooks	Hayes, Ind.	Sarbanes
Burgener	Hébert	Scheuer
Burke, Calif.	Heckler, Mass.	Schneebeli
Byron	Hefner	Stanton, James V.
Chappell	Heinz	Steelman
Chisholm	Helstoski	Steiger, Ariz.
Clancy	Hinshaw	Stuckey
Clay	Holtzman	Symington
Cohen	Howe	Teague
Conyers	Hughes	Thornton
Cornell	Jarman	Udall
Crane	Jeffords	Van Deerlin
de la Garza	Johnson, Colo.	Vander Jagt
Dellums	Jones, Okla.	Whitehurst
Dickinson	Jones, Tenn.	Wiggins
Dingell	Karth	Wirth
Eckhardt	Kemp	Wydler
Edwards, Ala.	Landrum	Yatron
English	Litton	Young, Ga.
Esch	Lott	
Eshleman	McCormack	
Evans, Colo.	Mikva	
	Mills	

The SPEAKER. On this rollcall 332 Members have recorded their presence by electronic device, a quorum.

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

AMENDED PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION ACT OF 1972

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1341 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1341

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. 7743) to amend the Pennsylvania Avenue Development Corporation Act of 1972 (Public Law 92–578), as amended. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider, in lieu of the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill, the amendment in the nature of a substitute recommended by that committee now printed in the supplemental report (H. Report 94–894, part 2) as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. 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 with or without instructions. After the passage of H.R. 7743, the Committee on Interior and Insular Affairs shall be discharged from the further consideration of the bill S. 1689, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 7743 as passed by the House.

Mr. MOAKLEY. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

Mr. Speaker, this is the rule providing for the consideration of the bill H.R. 7743, amending the Pennsylvania Avenue Development Corporation Act of 1972.

This bill was called up previously on a motion to suspend the rules and pass which was not agreed to.

Subsequently, the committee studied the bill further and proposed a new text which is similar to the original bill but deletes those provisions which would have increased the Corporation's borrowing power.

The bill has never been recommitted to committee and it was not, therefore, possible to amend the measure. But the committee placed the text of the substitute in a supplemental report (H. Rept. 894, part 2).

The rule would make the text in the report in order as an original bill for the purpose of amendment. If the rule is agreed to, it is that text and not the original bill nor committee substitute which is before the Committee of the Whole.

It is a little unusual but there is no controversy over this procedure and even the opponent of the bill who testified before our committee supported the rule.

Otherwise it is a normal 1-hour open rule and I urge its adoption so that the House may proceed to consider this measure.

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

Mr. Speaker, I agree with the remarks just made by the gentleman from Massachusetts. I would point out that, after the original bill was defeated under suspension, the committee recommended a substitute which scaled down the original bill. The new substitute provides for a continued authorization for the operating and administrative expenses of the Corporation, authorizes the funds to commence the implementation and development plan, and directs that the historical site of the Willard Hotel be preserved and become a demonstration project as planned. The substitute authorized a total of $4,625,000 for the operation and administrative expenses for fiscal years 1976, 1977, and 1978, and $38.8 million to commence implementation of the plan, subject to the usual appropriations process. Unlike the earler recommendation the new committee amendment does not include the provision increasing the borrowing authority of the Corporation to $200,000,000.

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

Mr. MOAKLEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. TAYLOR of North Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7743) to amend the Pennsylvania Avenue Development Corporation Act of 1972 (Public Law 92–578), as amended.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina (Mr. TAYLOR).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7743, with Mr. BROWN of California in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule the gentleman from North Carolina (Mr. TAYLOR) will be recognized for 30 minutes, and the gentleman from Kansas (Mr. SKUBITZ) will be recognized for 30 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, at the outset let me make it clear that I come to the well of this House to ask the Members of this body to support the Committee on Interior and Insular Affairs and approve the committee amendment to H.R. 7743. This legislation amends the Pennsylvania Avenue Development Corporation Act of 1972.

This bill, as now recommended by the committee differs significantly from the measure presented to the House on March 15, 1976. Let me tell you some of the major differences:

First, the committee amendment eliminates the increase in the Corporation's borrowing authority from the present $50 million to $200 million. This seemed to be the most controversial element in the original recommendation;

Second, the committee amendment deletes the provision for a revolving fund originally contained in the proposed legislation;

Third, the committee amendment makes no provision for construction loans in relation to the borrowing authority; and

Fourth, all of the complicated technical changes originally included in the proposal have been eliminated from the bill in this revision now before the House.

In short, Mr. Chairman, this legislation is similar to the original proposal only insofar as it authorizes the funds which are required if the operation of the Corporation is to continue and the Pennsylvania Avenue plan is to be implemented.

In short, the bill now before us would do three things: Would authorize the appropriation of funds necessary for the continued operating and administrative expenses of the Pennsylvania Avenue Development Corporation created by Congress through September 30, 1978, the amount being $1½ million per year. Second, authorize the appropriation of $38,800,000 to commence the implementation of the development plan pursuant to the act; and third, direct that the historic facade of the Willard Hotel be preserved and that it become a demonstration area for the development plan.

BACKGROUND AND LEGISLATIVE HISTORY

Now, I want to respond to the suggestion that the Congress has not approved the concept of a combined Government-private enterprise effort to revitalize Pennsylvania Avenue.

During the administration of President John Kennedy, proposals were transmitted to the Congress to rehabilitate this historic American avenue. Since that time, the project has had the active support of every President—President Johnson, President Nixon, and now President Ford. It has never been a partisan issue; it has always been recognized that Pennsylvania Avenue—between the White House and the Capitol—is a special street. It is the Nation's "Main Street." It is the ceremonial center of the Nation's Capital City. Here, our Presidential inaugural parades take place and, here, our fallen leaders pass for the last time in full view of the entire world. Pennsylvania Avenue belongs to all the people as does the Washington Monument.

In spite of its acknowledged importance, this important area has been allowed to decline and deteriorate. It is not now—nor has it been for the past several years—a place that the American people can be proud of. For that reason, the Congress of the United States took steps to restore this area as a place of dignity. On October 27, 1972, we enacted Public Law 92-578. It created the Pennsylvania Avenue Development Corporation and charged it with the responsibility of developing a plan for revitalizing Pennsylvania Avenue. That plan was subject to an intensive review procedure by the District of Columbia, the National Capital Planning Commission, and the Congress. In accordance with the law, the plan was formulated and transmitted to the Congress on November 19, 1974. Since there was not sufficient time for its consideration during the 93d Congress, no hearings were held, but in this Congress public hearings were held on the plan and its implementation was deferred until the statutory 60 legislative days expired. At that time in accordance with the statute, the plan became effective. It is not correct to state that the hearings were too late for action. The fact is that no one—not one Member of the House or Senate—introduced a resolution to disapprove the plan at any time after it was transmitted to the Congress.

That gets us to the legislation that is now before us. On June 21, 1975, the Subcommittee on National Parks and Recreation held public hearings on H.R. 7743 and on the administration's recommendations with respect to it. The subcommittee approved the measure and reported it to the full Committee on Interior and Insular Affairs. At that time, additional recommendations were transmitted from the Administration and they were incorporated into the legislattion which was reported to the House on February 5, 1976.

That proposal was considered by the House under suspension of the rules. As a result of some misunderstandings, and because the bill could not be amended under that procedure, it was rejected. For that reason, the committee reviewed its recommendations and eliminated those provisions which it felt led to the House action. The only question presented in H.R. 7743 as now recommended is: Does the House intend to help revitalize Pennsylvania Avenue as the major ceremonial street of the Nation or does it plan to discard the years of effort and planning which have brought us to the point where some positive progress can be made? If you think it is time to act, and to act positively, then you should support the committee amendment.

PRIVATE ENTERPRISE AND PENNSYLVANIA AVENUE

We are probably going to hear that this is a job that private enterprise should do. I want to tell the Members of the House that that is the thrust of the act and of this bill, but private enterprise cannot do the job alone. Private enterprise should not be expected to bear the cost of improvements for the benefit of the public—for historic preservation, for open space, for avenue beautification and the like. Not only that, but private enterprise cannot do it as it should be done.

The only privately constructed building on Pennsylvania Avenue developed in accordance with the Pennsylvania Avenue plan is the Presidential Building. It met the setback requirements and conformed with other public needs. But the owner of that building—Jerry Wolman—went bankrupt. He defaulted on his mortgage and that building is now rented to the District of Columbia government for office space.

Now, I want every Member of this House to know that I will stand up for private enterprise as fast as anyone in this House. The bill is not antibusiness. There is not one major business on the avenue opposing the enactment of H.R. 7743—as far as I know. Most of them want the issue settled, but they have not indicated any opposition to this bill or to the plan for upgrading Pennsylvania Avenue.

Again, this is a combined, private enterprise, governmental effort. The plan contemplates that in the redevelopment process $3 of private enterprise money will be used for each dollar of appropriated funds. It is expected that the plan will generate some $400 million of private improvement and financing.

THE WILLARD HOTEL

Take the Willard Hotel, for example. The owners of that property want to sell it. They have wanted to sell it for a long time. Some offers have been made, from time to time, but for one reason or another they have never materialized. Part of the reason might be that the price is too high, or that the interior of the building has been completely stripped, or that the potential purchaser's offer cannot be backed up with adequate financing.

Under the legislation now before the House the exterior features of the Willard Hotel will be restored and preserved. It is a Washington landmark. The plan contemplates the remodeling of the interior of the building and the restoration of its use as a hotel or similar facility. This will revive the life of this historic structure and bring activity to this part of Pennsylvania Avenue again.

Without this legislation, the demise of the Willard is almost certain. No private investor will spend his dollars to assure the preservation of the exterior facade of this building, because the return on his investment could not justify it. The Government must bear this burden if the public interest in preserving this structure is to be assured.

Now anyone who says that private enterprise can do it alone just has not driven down Pennsylvania Avenue recently. Is there any evidence to suggest that this historic street is improving? On the conrtary, several businesses have closed their doors—Kann's, Lansburgh's, the Occidental Restaurant to cite a few. Many others have vacant upper floors or have been converted into business operations which are not becoming to the street which connects the Capitol with the White House.

THE PUBLIC INTEREST AND PENNSYLVANIA AVENUE

I believe that the Members of this House should have more than a passing interest in this legislation. It is true that it will cost some money—some taxpayers' money.

This bill calls for an investment in America for Americans. This is the one street in the Nation that attracts people from every State in the Union. People come to Washington to see their Government working. They go to the White House and they come to the Capitol. They should be proud of the area that connects the executive branch and the legislative and judicial branches of their Government, but instead they see a street of decay, decline and deterioration. It is discouraging indeed to look down this potentially beautiful, broad avenue for the first time and see what is happening to it.

It is within our power to do something

about it. We can make that start by enacting H.R. 7743 now before us. Two weeks ago we were back in our districts telling our constituents of our pride in our Nation and its people. Hopefully we can soon tell them that the House of Representatives has approved this effort to beautify the Nation's "Main Street." This is our chance to present to the American people a Bicentennial birthday present which will endure and which they can be proud of for generations yet to come.

Mr. Chairman, the time for action is now. I urge the adoption of the committee amendment to H.R. 7743 and the rejection of all other amendments.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself 3 additional minutes.

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

Mr. TAYLOR of North Carolina. I will be glad to yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Chairman, as I understand it, the amount of money authorized in this bill is for a 2-year period, at the end of which time the Congress could still decide whether to go ahead with the program or take some other course. Is that correct?

Mr. TAYLOR of North Carolina. The gentleman is correct. The administration recommended that the full amount of $130 million be authorized. This is the action the Pennsylvania Avenue Corporation recommended. It would be appropriated and spent, but the program is planned over a period of 15 years.

The committee felt that it would be better to authorize only enough to get started and have 2 years operations, and then let it be brought back to Congress and let the Congress take another look at it and decide what further action should be taken.

Mr. SEIBERLING. Of course, the urban renewal program around the country has been superseded by the Community Development Act, but in my own community of Akron, Ohio, although a lot of Federal and local money was spent in urban renewal and a lot of the land that was cleared has not yet been built on—although it will eventually be built on—nevertheless the total tax value of the buildings that have already been placed on that land by private enterprise is already returning more to the city of Akron in local taxes, and, I am sure, to the Federal Government in terms of income tax revenues, than all the properties that were removed.

I understand that it is contemplated that when this Pennsylvania Avenue development plan is completed, that a similar situation will exist and the valuation of the buildings that are going to be placed there by private enterprise as a result of this development are expected to produce far more revenues than the cost to the Federal Government.

Mr. TAYLOR of North Carolina. The gentleman is correct. The public money will be used for streets, for sidewalks, for open spaces, and for historic protection and preservation, but the bulk of the money would be private money. Every effort would be used to acquire buildings, to acquire land, to lease it back or sell it to private enterprise to be developed according to the plan. The bulk of this property will go back on the tax rolls and be more valuable than it is today.

Mr. SEIBERLING. So that those who say that we do not need this program, that private enterprise could do the job, are in effect saying that private enterprise should take over what is now a government function, such as streets, sidewalks, open spaces and the clearance of land so that it can be ultimately developed. Is that not true?

Mr. TAYLOR of North Carolina. Yes, that is true. It has been obvious for two decades that this job needs to be done. Private enterprise has not done it. It has not made any progress at all in doing it. The trend is in the wrong direction—toward decline and deterioration. If the Government does not come in with a plan such as this, the situation there is going to deteriorate more and more.

Mr. SEIBERLING. Mr. Chairman, I strongly support this legislation and I commend the distinguished gentleman from North Carolina for his outstanding endeavors in behalf of this bill that is so important to our Nation's Capital.

Mr. SKUBITZ. Mr. Chairman, I yield myself 12 minutes.

Mr. Chairman, we Americans seem to be possessed with a desire to always be first in everything. I recall when the sputnik made "nutniks" out of us—we embarked on a space program which has really become a heyday for the scientists in this country.

A number of years ago some of our American dignitaries visited the Soviet Union. They saw the Red Square and as I recall out of that came the desire to create a national square in this country.

It seems to me now that we have used commonsense in the development of Pennsylvania Avenue, and I rise this morning in support of H.R. 7743.

The importance of this bill cannot be understated it will contribute much toward the repair, revitalization, and restoration of our Nation's most important thoroughfare.

Development of Pennsylvania Avenue will not only evidence the physical and symbolic link between the Congress and the Executive, it will add beauty and dignify a portion of our Capital City that is at present unpleasant and unsightly.

Pennsylvania Avenue is a historic avenue, but the buildings along the avenue are anything but historic or beautiful.

And it seems to me that the richest country in the world can at least develop one street in its Nation's Capital—its most historic street—not in an effort to compete with the Red Square or the Champs Elysee in Paris, but something truly American in scope.

There are those who say let the free enterprise do the job. I, too, would like to see the area developed by the free enterprise system.

But that I do not think is possible. Use as a shopping area, face it, the central cities have seen their day. The shoppers are not going downtown—and pay $2 to $3 to park when it is far more convenient to go to more up to date shopping buildings outside of town.

We have heard talk of more underground shopping. One need only visit the underground parking at the L'Enfant Plaza to find out why such parking is not desirable.

And even if we were to admit that private enterprise could, or more importantly, would revitalize the downtown section, the question arises whether the streets along historic Pennsylvania Avenue would incorporate the beauty, the stateliness, and the dignity that some have envisioned for this most important avenue.

And so, in order to do what should be done, it is necessary that the Federal Government assist in this project.

Earlier this year the House failed to approve, under the Suspension Calendar, amendments the Interior Committee and the administration had together recommended to the 1972 Pennsylvania Avenue Development Corporation Act.

In my judgment, based upon my study of the House debate, and visits with many of my colleagues who opposed the measure, I believe that many of my colleagues voted against the bill because of the sloppy manner and inefficiency that has been the hallmark of the District Government; because of the tremendous overruns in the construction of the subway; because they felt they had been misled with regard to the cost of the Visitors Center and the stadium; because they were fed up with the inefficient operation of the schools, where every Board member seems to want to be an administrator in his own right.

In short they were fed up with the District of Columbia.

I believe that the vote was an expression of the concerns of Members over particular aspects of the bill and not an expression of opposition to the intent of the legislation itself.

Thus, I believe that the revised version of H.R. 7743 containing the committee amendments approved by an overwhelming vote of 28 to 5 and supported by the administration will allow us to attain funding for the Corporation and the resulting improvement of Pennsylvania Avenue without enormous or unjustifiable commitments of Federal moneys.

There have been important changes made by the committee in H.R. 7743 which I would like to outline briefly:

No longer does the legislation authorize the Corporation to borrow up to $200 million. Instead, the present level of $50 million has been maintained, which should be enough for the Corporation to adequately carry out its development objectives consistent with its congressional mandate.

No longer does the legislation contain financial provisions which some Members objected to, specifically, the "authorization of construction loans" and the Corporation's proposed "revolving fund" have both been eliminated.

No longer does the legislation contain language which seeks to make numerous technical changes in the original act. What remains instead are amendments which provide the necessary funding to

carry out the objectives approved by Congress 4 years ago.

This revised legislation—is strongly backed by the administration.

I quote from a May 28, 1976 letter from White House Counselor John Marsh which states, in part, that—

The administration will urge House passage of a Pennsylvania Avenue Development Corporation authorization this session.

Mr. Chairman, I urge Members to support H.R. 7743. By doing so you will play an essential part in what, hopefully, will soon result in a restored and developed Pennsylvania Avenue in which all Americans can take pride.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. DIGGS).

Mr. DIGGS. Mr. Chairman, I rise in support of H.R. 7743, legislation introduced by Mr. SKUBITZ to amend the Pennsylvania Avenue Development Corporation Act of 1972, as amended. This legislation has been carefully deliberated by my colleagues of the Committee on Interior and Insular Affairs, and, as a result, has undergone several revisions before our consideration, today.

As reported by the Interior Committee, H.R. 7743 as amended, authorizes a total of $4.625 million for all administrative and operating expenses of the Pennsylvania Avenue Development Corporation, through fiscal year 1978. The bill also authorizes $38.8 million for initial implementation of the Pennsylvania Avenue plan during fiscal years 1977 and 1978. Provisions have been included to insure preservation of the Willard Hotel.

I am familiar with the long history of development plans and proposals for Pennsylvania Avenue. I have met with the chairman of the Development Corporation's Board of Directors, and its staff, to obtain substantial and detailed information concerning their proposals for restoration of the avenue. As a member of the National Capital Planning Commission, I have reviewed both draft and final plans for redevelopment of the avenue, when submitted to the Commission.

It is my position that revitalization of the avenue will provide numerous tangible, and intangible benefits for the citizens of the United States and, as well, for the District of Columbia.

First, the plans now developed by the Pennsylvania Avenue Corporation can play a major part in increasing national awareness of, and interest in, the many events of major importance that have taken place along the historic avenue. The awareness of our citizens will continue during our Bicentennial celebration of 1976, and, in the years after the Bicentennial, when Development Corporation plans have been implemented.

Employment generated by the Pennsylvania Avenue plan's implementation is estimated to include approximately 10,000 man-years of construction work, as well as the numerous jobs and business opportunities that the project will provide, once it has begun full operation. Our experience with the many construction sites in the District, have shown that, whether they are for hotels, office buildings, or other purposes, employees at the site are not limited to Washington, D.C., but impact on the metropolitan area, as well.

Direct private investment in the project is estimated between $300 and $400 million alone. Moneys invested in this manner, again, are not limited to the District of Columbia. Benefits from such sizable investment could reach 5 to 10 times the funds invested, and will provide needed economic growth throughout the entire metropolitan area.

Successful completion of the Pennsylvania Avenue plan will provide several specific improvements within a comparatively small, but highly significant area of our National Capital. The plan will provide for more cohesive redistribution of land uses within the project area; more attractive pedestrian and vehicular traffic patterns; use of development controls as well as esthetic guidelines; provision of opportunity for commercial, residential, recreation, and cultural activities; and retention of such architecturally and historically significant buildings, including the Willard Hotel, the Evening Star Building, and Matthew Brady's Studio.

Provisions of funds to implement the plan for Pennsylvania Avenue will not only initiate restoration of an avenue vital to the history of our Nation, but the funds will also provide numerous benefits to the District of Columbia. Implementation of the plan will provide some 1,500 residential units, up to 4.2 million square feet of office space, several new major hotels to accommodate visitors to our National Capital, and as many as 16,000 new jobs. Local tax revenues directly attributable to the Pennsylvania Avenue project, alone, are estimated at more than $7 million each year.

Now, Mr. Chairman, let me deal with the major issues raised by the opposition.

Mr. Chairman, opponents contend that existing authorities, such as the National Capital Planning Commission, could oversee development; there is no need to spend money through another Federal agency.

The National Capital Planning Commission has only advisory and planning power, especially since the District Home Rule Act. It has no development capabilities or eminent domain authority. The Pennsylvania Avenue Development Corporation was established with powers selected to carry out a development program in partnership with private enterprise. The Government corporation mechanism was chosen by Congress in 1972 because an agency capable of businesslike transactions with the private sector was deemed to be necessary to carry out this job.

The contention that existing agencies could do the job misses the point. The question is whether Federal improvements and a comprehensive plan should be used to stimulate the development of Pennsylvania Avenue. If the answer is "yes," the agency to carry out the program should be the agency designed to do it in the first place. Neither NCPC, nor the National Park Service, nor the Commission of Fine Arts has the authority or capabilities to implement a renewal of the avenue. To change horses now would mean the rewriting of many laws, further delays, and claims in court against the United States.

Mr. Chairman, opponents contend that in view of the private sector's willingness to invest along the avenue, let free enterprise renovate the area, as an example of the working of the American system.

It is misleading to suggest that funding the avenue plan is choice of Federal intervention over private enterprise. The avenue plan is entirely predicated on a combination of Government initiative with private development. The 1972 act to create the Corporation was passed to "take maximum advantage of the private as well as public resources," section 2, Public Law 92–578. Implementation of the plan is to take place in conjunction with the investment of over $400 million in private capital.

The contention that the private sector has shown a willingness to develop the area unaided, is plainly wrong. Only two examples have been cited in support of this thesis—

The Presidential Building—at 12th and Pennsylvania—which was defaulted and had to be leased for District government office space; and

A tentative offer for private rehabilitation of the Willard, which turns out to have been made in 1968, when the building was still sound.

The sad truth is that the area has been shunned by developers for almost two decades. The avenue has not only failed to attract development, it has lost existing businesses, such as Lansburgh's and Kann's Department Store, which closed last summer. This deterioration cannot be attributed in whole to the effects of government planning. Other factors which blight other downtowns have been at work as well. Eliminating the avenue plan will not reverse existing conditions, regardless of their causes. Private capital and energy can be put to work along the Nation's Main Street, if the commitment of the Government to its renewal is clearly made.

Mr. Chairman, opponents contend that the Presidential Building, at 12th Street and Pennsylvania Avenue, built with private capital and in conformance with the earlier avenue plan, is a prime example of what private enterprise can do in this area unaided by Federal funds.

A close examination of the history of the Presidential Building leads to the exact opposite conclusion. The developer of the building, Jerry Wolman, defaulted on his mortgage because private tenants capable of paying good commercial rents were never attracted to the building. The mortgagee had to take over the Presidential Building, and lease it to the District government for office space at $4 per square foot. The Wolman organization subsequently went bankrupt from this and other failures.

The commercial failure of the Presidential Building demonstrates the need for Federal intervention along Pennsylvania Avenue to upgrade the area with public improvements necessary to attract private investment.

Mr. Chairman, opponents contend that subcommittee hearings disclosed the willingness of private business to develop the area; that Sky-Chef a subsidiary of

American Air Lines, attempted to lease and refurbish the Willard but the deal failed when the owners would not guarantee the property against condemnation.

The Sky-Chef offer was made in 1968 shortly after the Willard closed its doors, but when it was still in satisfactory operating condition. In 1969 the owners gutted the building of all usable or salable fixtures. The building has remained vacant and deteriorating ever since. The Pennsylvania Avenue Development Corporation never opposed a private sale or leasing plan; indeed, the avenue plan calls for the Willard's operation by private enterprise. However, it is recognized that a Federal subsidy for restoration costs is necessary before any private operator can take it over.

In the last few years several groups, including the National American Indian Council, approached the Willard's owners regarding a possible purchase. All of these groups which contacted the Pennsylvania Avenue Corporation received cooperation and encouragement. They were advised that Federal assistance would be applied if Congress funded the plan. No private transaction was consummated, however, either because the offers were unsatisfactory to the owners, or because the costs of renovation appeared excessive for a private group.

If the plan is not funded, private enterprise will clearly not restore the Willard. Private enterprise, unaided, would tear it down and build a speculative office building.

Mr. Chairman, opponents contend that the plan was approved without a real opportunity to reject it; that there was insufficient time to pass a resolution in opposition to the plan.

The Subcommittee on National Parks and Recreation held a public oversight hearing on the plan on March 21, 1975. The period for consideration of the plan did not expire until May 19, 1975—nearly 2 months after the hearing. The plan itself had been transmitted to Congress 6 months previously, on November 19, 1974, for a statutory review period of 60 legislative days. The Interior Committee decided that, to afford a full period of consideration to the new Congress, the days would be counted from the start of session in January, rather than from the date of the plan's transmittal.

The hearings were conducted to elicit a complete exposition of the plan and its projected costs. Public and agency witnesses were heard on the merits of the plan and on the advisability of proceeding with implementation. The committee also requested the General Accounting Office to conduct an informal examination of the plan's financing program, particularly with an eye to cost escalations. The GAO found the financing plan to be reasonable. Furthermore, the GAO indicated that possible increases in costs would probably be offset by increased revenues, because of the nature of the development, involving a turnover of building sites to private entrepreneurs.

Despite the length of the review process, no resolution against the plan was introduced. The plan stood approved on May 19, 1975.

I support favorable consideration of H.R. 7743 by the House of Representatives, today. Expedient action on this matter is particularly appropriate during our 1976 Bicentennial Year, and will provide viable activity along Pennsylvania Avenue long after our Bicentennial celebrations, and favorable action with respect to H.R. 7743 will enhance our Nation's Capital in both tangible and intangible ways.

Mr. SKUBITZ. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico (Mr. LUJAN).

Mr. LUJAN. Mr. Chairman, everyone, I believe, wants a beautiful Pennsylvania Avenue.

My only question is whether that is a Federal responsibility or whether it ought to be done by the private enterprise system. After all, it was not even recognized by the Committee on the Budget that we should put these amounts of money in there.

The last time I saw this bill come before us, it was for $330 million, and today they tell us it is some $38.8 million. It started off as a Bicentennial project. The Bicentennial is almost over, and now we have gone into some other kind of program.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. LUJAN. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, the gentleman mentioned a figure of $330 million. He must be covering part of the private investment because the public investment figure never has been more than $130 million. The idea was to stimulate private investment to reach the other figure.

Mr. LUJAN. I understand that; that is correct. It was $130 million of public investment, and $200 million that was supposed to be available for loan activity.

This program calls for an extension of 2 years, and it is my feeling that once those 2 years are over, we will be back to the additional $200 million program.

As a matter of fact, it is quite interesting, Mr. Chairman, that in reading the report as it refers to the development of a demonstration plan with respect to the Willard Hotel, which is private property, I think somebody was perhaps inspired or actually knew that that would happen because it says, "provided that appropriations made under the authority of this program"—meaning the Willard Hotel—"shall include insufficient funds to assure the development of this property."

Mr. Chairman, it is rather strange that through an error in printing, what we all know to be a fact has come out. We all know that it is going to be insufficient and that the $38.8 million that we are talking about today is merely a very insignificant amount compared to what this project will end up costing.

Therefore, I am inclined, Mr. Chairman, at this point to either vote against the bill if it remains as it is; or if it is amended, to eventually help in the demise of the Pennsylvania Avenue Development Commission, and then I would support it.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. LUJAN. I would be happy to yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, the gentleman from New Mexico is correct that the full public cost of the project is anticipated, according to the plan and the witnesses, to be $130 million which is to be appropriated over a period of 15 years.

The $38 million request now is sufficient to carry us on for 2 years to get this program going, to get the Willard Hotel preserved. Then we purposely want the matter to come back to the Congress so that it can take another look at it and see how well it is doing and what additional steps are necessary.

Mr. LUJAN. And perhaps ask for additional money at that point.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Chairman, first of all I would like to commend the chairman of the subcommittee, and the ranking member of the full committee, for the work they have done on this bill, which I heartily support.

I think it is fair to say, Mr. Chairman, that neither the gentleman from North Carolina (Mr. TAYLOR) nor the gentleman from Kansas (Mr. SKUBITZ) are known in the House as big spenders so when they come before the House with a bill that has really been reduced to the minimum, then I think we should take their views very, very seriously indeed.

The dissenting views to the original committee report are worth a brief comment. First of all, they say this is no time to begin another endless funding project.

Members of the committee, let me say that this is hardly a beginning. This Pennsylvania Avenue project dates back to the days of President Kennedy. As a matter of fact, President Kennedy was deeply and personally involved in trying to do something about the shambles that Pennsylvania Avenue had become at that time.

Then the dissenters say that we ought to leave this problem to private enterprise. I notice, by the way, that none of the dissenters has been in the Congress long enough to remember what Pennsylvania Avenue was like before this program was undertaken. I think if they had been, they would hardly argue that private enterprise can and would do the job. Because the fact of the matter is that in the early 1960's when private enterprise had had the responsibility for Pennsylvania Avenue for over 150 years, the avenue was a disgrace to the country. It was a shambles. Something had to be done.

I am sorry that we have had to abandon the more realistic program that was contained in the original bill but the preset bill before us is the absolute minimum if we are to carry forward this worthy enterprise for our Nation's most historic street.

Mr. SKUBITZ. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from Nebraska (Mrs. SMITH).

Mrs. SMITH of Nebraska. Mr. Chairman, I offer this amendment for four reasons.

In the first place, I think this is an expenditure of Federal money that is not needed. All of us, I am sure, wish that we were not running $70 billion in the red this year. I am sure we are all sorry that in the last year and a half we have had to raise the ceiling on the national debt six times. But we keep voting for these spending programs because we are afraid that if we do not, it will cause loss of jobs, or will hurt our senior citizens, our young people, or our veterans. However, here is a program that will not hurt anybody if we do stop it. It is something that we do not need to do with taxpayers' money. That is my first point.

My second point is that private enterprise ought to be rebuilding this area. During our hearings members of private enterprise businesses expressed an interest in building along that avenue, but, of course, they would not do it when the Federal Government had its finger on it. So what we need, and what my amendment will provide, is to terminate the plan as of the time that Congress acts—so that private enterprise can move in. Moreover, I submit that this is a beautiful country, and Pennsylvania Avenue is a great street, but the country has been made beautiful by private enterprise, and we ought not to have our No. 1 street a Federal Government project when the taxpayers are $700 billion in debt.

My third point is this: Regardless of how much we have reduced the cost appearance in this current bill, we know that the actual cost will not be 1 cent less, and that if we start down this road, we are going to have to appropriate again and again. We only need to look at the record to know it. Congress voted $46 million to build Kennedy Center. Now we have spent $73 million and the books are not closed yet. Congress appropriated $16 million for the Visitors Center. Now we have spent $46 million, and the plan had to be changed in order to live under that kind of a limitation. Two and one-half billion dollars was voted by the Congress for the Metro. We have spent $4½ billion, and we still do not have Metro. The same thing will happen if we start down this road.

My fourth point is this: The Congress has never really sat down and studied this proposal, and I hope we will do so this afternoon. The first real vote was taken this year when under suspension 201 Members voted "no" and only 149 Members voted "aye."

Back in 1972 when it was first approved, it was approved by a voice vote on a Saturday night session that ended at 12:22 o'clock on Sunday morning, and 26 bills were passed that evening, plus a lot of private bills. Even then there was objection to it. Then it came back in 1974 with the Pennsylvania Avenue plan partially completed. The rule was that if we did not reject it within 60 days, it would go in. Neither the Senate nor the House approved it. The Senate did not even have any hearings on it. The House had hearings on the last days, but no action was taken.

In conclusion, I think that the people of this country, as is shown by the letters and the polls all over America, would applaud any Member of Congress who has the courage to say "no." This is one thing we do not have to do to add on to our already gigantic debt which is costing our taxpayers $123 million a day in interest.

Mr. SKUBITZ. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Chairman, there is an old saying that "A rose is a rose is a rose," and I do not care how many times this bill comes up; it is the same old Trojan horse warmed over.

I would like to warn my colleagues—I think most of them know it down deep—that the estimated cost and the price tag is only the start. Washington's spending projects remind me of the old story of the tar baby. Once we get stuck in the tar, there is no way to get out, and we get in deeper and deeper. The deeper we get, the stucker we get. And we get deeper and stucker and deeper and stucker.

How may times do we have to get stuck before we realize what we are doing in Washington, D.C., to the American taxpayers? When the Federal Government gets involved in Washington project cost overruns seem to be the rule. I say they seem to be the rule and not the exception. We earlier voted this monstrosity down.

Today we have heard the speaker say: "Oh, we did not know what we were doing. We just rushed onto the floor and the legislation was not adequately debated and we have read in the paper that it was not properly prepared by the proponents of the program." Sheer baloney.

How about our being able to stand up for once and say: "We were right. We knew what we were doing. This is a spending project that cannot be justified." We can say right here that we are not going to get stuck again and get in deeper and deeper and deeper. If I am still here I will be reminding the Members, if this passes, that they should not have done this. If the project passes, make book on it, there is no doubt that the amount we are seeing today is only the start, and like the tar baby we will get deeper and deeper and we will get stucker and stucker and stucker and stucker.

Mr. Chairman, H.R. 7743 would authorize the appropriation of $38,800,000 to the Pennsylvania Avenue Development Corporation. This sum would be the initial installment of an estimated $130 million for Federal development of the Pennsylvania Avenue corridor.

When this piece of legislation first came before the House on March 15, I opposed it. As my colleagues will recall, I demanded a recorded vote on the bill and by a vote of 149 to 201 the House firmly rejected this case of wasteful spending. Now, after the passage of 4 months and adoption of a few cosmetic changes, H.R. 7743 is once again before us. This bill should be defeated again today.

I agree on the desirability of improving the appearance of the Pennsylvania Avenue corridor. It seems senseless, however, to pour millions of dollars of taxpayers money into this project if private enterprise is willing to do the same job with little or no Federal funds. Hearings have indicated the willingness of private businesses to develop the area. Nevertheless some Members seem to prefer intervention by the Federal Government rather than leaving the matter to the private sector.

This is hard to understand. After a budget deficit of more than $70 billion in fiscal year 1976 and an estimated deficit of $43 billion for fiscal year 1977, the House should be working on ways to reduce Federal spending. Now is not the time to begin another costly spending project, especially one that can be done by the private sector without taxpayer funds.

I also want to warn my colleagues that even the $130 million estimated price tag may well be too low. Washington spending projects have been tar baby projects. You get stuck and then you get stucker and stucker and stucker. When the Federal Government gets involved in projects such as this, cost overruns seem to be the rule rather than the exception. The cost of the National Visitors Center, for example, was originally estimated at $16 million. The current estimate is more than $48 million. The Metro transit system for Washington was first projected at $2.5 billion. By 1974 estimates had hit $4.5 billion and the end is not in sight. Then there is Kennedy Center and the Kennedy Stadium. Let us not get stuck in the tar today. Do not liberals ever learn?

Passage of H.R. 7743, Mr. Speaker, cannot be justified. I urge that we save the Nation's taxpayers millions of dollars by defeating this bill.

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

Mr. ASHBROOK. I yield to my friend, the gentleman from Kansas.

Mr. SKUBITZ. May I say to my friend, the gentleman from Ohio, I know of the expenditures made on the stadium and the subway and some other, but I do not see the relevancy of those to this program where we are trying to make one street in the Nation's Capital and trying to make that one historic avenue one that all citizens can be proud of.

Mr. ASHBROOK. I am astounded that my friend, the gentleman from Kansas, and he is my good friend, does not see the relevancy. He is going down the primrose path. This is just a case of a different conductor on the same train. I remember when we were on that track before and we were told the same thing with respect to every project on many other occasions.

Mr. SKUBITZ. I had no intention to astound my colleague, only inform him. The only point I am trying to make is that as a matter of priority I would certainly place the restoration of Pennsylvania Avenue above the Union Station project or the subway or the others the gentleman mentioned.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. JOHNSON).

Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I would just like to say a word concerning the hearings that have been held on this legislation. Extensive hearings were held prior to the original Act of 1972. After the plan was approved by the Secretary of the Interior and the Mayor of Washington, D.C., it came to Congress on November 19, 1974. Hearings again were held by the National Park Subcommittee early in 1975. We tried to get all the facts and make them public. Not one member of the committee or Member of Congress introduced a resolution in disapproval of this plan.

Hearings were again held in June of 1975. Several days of the time of the subcommittee and of the full committee were used in considering this legislation in markup sessions.

So the matter has received the usual and appropriate attention of the committee and we have devoted as much time to it as was possible to give.

Mr. JOHNSON of California. Mr. Chairman, I am happy to have this opportunity to speak in behalf of the Pennsylvania Avenue legislation now before the House. This bill is the product of years of cooperative effort at all levels of government. It has the support of the present administration and the city of Washington. In addition, similar legislation has been approved by the Senate.

BACKGROUND OF THE PLAN

The proposals to revitalize Pennsylvania Avenue did not originate this year. They began with a vision of the late President John F. Kennedy who recognized the need to improve this important ceremonial street. Every President since that time has endorsed and recommended proposals to enhance the beauty of this link which connects the Capitol with the White House.

Because of the recognized national interest, the Congress created the Pennsylvania Avenue Development Corporation and directed it to develop a plan to assure the historical and ceremonial integrity of this national historic site. Under the act creating the Corporation, the plan was required to be reviewed and approved by the Secretary of the Interior and, after consulting with the National Capitol Planning Commission and conducting public hearings, by the Mayor of Washington. After that, the plan was to be transmitted to the Congress for final review. Under the law, unless either the House or Senate rejected the plan within 60 legislative days, the Corporation was authorized to implement it.

On November 19, 1974, the Corporation transmitted the approved plan to the Congress. It was not possible for the Subcommittee on National Parks and Recreation to conduct hearings on the proposal prior to the conclusion of the 93d Congress, but after the Congress reconvened public hearings were held on March 21, 1975. In light of the fact that this new Congress had not had an opportunity to review the plan, it was concluded that the 60 legislative days would begin to commence with the beginning of the 94th Congress.

Mr. Chairman, I recount the brief history of this proposal because I want the Members to understand that there has been an adequate opportunity for opponents of the plan to express their views. Notwithstanding this fact no Member of the House or Senate introduced a resolution of disapproval. In fact, in all of our deliberations, everyone seems to have agreed that Pennsylvania Avenue is a nationally significant area and that it merits special attention. To my knowledge no one has attacked the plan as being ill-conceived or undesirable. The only opposition that I am aware of reflects a general desire to economize.

NATIONAL SIGNIFICANCE

No one wants to waste Federal funds, Mr. Chairman, but I do not believe that this is a waste. Pennsylvania Avenue is the ceremonial street of the Nation. It is a place which is seen by everyone who watches the inaugural and other ceremonial parades in the Nation's Capital. Virtually every constituent of every Member of this House who visits Washington visits Pennsylvania Avenue en route to the Capitol, the White House, or some of the other governmental or historic places nearby. For that reason, I believe that this avenue takes on a special significance.

Notwithstanding its importance, we all know that the character of this important avenue is slipping. There are numerous vacant buildings and some of the historic structures along the way are threatened with destruction. Some people say "Let private enterprise do the job." I say "Private enterprise cannot do the job alone. If private enterprise could do the job there would have been no need for the plan or for this legislation."

We cannot expect private enterprise to underwrite the costs of public improvements. The Federal participation in this project will offset the costs for historic preservation of buildings like the Willard Hotel, for open areas and set back requirements, and for beautification of the avenue, in general, between the Capitol and the White House. Private enterprise will be an integral part in the redevelopment of the area, but it cannot do the job alone.

CONCLUSION

Mr. Chairman, Pennsylvania Avenue is not just an ordinary street. It has been called the Nation's Main Street. It should be a place in which the American people can take pride. The enactment of H.R. 7433 will make that possible. It will be the first step toward the implementation of the plan and a major step toward the fulfillment of the dream of our late President John F. Kennedy.

I urge my colleagues to support the committee amendment and to reject all other amendments to H.R. 7743.

Mr. SKUBITZ. Mr. Chairman, I yield 5 minutes to my colleague, the gentleman from Kansas (Mr. SEBELIUS), chairman of the subcommittee, who is so conservative that at times the gentleman makes me look like a liberal.

Mr. SEBELIUS. Mr. Chairman, it is good to see some of the Members of our body here listening intently to a very vital and a very important subject, because today they are going to be casting a very important vote—a vote that will decide the fate of the future character and direction of the most ceremonial avenue of our Nation, Pennsylvania Avenue.

The issue is relatively clear and simple: Shall the Federal Government assist the revitalization of the horribly blighted segment of Pennsylvania Avenue between the White House and the Capitol, or shall it permanently discontinue its efforts already started, and let the future of this area face continued uncertainty and, most likely, continue onward in its blighted condition? That decision should be fairly clear-cut, as Members will be able to vote today clearly for or against the redevelopment effort.

Let me state that the Pennsylvania Avenue Development Plan is not a total Government effort. It is principally a private development effort, at a contemplated $400 million worth of private funds, with some supportive Federal funding assistance—all to be carried forth in conformance with a comprehensive development plan which already has the sanction of the Congress.

Mr. Chairman, some might ask, what are a couple of Kansas country boys doing here pleading for the continuation of the Pennsylvania Avenue Development Corporation in the revitalization of a part of our capital?

I do not think either one of us has ever voted for such a thing, but we say that it belongs to all those who live in this country. It belongs to those who are permanent residents here, and we want it to be enjoyed by the people who live here and by the rest of the Nation, because this is our Nation's Capital.

Many years ago, I came to town with a suitcase. I had a job as a skilled helper at the Bureau of Engraving and Printing. I lived here. I walked around here. I walked both ends of Pennsylvania Avenue. I have seen it deteriorate over the last 30 or 40 years. Now, I think it calls for a partnership between the Government and private enterprise to develop it, to come together. One cannot get to Ford's Theater without seeing rats running the street and other unattractive things that take place there. We need to provide a proper setting for the theater in which Abraham Lincoln was shot, and for the house across the street where he died. It is a sad thing to hang the opposition to this measure on trying to save some money. Yes, it is going to cost money. It is going to be a tar baby. Nobody will deny that it is going to cost more than what we have put in this bill, but we at least ought to get it started for 2 years and see what it does.

The administration supports this bill—so much so, that they advocate the authorization of the full cost of this project now, and that is over three times the amount of funding support that this Interior Committee bill requests. I want to point out that, in the face of general apprehension over the cost overruns of numerous other Government projects of similar type in recent years, the committee, I believe quite responsibly, sought to authorize only a token amount of funding—$38.8 million—to let the implementation of the plan get underway and demonstrate results. After 2 years of progress, if the Congress is impressed with the results, we can then proceed further. If

not, we can end it all without having committed ourselves to the entire project.

This bill requires that a particular segment of the avenue be concentrated on, so that we can promptly gage the results. That specified segment includes the Willard Hotel area, and the historic Willard Hotel itself is specifically to be preserved.

My dear and sweet friend from Nebraska (Mrs. SMITH), with conviction and sincerity, said that she has four reasons for wanting to kill this proposal. The first one was that it was not needed. That was the premise that nobody can buy, and surely she does not either.

Second, private enterprise can do the job. Private enterprise can do many things and it will do a lot in this situation, but there has to be a working partnership between Government and private enterprise to get it off the ground—especially to provide for trees, flowers, benches, pathways, and building setbacks—for a 2-year period on this great avenue where we have seen our Presidents go down to the White House, where we have seen funeral processions of our dignitaries being moved along that avenue.

Third, it is going to cost more.

Look at the north side of the avenue and see what is there. It is going to cost more—I admit that. There is no question about that, with inflation as it is now and with neither party having been able to get a complete handle on it—it is going to cost more. But, let us admit that.

Fourth, we have not studied it. We have studied it and studied it and studied it. We know what it is. We want to make it a 2-year proposition to move forward. The plan has moved forward, and this bill comprises a culmination of planning of nearly everything we have worked on for a decade, starting with President Kennedy. The administration has asked for the authorization of three times as much money for implementation of this project as we have in this bill.

So, during this Bicentennial Year of our Nation, I cannot think of a more symbolic and appropriate step to take than for the House to vote to agree with the Senate and to get on with the resolution of this problem. Certainly, we can give it a 2-year trial, and on that basis we brought this bill to the House floor. I strongly recommend to my colleagues, as did the Committee on Interior and Insular Affairs, their full consideration and approval of this project here today so that we can get on with the job.

In closing, Mr. Chairman, I would like to commend the gentleman from North Carolina (Mr. TAYLOR), who has had great patience and understanding in this matter. It would not directly benefit North Carolina, and it is not going to be built in Kansas. It is something that belongs to all of the people of this Nation who want it to be preserved. I urge my colleagues to vote for this measure.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I stated that Pennsylvania Avenue is pretty far away from Kansas, and pretty far away from North Carolina, but we are still part of the Union. It belongs to people all over our Nation.

Mr. Chairman, I rise in the main to commend the ranking minority member of the committee, the gentleman from Kansas (Mr. SEBELIUS) on the fine cooperation he has provided our subcommittee during the years. No person could have been more cooperative or more constructive or more studious than he has been. It has been a pleasure working with him.

Mr. SEBELIUS. Mr. Chairman, I would like to say to the chairman that it has been a pleasure working with him. We are going to miss him next year at the conclusion of this Congress. I will probably say that a few more times this year, but we are going to miss his leadership. I think this would be a great monument and a fine commemoration of his subcommittee work if we get this project moving today.

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

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

Mr. SKUBITZ. Mr. Chairman, I thank the gentleman for yielding.

May I say to my colleague that I came to Washington 36 years ago, and I remember it as a beautiful, charming city. I have seen it go down and down and down. I can remember that in those days if we saw a Kansas tag go down the street, we used to chase it down the street, no matter whether it came from one's county, just that it came from our State, because we wanted to meet somebody from back home. Today, Kansan after Kansan comes to Washington. Every Kansan hopes to visit this city, and I hope we can make it at least one of the best towns, one they can go home and be proud of.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. SKUBITZ. Mr. Chairman, I yield 1 additional minute to the gentleman from Kansas (Mr. SEBELIUS).

Mr. SEBELIUS. I thank the ranking minority member for yielding.

Mr. Chairman, I do not want to upstage the gentleman, but I came here 40 years ago, with a suitcase and the desire to work and go to law school. I thought a lot of Pennsylvania Avenue. In fact, I became determined that I was going to return here to Congress. As the gentleman knows, I did not win until the third time, but I did get back here.

Mr. SKUBITZ. Mr. Chairman, will my colleague yield?

Mr. SEBELIUS. I yield to the gentleman.

Mr. SKUBITZ. Mr. Chairman, we both came for the same purpose, to get a law degree and go back home. We have both remained here and have had our families here.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from the District of Columbia (Mr. FAUNTROY).

Mr. FAUNTROY. Mr. Chairman, there are few bills which will come before the House in this Congress that will have a more beneficial economic impact upon the District of Columbia than H.R. 7743, amendments to the Pennsylvania Avenue Development Corporation Act of 1972. During the 12-to-15-year period the plan is implemented, the project would generate at least 10,000 man-years of construction work; $450 million in private investment; a net increase of $10 million annually in tax revenues; a net increase of 16,000 jobs in the downtown section of the city; and 1,500 badly needed housing units.

In addition to providing substantial economic benefits to the District of Columbia, this bill will achieve an important national goal. Pennsylvania Avenue is a street that lives in the hearts of all Americans. It is the site of our inaugural parades and the link between the White House and the Capitol. The millions of Americans who come to Washington each year must certainly be disappointed when they see the Nation's main street. Pennsylvania Avenue, which should be a source of pride for all of us, is a national disgrace.

Failure to enact H.R. 7743 will result in a large number of costly damage suits against the United States. The owners of the Willard Hotel on Pennsylvania Avenue have, for example, already filed an $8 million damage claim against the Government. They contend that they are entitled to damages because of the economic losses suffered during the period of Federal planning for the avenue. Any additional delay of this project will probably result in larger justifiable claims.

As for the future, rising construction costs will make this project even more expensive and private developers even more hesitant to participate. Thus when all these economic factors are taken into account, it becomes clear that rejecting this bill would be a more costly venture for the Federal Government than if it were passed.

Private enterprise alone cannot achieve the goal of revitalizing Pennsylvania Avenue. Only one new office building has been constructed on the avenue despite more than a decade of Federal planning. This building was not an economic success and was leased to the Government. Many private developers have expressed interest in the area, but only if there is a firm Federal commitment to revitalization, which would be evidenced by funding for a plan like the one developed by the Corporation.

Practical economic sense dictates that private investors make the best economic use of land by building densely and compactly, since they want the most space for the cheapest price. Since the Pennsylvania Avenue plan is designed for spacious open areas and attractive buildings, rather than a congested line of skyscrapers, it should be understandable why private investors have shunned the avenue.

The Senate has already authorized funding for this project and the President has included an appropriation in his current budget request. The House of Representatives now has a very clear choice. We can turn our backs on the plan and lose a magnificent opportunity to reclaim Pennsylvania Avenue or we can fund the plan and give the Nation a Main Street of which it can be proud

while providing the District of Columbia with a productive economic program.

The Washington Star newspaper on July 20, 1976, had an article on the fate of the Pennsylvania Avenue plan. I think it is instructive of issues which ought to be considered and I now insert it into the RECORD for Members to read.

The Washington Star article follows:

WHAT'S BECOME OF THE AVENUE PLAN?

(By Phillip M. Kadis)

It all began, the story goes, on that cold winter morn when Pat Moynihan and Arthur Goldberg shared a limousine in the John F. Kennedy inaugural parade from the Capitol to the White House.

Riding down the snow-covered triumphal route lined with cheerful spectators from all over the country, it suddenly struck them that the north side of Pennsylvania Avenue was a disgrace, rundown and shabby. Hardly what anyone had a right to expect for a great processional way of the world's oldest continuous democracy.

It was not a new thought. But it had occurred to the right people, according to the story, those who would have some influence in the new administration.

Whether true or apocryphal, the weight of the presidency was indeed thrown behind transformation of the capital's oldest avenue. For nearly a decade and a half since, platoons of planners, civic leaders, architects, merchants and politicians under stringent review have struggled to put together a plan that would meet the esthetic, economic, social and budget demands of all the parties involved.

Now, because of an ill-considered vote in Congress last March combined with new budget reform measures, the most comprehensive and detailed program for rejuvenating and beautifying Pennsylvania Avenue is on the brink of collapse just when it was about to leave the drawing board and realize a vision that had hovered over the thoroughfare ever since it was first laid out by Pierre L'Enfant at the birth of the city.

The planning initiative, begun under Kennedy and endorsed by every president since, gathered momentum as the Avenue itself deteriorated. What came out of the years of effort (after several major overhauls and the scaling down early grandiosity) was the Pennsylvania Avenue Development Corp. (PADC), which produced its revised plans for pooling public and private investment to give the "Avenue of Presidents" the dignity so many believe it deserves and make it at the same time lively, accessible and livable. A thoroughly American "Elysian Fields" that might bear comparison with the proud Parisian boulevard.

That plan won the endorsement of a host of community groups, planning agencies, merchant and business associations, professional groups and labor organizations.

Last year, Congress put its imprimatur on the The Pennsylvania Avenue Plan, and it became law.

All that remained was for Congress to provide some financial underpinnings in order to launch development along the avenue. Top priority was to be given to the handsome and historic Willard Hotel which has been moldering unoccupied since 1968, a prey to vandals and a lightning rod of litigation.

Enabling legislation was passed by the Senate and it remained for the House to act.

The House bill, approved by a wide margin in the Interior Committee, authorized $38.8 million as the first chunk of a projected federal outlay of $130 million over a 12 to 15-year period for public improvements along the avenue to spur private investment of $400 million. (The Senate approved bill authorized the full $130 million.)

It also extended the corporation's authority to borrow $50 million from the U.S. Treasury to acquire and develop sites to $200 million through 1990. There was also a provision for $1.5 million to pay the annual salaries and other administrative costs of the PADC, and two lengthy technical sections that would amend the act establishing the corporation to conform to legislation establishing home rule for the District.

The bill was presented on the floor on March 15 under a suspension of the rules procedure that required a two-thirds vote and permitted no amendments. With the backing of National Parks and Recreation subcommittee chairman Roy A. Taylor, D-N.C., passage was considered a foregone conclusion.

That, however, proved to be a tactical mistake. The bill failed to win consideration by a vote of 201–149.

Taylor, who is retiring this year, had a good track record on similar legislation in the past. But the House was filled with a lot of new members who were either unaware or unappreciative of the traditional authority wielded by the subcommittee chairman.

Few members were aware of the history of the PADC plan. Although it had the backing of the White House, little support had been forthcoming from the White House staff prior to the vote with the result that Republicans voted 91–25 against consideration. AFL–CIO backers neglected to push for it, confident it would pass under the consent calendar procedure.

Of the votes against it, 16 were switches after the initial tally was registered, and there was evidence that some held back on their initial vote until they saw which way the vote was going. When in doubt, there's safety in numbers.

Three speakers supported the measure, and none opposed it, making the outcome all the more remarkable. Some attributed the defeat to a "new wave of fiscal conservatism" in an election year, especially when the budget had little room for federal projects in the Congressmen's home districts. Rep. Walter Fauntroy's office was in favor of the bill, but he had no votes to trade off with his colleagues.

Other reasons were later advanced for voting against the bill.

Rep. Virginia Smith, R-Neb., inserted remarks in the Congressional Record in which she tied her opposition to the bill to skepticism that the $130 million price tag would stick. She also cited her firm belief, that private enterprise, "the system we trusted to build America in its first 200 years," could do the job without any government encouragement.

"This is the grandest street in America," she said. "What profitable business would not want to establish a base of operations along Pennsylvania Avenue?"

Whatever the reasons for the outcome of the vote, failure to take the measure up under suspension of the rules did not kill it.

The Interior Committee went back to work amending the bill for resubmission on the regular calendar, now expected to be this week.

But that was not the end of it.

While the committee was busy stripping off the intimidatingly long technical provisions (which will have to be attended to at some time in the future) and reducing the borrowing authority back to the original $50 million to dovetail with the two-year public improvement appropriation of $38.8 million, trouble was brewing on another burner.

The omnibus appropriations bill for fiscal '77 was grinding its way through the Congress. When conferees came to the budget requests for the PADC, they observed quite correctly that no funds had been authorized by the House. Since there could be no appropriation without an authorization, none was included in the final bill except for one small conditional provision.

If the House does ultimately pass H.R. 7743, $1 million of the requested $1.5 million would be available to pay PADC staff salaries.

The conditional appropriation is crucial to the survival of the PADC since its money would otherwise run out on Sept. 30, leading to the irretrievable dispersal of an expert and experienced staff.

Even if the House does vote the authorization, some way will have to be found (probably not until after the election) to appropriate enough money to at least save the Willard and begin rudimentary improvements—even if it is budgetarily untidy under the new reform procedures.

Failure to approve the authorization bill will effectively wipe out the PADC, created by Congress four years ago to do what Congress decided city agencies and private developers could or would not do if left to their own devices.

Even if the PADC were effectively killed by failing to fund the staff, the plan would still be law unless it were specifically repealed by Congress.

Attempts to develop the area in a manner inconsistent with the plan could be blocked in court, opening several legal cans of worms.

That's exactly the fix the Willard is now in.

Its owner—New York businessman Charles B. Bergenson—wants to gut the building and rip off its mansarded Beaux Arts facade (designed by Henry Janeway Hardenberg, architect of the Waldorf, the Astoria and the Plaza hotels in New York) and replace it with a modern office building.

But the plan requires preservation of the hotel, which often served as a residence for presidents, and the restoration of its public rooms on the first two floors. A demolition permit has been blocked by a federal court injunction.

To do him justice, Berenson is not opposed to preserving the Willard. It's just that it's not economically feasible for him to undertake the added financial burden of doing so himself.

Meanwhile, he has filed suits against the PADC and the District government claiming damages of $8 million and $1.5 million respectively for keeping him from developing his property while failing to buy him out, a complaint shared by other Pennsylvania Avenue property owners.

Berenson's attorneys claim he has been losing a whopping $1,400 a day in taxes and mortgage payments since the hotel closed in 1968.

PADC fears that similar lawsuits may sprout all along the avenue if funds to implement the plan are not appropriated.

The injunction that barred Berenson from tearing down the Willard because it was not consistent with the Congressionally-approved plan was precipitated not by the PADC but by a private civic organization called Don't Tear It Down, Inc.

Scrapping of the plan, many planners and business backers agree, would tend to retard the revitalization of downtown Washington.

"I don't think it's a linchpin," said Robert Gray, director of Downtown Progress. "But it certainly would not have a positive effect if it went down the tube. The Willard might not withstand another winter."

Gray said one of the most important aspects of the plan is the proposed establishment of a residential base downtown.

"It would bring life to the streets, more nearly achieve round-the-clock use of the area and modify the image of downtown after 5 p.m.," he said.

Rental and condominium units—a total of 1,500 are planned for the areas east and west of Seventh St. in the vicinity of the old Kann's and Lansburgh's department stores. They were deliberately added to avoid repeating the mistakes of L'Enfant Plaza, which takes on a cemetery cast after the office buildings are emptied.

Taking the first few lighting and landscaping steps, or reopening the Willard as a restored hotel, would be a psychological boost for downtown as well, according to John Fondersmith, chief of special projects for the District's Municipal Planning Office.

"'Pennsylvania Avenue is a kind of landmark not only for the city, but it's also a reflection on the national scene," he said. "It has a very symbolic role. Visitors go to the mall, and then they want to eat and stroll. But that's over in Georgetown or some other area of the city.

"The plan is designed so that Pennsylvania Avenue becomes a bridge between the monuments, Federal Triangle and the downtown core. In the future, visitors will know they're in the heart of the capital," he said.

Some of the ceremonializing and upgrading elements are already in place or about to be: the National Gallery of Art Annex, the new court building at Sixth St. and John Marshall Place NW; the cleaning and potential renovation of the old Post Office; the Streets for People project; the new Labor Department and even the FBI building, both of which bring increased employment to the downtown area.

What is needed, said Fondersmith, is something to tie them all together.

"It took something like 15 years, when Kennedy authorized the first master plan, to get to this point," said Maurice Payne, director of design programs for the American Institute of Architects.

"If this is turned down, I should expect it would take at least as long to crank it all up again . . . another four or five inaugural parades at least."

Supporters of the plan question whether private developers would be willing to invest in the avenue without federal participation. They cite the example of Jerry Wolman's Presidential Building, erected in 1968 at 12th St. Wolman was unable to woo private tenants for the office at rents sufficient to cover costs and yield a reasonable profit. He subsequently defaulted on his mortgage, a significant factor in the collapse of his financial empire.

The building was then rented to the government at rates substantially below the going private rates for comparable office space.

In addition, private developers—without the condemnation authority granted the PADC—would find it difficult to assemble parcels large enough to develop because of contested estates and fragmented ownership of property along the avenue.

PADC officials assert that their estimates about the cost of acquiring land for development were kept intentionally high and their projections of revenues to be earned from sale or lease of that land were made deliberately low to provide a margin of safety against inflation. The PADC financial plan was scrutinized by the General Accounting Office, and its assumptions were found to be reasonable.

All in all, the $130 million price tag is very little more than the cost of the FBI building alone ($129 million) or the Rayburn Building.

If the Pennsylvania Avenue Plan and its implemental arm, the PADC, did not already exist, sooner or later it would have to be invented.

Nearly all that is architecturally distinctive and so much of what is visually beautiful in Washington is the result of federal planning and financial assistance, however reluctant or delayed.

Without the strong hand of the government, as architect Payne put it, there would still be railroad tracks on the mall.

In the midst of the Civil War, President Lincoln insisted that construction of the Capitol continue as a demonstration of faith in the union and its future. (Not uncharacteristically, Congress first tried to skimp on construction costs for the Capitol and then found that the reconstruction costs because of poor materials and workmanship were greater than those first proposed by Benjamin Latrobe.)

During the depths of the Great Depression, the capital was ornamented with some of its finest edifices, including the National Gallery of Art and the Supreme Court. All of Federal Triangle became a reality during those years.

Is it possible that "America's Main Street" will be the victim of a receding recession?

The CHAIRMAN. The gentleman from Kansas (Mr. SKUBITZ) has approximately 3 minutes remaining, and the gentleman from North Carolina (Mr. TAYLOR) has approximately 3 minutes remaining.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield my remaining 3 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I just wish to call the attention of the Members to a few pertinent facts that we seem to be overlooking.

One is that this project will generate at least 10,000 man years of onsite construction work. We are talking about public works, and we are talking about man-made jobs, most of them in the field of services. These are construction jobs which demand at least five other employees to maintain the construction job that one individual has.

So by using these kinds of figures, we can take 5 times the 10,000 man-years, and we will get 50,000 man-years of direct, productive-type work, not service jobs given out by county commissioners and Governors that we are creating and which leave nothing behind them when we are through. In this case we will have something coming on in the future as a result of those jobs.

Mr. Chairman, I remember Pennsylvania Avenue 40 years ago when the first renovations were started. This was a cow-pasture town in my memory, and my memory is pretty clear. Yet in the minds of the hundreds of thousands of youngsters and their parents who come to this city every year, the one avenue they remember is this avenue that is in itself the capital of the United States of America—Pennsylvania Avenue.

We are not remembered for the little, everyday things that we do, things that pass on after the Sun goes down. We are remembered by those monuments that we leave behind, the monuments that became a part of our heritage and a part of what was done by those who went on before the oncoming generations. Those are the things that stand out, those are the things that remain as a picture in the minds of future generations.

Mr. Chairman, even to talk about defeating this bill is to me a sacrilege politically.

Let us go on further. Federal public works investments of $65 million and an additional private investment of $450 million will generate substantial new business opportunities, which are particularly important to minority groups in this city, Washington having such a great minority population.

Mr. Chairman, since my time is limited, I will not divert from the subject; I will give the bare facts. The project will produce $10 million annually and increase revenues for this city and this beleaguered, hard-pressed District of ours. The project will produce a net increase of 16,000 jobs in the District of Columbia. The project will produce 1,500 badly needed housing units in this District. Where, for that kind of money, can we get that as promptly as this in any other kind of work sponsored by the Government of the United States?

Mr. Chairman, if I have the time, I just want to add one thing. Some Members bring out the red herring of the national debt. That is unfair in this situation, because some day this Congress will realize that we have no national debt except in the context that we have to pay for it. Every nickel of the national debt—and I figured this out and have the absolute facts, and I can prove it to any Member of this Congress or to anybody else—every cent of the national debt was spent offshore from the United States on the interest on the money we borrowed.

Mrs. SMITH of Nebraska. Mr. Chairman, I rise in opposition to this bill. At the proper time I will offer an amendment in the form of a substitute.

Mr. Chairman, my amendment will repeal Public Law 92–578 which authorizes unnecessary Federal spending to renovate Pennsylvania Avenue. While I would like to see the blighted north side of this historic thoroughfare beautified, it is unjustifiable to expend Federal funds and perpetuate another Federal agency to accomplish that goal. The willingness of private businesses to invest in Pennsylvania Avenue makes Federal outlays illogical.

Since my amendment will repeal an earlier act of Congress, let me briefly review the unusual history of this entire plan. Serious Federal involvement along the northern half of the avenue began over 14 years ago with a recommendation from the Ad Hoc Committee on Federal Office Space. President Kennedy responded to that suggestion by appointing an Advisory Council on Pennsylvania Avenue. After a number of meetings, the Council decided to prepare a master plan for Federal development of the street.

This 1964 plan was very controversial. At that time, the Willard Hotel was considered very expendable. Although the first millions of today's bill are earmarked to preserve this historic structure, it was to be leveled to accommodate an open plaza competing with the Moscow "Red Square" concept.

In 1965, President Johnson replaced the Council with a Temporary Commission on Pennsylvania Avenue and the studies continued. President Nixon finally terminated the Commission in 1969 and shortly thereafter several bills were introduced proposing the creation of a Government corporation to again consider the avenue's condition.

After a few years of congressional unwillingness to review these bills, they finally reached the floor of the House in the waning hours of the 92d Congress. Portrayed as a harmless "Bicentennial" bill, in fact, it was called the "Pennsylvania Avenue Bicentennial Development

Corporation bill," it passed under suspension of the rules without a rollcall vote in either the House or the Senate. Since we are into the Bicentennial Year and the Corporation has done nothing to benefit the celebration, the "Bicentennial" label has been dropped. During that same rushed Saturday session of October 14, 1972, the House of Representatives disposed of 26 other bills, as well as numerous routine private bills, travel resolutions, and procedural votes before adjourning at 12:22 Sunday morning. Over 180 members failed to respond throughout the day's voting. I can easily understand why this apparently harmless Bicentennial study bill would slip by without even a rollcall vote when it appeared late in the evening on that long day.

Even under those unusual circumstances, there was a voice of opposition, Mr. Chairman. The gentleman from Ohio (Mr. VANIK) appropriately warned against hasty passage by saying:

I oppose the passage of this legislation. It creates another bureaucracy, another Government corporation with borrowing authority. This bill would provide for the creation of a corporation with up to $50 million in borrowing authority—borrowing which will not be clearly reflected in the budget picture of the Federal Government—borrowing which will be relatively uncontrolled—borrowing which will place additional pressures on the money markets.

This is another bill to provide special preferences to the Federal City. I recognize the importance of a beautiful National Capital. But we are building the Capital City out of the tax dollars of the hard-pressed cities of the rest of the nation. We are building a marble city here on the banks of the Potomac—a city which we can show off to the rest of the world—but in the meantime, the rest of our great cities seem to sink into deeper and deeper difficulties. I have no doubt, Mr. Speaker, that the redevelopment problems of my own city of Cleveland, Ohio, would be largely met and overcome if they could be provided with a Federal Government development corporation.

While I agree with the objectives of this legislation, I do not believe that it should be accomplished through a costly multiplication of agencies. (CONGRESSIONAL RECORD, Page 36439 92d Congress, 2d Session)

Four years later, I echo that warning and reiterate that now is the time to stop this needless abuse of taxpayer dollars before construction begins.

The mechanism by which the final PAD plan became effective also casts an unfavorable light on this legislation. By the terms of Public Law 92–578, the plan was to be implemented unless rejected by either the House or Senate within 60 legislative days. Pursuant to this provision of the act, the Corporation submitted its plan to Congress on November 19, 1974. The Senate did not act thereafter, and the House National Parks Subcommittee held only token oversight hearings on March 21, 1975, in the twilight of the 60-day limit. By default, the Federal development plan went into effect.

The House of Representatives, however, clearly demonstrated its desire to eliminate costly Federal construction projects in Washington, D.C., by voting against passage, 149 yeas to 201 nays, when H.R. 7743 appeared under suspension of the rules on March 15, 1976. This was the first rollcall vote in Congress on this whole concept. Although the bill failed to even muster a majority, it was quietly recalled by the Interior Committee and its weaknesses cosmetically disguised. Merely reducing the borrowing authority, however, does not address the substantive issues which caused the bill's defeat. When H.R. 7743 appears on the floor this time it will still allow $4.625 million for administrative expenses of the Federal Corporation; it will still commit $38.8 million to begin the construction; and it will still allow $50 million of borrowing authority for this questionable project.

This history, dating from 1962, documents the cloud of Federal intervention which has stymied private development along the avenue for over 14 years. Unfortunately the Federal Government must admit that it has contributed to the very problem that it now wants to spend millions to remedy. My amendment would terminate the Federal Government's role and grant private investors their long-awaited freedom to renovate and beautify this grand avenue.

The Pennsylvania Avenue Development Corporation estimates that Federal development will require $130 million in direct appropriations, and another $200 million in borrowing authority. Lest we be tempted to consider this as "only a few million dollars," let me refresh our memory as to how fast these "few million" have multiplied over the past years to send this Nation's budget soaring. Not until 1962 did the Federal budget exceed $100 billion. By 1971 it has passed $200 billion, and by fiscal year 1975, $300 billion. And I do not have to tell you that a 1977 budget estimate of $395 billion is already dangerously close to exceeding $400 billion. Treasury Secretary William Simon linked these figures directly to our raging inflation by saying:

Nobody likes inflation, but we love what causes it. We love the Government spending programs that lead to massive deficits and runaway inflation.

We must begin to exercise responsibility somewhere, and I see this as an effective place for two reasons: First, this program could be cut from the Federal pay-outs column without harming anyone. And second, the noble aim of this legislation can be reached simply and effectively by merely allowing private investors to take the initiative in this development.

Before I leave this point, I want to remind my colleagues of some of our past sad experiences with construction spending in the Nation's Capital. We need not look too far to see examples of budget-breaking construction overruns in our Capital. The Kennedy Center for the Performing Arts was estimated to cost $46 million before construction in 1964; today expenditures have already soared to $73 million—almost double the original amount and the books still are not closed. The National Visitors Center was originally estimated to cost only $16 million. The most recent figures reveal $48.3 million as the current estimate to complete the Center—nearly three times the initial sum and in this case there have been cutbacks in the original design. Washington's Metro transit system began with a $2.5 billion estimate in 1969. By 1974, this had risen to $4.5 billion, and that is nowhere near the ceiling today. This program would like to start with $130 million. Where will it end? The faintest whisper could cause another funding landslide.

As noted earlier, this is one spending program that can be cut without harming any special interest groups or jeopardizing any jobs or threatening our Nation's energy sources. In fact, the private sector would happily invest in this avenue and beautify it without Federal funds. This is the grandest street in America. What profitable business would not want to establish a base of operations along Pennsylvania Avenue? It is preposterous to think that only Federal money can clean up this area.

National Parks Subcommittee hearings highlighted the private sector's interest in the avenue. Those hearings mentioned several business attempts to lease or buy along the avenue. The Presidential Building, located at 12th and Pennsylvania, is further demonstrable proof of what private enterprise can do without Federal subsidies. This beautiful structure, erected in substantial compliance with the basic plan developed by the Pennsylvania Avenue Development Corporation, was built wholly with private funds. Federal money is simply not needed.

In conclusion, allow me to remind my fellow Members of our responsibility to set an example of sound fiscal management. That example would be most furthered by the adoption of my amendment to terminate a "popular" project, but one that would be best handled without expensive Government involvement.

Those who have spoken in support of this bill emphasize that this avenue should be a showcase of American success. I agree. Pennsylvania Avenue should become a showcase for American values; accordingly, renovation should take place under the American system of free enterprise which we have trusted to build America in its first 200 years. With this emphasis I urge passage of my amendment.

Mr. VANIK. Mr. Chairman, for the third time since its inception in 1972, I oppose further funding for the Pennsylvania Avenue Development Corporation. My reasons have remained unchanged.

Rhetoric about Pennsylvania Avenue has often clouded our view of the purpose of and the need for the Development Corporation. In this Bicentennial Year especially, we have heard a lot about the country's "Main Street." We have heard about the poor condition of most of the buildings that line the avenue. We all know that improvement and renovation are desperately needed.

The question is not whether or not Pennsylvania Avenue should be redeveloped. The question we must answer, instead, is whether or not it is the proper role of the Federal Government to redevelop the avenue. I believe it is not.

Pennsylvania Avenue is a choice real estate area in a city which is undergoing an architectural rennaissance. The new Hirshhorn Museum, the new Air and Space Museum, the new extension of the National Gallery, the renovation of Georgetown and Southwest Washington

all have made the inner city of Washington a more desirable place to live. Combined with this revitalization of Washington's inner core is a growing disenchantment with the homogeneity of suburban sprawl. In short, economic conditions and personal preferences have changed radically since President Kennedy first proposed Federal involvement in the redevelopment of Pennsylvania Avenue over a decade ago. The redevelopment of our country's "Main Street" is properly the function of the private sector. In fact, it appears that the inefficiency and confusion of the Development Corporation has actually served as an obstacle to private development. No investor is going to be willing to invest his own capital in projects so fraught with government regulation and redtape.

Pennsylvania Avenue can be redeveloped by the private sector with due respect for the architectural integrity of such buildings as the Willard Hotel. Private developers have given us wonderful urban projects in such cities as Denver, Minneapolis, and San Francisco. The same can happen in Washington. But the Pennsylvania Avenue Development Corporation is not the way to accomplish this goal.

The CHAIRMAN. Does the gentleman from Kansas (Mr. SKUBITZ) yield back the balance of his time?

Mr. SKUBITZ. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the Clerk will now read the committee amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the supplemental report (H. Rept. No. 94–894, pt 2) as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted that section 17 of the Pennsylvania Avenue Development Corporation Act of 1972 (86 Stat. 1266) as amended (40 U.S.C. 885), is further amended to read as follows:

"SEC. 17. (a) In addition to the sums heretofore appropriated, there are authorized to be appropriated for operating and administrative expenses of the Corporation sums not to exceed $1,300,000 for the fiscal year ending June 30, 1976; $325,000 for the period July 1 through September 30, 1976; and $1,500,000 each, for the fiscal years ending September 30, 1977, and September 30, 1978.

"(b) To commence implementation of the development plan authorized by section 5 of this Act, there are authorized to be appropriated to the Corporation through the fiscal years ending September 30, 1978, $38,800,000, to remain available without fiscal year limitation through September 30, 1990: *Provided*, That appropriations made under the authority of this paragraph shall include sufficient funds to assure the development of square 225 as a demonstration area for the development plan, and shall assure the preservation of the structure now located on square 225 known as the Willard Hotel and its historic facade. No appropriations shall be made from the Land and Water Conservation Fund established by the Act of September 30, 1964 (78 Stat. 897, as amended, 16 U.S.C. 4601), to effectuate to purposes of this Act."

Mr. TAYLOR of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments?

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. SMITH OF NEBRASKA

Mrs. SMITH of Nebraska. Mr. Chairman, I offered an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mrs. SMITH of Nebraska: Delete all after the enacting clause and insert in lieu thereof the following:

"That Public Law 92–578 (86 Stat. 1266, as amended, 40 U.S.C. 871) establishing the Pennsylvania Avenue Development Corporation, is hereby repealed effective one year from the date of enactment of this Act, and the "Pennsylvania Avenue Plan—1974" is hereby repealed on the date of enactment of this Act. For the purpose of terminating all business of the Corporation, there are authorized to be appropriated not to exceed $500,000."

Mr. LAGOMARSINO. Mr. Chairman, will the gentlewoman yield?

Mrs. SMITH of Nebraska. I yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I would like to commend the gentlewoman from Nebraska (Mrs. SMITH) for her statement, and I rise in support of her amendment. I think the gentlewoman asked the right question: Should we continue down this road? This road that is going to result in huge Government spending and Federal interference.

Mr. Chairman, I think the answer should be to take action as was done on this measure several months ago on suspension: We should vote for the gentlewoman's amendment; and if that fails, we should vote against the bill.

Mr. Chairman, I think the people of this country are sick and tired of excessive, wasteful Government spending; and I am sure that that is how they are going to feel about this bill.

Again, Mr. Chairman, I commend the gentlewoman from Nebraska for her amendment and for her statement.

Mrs. SMITH of Nebraska. Mr. Chairman, I thank my friend, the gentleman from California (Mr. LAGOMARSINO).

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to the amendment in the nature of a substitute.

Mr. Chairman, this amendment is larger than the bill before us. It not only destroys the effect of the bill but it would kill outright the Pennsylvania Avenue development plan. Let me point out again that a great amount of study and work have gone into this project by many dedicated people. It has received strong backing. First by President Kennedy, then President Johnson, then President Nixon, and now President Ford. The 1977 cost is in the President's budget and is in the House budget.

Again Pennsylvania Avenue is the Main Street of America connecting the Capitol and the White House and it belongs not to the District but to the people of our Nation, just as does the Washington Monument and the Lincoln Memorial. Pennsylvania Avenue is an important part of our Nation's history. One side of Pennsylvania Avenue consists of Federal buildings and it is well preserved. The other side is deteriorating each day. An example of this deterioration is the Willard Hotel which has been vacated since 1968. Today it is stripped of all salable fixures.

The Willard has been called the Hotel of Presidents. The first Willard Hotel on this site was built in 1848, and it accommodated Presidents Taylor, Fillmore, Pierce, Buchanan, Lincoln, Grant, Harding, and Coolidge, to say nothing of Jenny Lind, Albert Einstein, Mark Twain, Carl Sandburg. At one time the Willard was the hub of Washington politics and Washington social life. The new Willard, which opened in 1901, is a landmark in Washington architecture and it is one of the buildings which we hope to preserve.

An editorial in the Washington Star of June 24, 1976, states,

If Congress does not fund the Avenue Plan this year, the ballgame probably is over. Certainly the Willard Hotel will be an early casualty of a House defeat. The owner of the marvelous structure so far has been blocked in court from obtaining a demolition permit; however, if funding does not come shortly, the court will not indefinitely restrain an owner from doing as he will with private property. Razing the Willard Hotel would create an irreparable gap in the Avenue's history and future.

The Federal commitment is vital to attract private investors, who will have a prime role in revitalizing Pennsylvania Avenue.

If this amendment is not defeated and this legislation is not approved so that the Pennsylvania Avenue plan can be funded for this year, private enterprise will clearly not restore the Willard. Private enterprise unaided would be forced to tear it down and build perhaps an office building.

Some Members have expressed opposition to the bill on the ground that private enterprise should do the job alone here. I can only reply that private enterprise could have come into this area years ago, but they did not. The need to find a positive plan to redevelop Pennsylvania Avenue was necessary because private enterprise alone had not accomplished the job and will not accomplish the job.

The Presidential Building at 12th and Pennsylvania Avenue is the one building that has been constructed by private enterprise in accordance with the Pennsylvania Avenue plan. Mrs. SMITH refers to this building as a prime example of what private enterprise can do in this area unaided by Federal funds. However, a close examination of the history of this building leads to the opposite conclusion. The developer of the building, Jerry Wolman, was unable to attract tenants who would pay the commercial rents needed and defaulted on mortgage payments. The mortgagee had to take over the building and it was leased to the District government.

The commercial failure of the Presidential Building demonstrates the need for Federal intervention along Pennsyl-

vania Avenue to upgrade the area with public improvements necessary to attract private investment.

The sad truth is that the area has been shunned by developers for almost two decades. The avenue has not only failed to attract development it has lost existing businesses, such as Lansburgh's and Kann's department stores which closed last summer. This deterioration cannot be attributed entirely to the effects of government planning. Other factors which blight the hearts of American cities have been at work here. Eliminating the avenue plan will not reverse existing conditions or existing trends toward deterioration.

I believe we must confront this issue directly. If we determine it to be in the national interest to restore Pennsylvania Avenue, then H.R. 7743, represents a means to accomplish this goal. If it is not worth the costs then we should not approve the legislation. But we must realize that the job is simply not going to get done by leaving it for someone else.

Redeveloping Pennsylvania Avenue will cost some money but the objective is worthwhile. This is still the Nation's Capital and let us take pride in at least a portion of it. The amendment before us would be a step backward on historic preservation made during our Bicentennial. I hope that the amendment will be defeated.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. TAYLOR of North Carolina was allowed to proceed for 1 additional minute.)

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

Mr. TAYLOR of North Carolina. I yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman for yielding.

Is it not a fact that this same amendment that was proposed by the gentlewoman from Nebraska was rejected overwhelmingly by the Committee on Interior and Insular Affairs, both when the bill was originally considered and by a vote of 15 to 2 on consideration of the present bill?

Mr. TAYLOR of North Carolina. The gentleman is correct.

Mr. BINGHAM. I thank the gentleman.

Mr. SEBELIUS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the amendment proposed by my good friend, the gentlewoman from Nebraska. (Mrs. SMITH). I know that she really has her heart in her amendment, and it is a creditable approach for anyone inclined to bring this project to an abrupt and final end. I commend her for helping to simplify a final and positive decision by the House on this entire matter.

However, I do not believe there is a chance that we will see any rapid, coordinated and appealing development come along the still dilapidated north side of Pennsylvania Avenue if we kill the whole revitalization effort which has been started by the Congress itself several years ago—and perpetuated by the Congress up until now.

The Congress established a corporation and mandated it to develop a plan for the avenue and to carry it out. All of that has been done, and we are now at the point of authorizing some funding to permit that plan to begin implementation. The plan is a good one. The Interior Committee has scrutinized it and the Congress has approved it. The Senate has approved funding for the entire project, and the administration is supporting funding for the entire project.

This House bill authorizes funding for only part of the entire project, however, over a 2-year period, so that we can see how the project takes shape, and determine whether we feel further later funding to finish the project is warranted. We are thereby putting the project on trial. It must prove itself.

The committee obtained a GAO appraisal as to the credibility of the financial aspects of this plan. GAO found no flaws in its analysis. The plan provides a coordinated development concept scheme that plainly cannot and will not occur under uncoordinated, piecemeal, totally private development undertaken without some type of guidance and control as would be afforded by the Corporation. It was the Congress recognition of this situation and need that brought forth the legislation to establish the Corporation in the first place.

There are no existing governmental entities that now have the power, expertise and ability to do the job that the Corporation now has the power to do.

The north side of Pennsylvania Avenue has been in a deteriorated state for decades. The existing moratorium on construction in the area has not prevented private development from coming in, as long as that development would be compatible with the plan. But in the absence of the Federal Government's full commitment to implementing and funding the plan, private development has understandably been somewhat apprehensive to come in. If this bill passes the House today, I have no doubt but what that will all change, and we will see a vigorous progression of private development come to the avenue, in partnership with some of the public assistance brought by this bill.

This is the main street of the Nation—in the Capital of our country. I would hope that the House will see fit to support the revitalization of this potentially grand avenue, by rejecting the Smith amendment and by adopting the bill.

On the very year of our Nation's 200th birthday, I would certainly hope that my colleagues will recognize the symbolic and real importance of making the right decision.

Mr. SCHEUER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I wish to congratulate the chairman of the subcommittee and the membership of the entire committee for the fine job they have done and for the patience and stick-to-it-iveness they have shown over the years in pushing this splendid revitalization plan. I think enough has been said about the desirability of the plan and I hope it will receive bipartisan support.

This amendment was defeated overwhelmingly in the committee and in the subcommittee. The bill was reported out by a 21-to-5 vote in support of this legislation on a bipartisan basis.

I would take issue with the gentlewoman from Nebraska on several of her remarks. On March 15, she pointed out in her remarks in opposition to the Pennsylvania Avenue Development Act amendment that:

[Lest we be tempted to consider this as "only a few million dollars," let me refresh our memory as to how fast these "few million" have multiplied over the past years to send this Nation's budget soaring. Not until 1962 did the Federal budget exceed $100 billion. By 1971 it had passed $200 billion, and by fiscal year 1975, $300 billion. And I do not have to tell you that a 1977 budget estimate of $395 billion is already dangerously close to exceeding $400 billion.]

I do not think we would want to criticize these inflationary increases because, regardless of the administration, these costs do have a way of going up.

The Kennedy Center was projected to cost $43 million and it came out to $73 or $74 million. But I believe it would be overwhelmingly affirmed by this House of Representatives today at the current cost. It is a wonderful and noble expression of something great in America: Our devotion to the performing arts.

The point has been made that this project should be carried out by private capital. Indeed, that is precisely the purpose of the legislation. Under this bill the great bulk of the investment and the risk taking, will be carried by the private sector. Over 80 percent of the dollars, work and risk will be carried by private capital, so that the Government investment is really seed money investment to energize the free enterprise sector. The multiplier is conservatively estimated at between 4 to 1 and 5 to 1.

This is nothing new in our national life. We have had urban renewal programs for a generation in this country. We have refurbished the downtown sectors of cities from Maine to California.

What is different about Washington? What makes our downtown slum on the north side of our greatest and most hallowed national avenue different from the slums everywhere else in the country, where we have spent billions upon billions upon billions of dollars?

We have exported something from New York to the north side of Pennsylvania Avenue which is not our most glamorous product: It is Times Squareism. I would hope we would have something better to give the country than the sleazy and squalid development we have seen in Times Square. I would hope on our most beautiful and hallowed and ceremonial avenue that the Congress of the United States would make a bipartisan decision to stamp out that squalor.

Why can we not have a great national showplace such as the Mall in London, such as the Champs Elysees in Paris, such as Red Square in Moscow, such as Unter den Linden in Berlin, and such as the Ring in Vienna. Why should we have a squalid place for our great national ceremonies?

If one thing came out of our Bicentennial celebrations, it is a new feeling on the part of the American public that our country is composed of something

more than 50 States. It is a feeling on the part of our public that America as a whole that is greater than the sum of the parts, that we are more than Kansas, more than Nebraska, more than New York, and more than 50 States. It is a feeling that something great and wonderful composes America and that the time has passed for us to look with myopic and narrow vision at a particular city or a particular portion of our country and say: "That is not America."

If there is one place in America that belongs to all the people, it is this city; and if there is one place in this city that we should be proud of and where we should be delighted to welcome visitors from all over this Nation and, around the world, that can be viewed with a sense of nobility and pride it is this portion of Pennsylvania Avenue.

I urge my colleagues to vote overwhelmingly against this amendment and in support of the bill.

Mr. SKUBITZ. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment in the nature of a substitute.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentlewoman from Nebraska (Mrs. SMITH).

The question was taken, and the Chairman being in doubt, the Committee divided, and there were—ayes 18, noes 38.

Mr. ASHBROOK. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-five Members are present, not a quorum.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. One hundred and four Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to clause 2, rule XXIII, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Ohio (Mr. ASHBROOK) for a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 121, noes 245, not voting 66, as follows:

[Roll No. 541]

AYES—121

Abdnor	Bevill	Cleveland
Andrews, N. Dak.	Blouin	Cochran
Archer	Bowen	Collins, Tex.
Armstrong	Breaux	Conlan
Ashbrook	Brinkley	Coughlin
AuCoin	Broomfield	Daniel, Dan
Bafalis	Brown, Ohio	Daniel, R. W.
Bauman	Broyhill	Davis
Beard, Tenn.	Burgener	Derrick
Bedell	Burleson, Tex.	Devine
Bennett	Clancy	Dickinson
	Clawson, Del	Downing, Va.
	Duncan, Tenn.	Keys
	du Pont	Kindness
	Flowers	Lagomarsino
	Flynt	Latta
	Frenzel	Lent
	Frey	Long, La.
	Gaydos	Long, Md.
	Gilman	Lott
	Goldwater	Lujan
	Goodling	McCloskey
	Gradison	McCollister
	Grassley	McDonald
	Hagedorn	Michel
	Hammer-schmidt	Miller, Ohio
	Harsha	Montgomery
	Hechler, W. Va.	Moore
	Holland	Moorhead, Calif.
	Holt	Mottl
	Hutchinson	Myers, Ind.
	Hyde	Nichols
	Ichord	O'Brien
	Jacobs	Passman
	Jenrette	Paul
	Johnson, Pa.	Poage
	Jones, Okla.	Pressler
	Kasten	Quie
	Kelly	Quillen
	Kemp	Regula
	Ketchum	Rhodes
		Roberts
		Robinson
		Rousselot
		Runnels
		Russo
		Satterfield
		Schroeder
		Schulze
		Shuster
		Smith, Nebr.
		Snyder
		Stark
		Stuckey
		Symms
		Taylor, Mo.
		Teague
		Thone
		Traxler
		Treen
		Vanik
		Waggonner
		Wampler
		Whitten
		Wilson, Bob
		Wydler
		Wylie
		Young, Alaska
		Young, Fla.

NOES—245

Adams	Ford, Tenn.	Mollohan
Addabbo	Forsythe	Moorhead, Pa.
Allen	Fountain	Morgan
Ambro	Fraser	Mosher
Anderson, Ill.	Fuqua	Moss
Annunzio	Giaimo	Murphy, Ill.
Ashley	Gibbons	Murphy, N.Y.
Aspin	Ginn	Murtha
Baldus	Gonzalez	Myers, Pa.
Baucus	Gude	Natcher
Beard, R.I.	Guyer	Neal
Bergland	Haley	Nedzi
Biaggi	Hall, Ill.	Nix
Biester	Hall, Tex.	Nolan
Bingham	Hamilton	Nowak
Blanchard	Hanley	Oberstar
Boland	Hannaford	Obey
Bonker	Harrington	O'Hara
Brademas	Harris	O'Neill
Breckinridge	Hawkins	Ottinger
Brodhead	Hayes, Ind.	Patten, N.J.
Brooks	Hays, Ohio	Patterson, Calif.
Brown, Calif.	Heckler, Mass.	Pattison, N.Y.
Brown, Mich.	Henderson	Perkins
Buchanan	Hicks	Pettis
Burke, Calif.	Hightower	Pickle
Burke, Fla.	Hillis	Pike
Burke, Mass.	Holtzman	Preyer
Burlison, Mo.	Horton	Price
Burton, John	Howard	Pritchard
Burton, Phillip	Hubbard	Railsback
Butler	Hughes	Randall
Carney	Hungate	Rangel
Carr	Johnson, Calif.	Rees
Carter	Jones, Ala.	Reuss
Cederberg	Jordan	Rinaldo
Chisholm	Kastenmeier	Roe
Clausen, Don H.	Kazen	Rogers
Cohen	Koch	Roncalio
Collins, Ill.	Krebs	Rooney
Conable	Krueger	Rose
Conte	LaFalce	Rosenthal
Corman	Lehman	Rostenkowski
Cornell	Levitas	Roush
Cotter	Lloyd, Calif.	Roybal
Daniels, N.J.	Lloyd, Tenn.	Ruppe
Danielson	Lundine	Ryan
Delaney	McClory	St Germain
Derwinski	McCormack	Santini
Diggs	McEwen	Sarasin
Dingell	McHugh	Sarbanes
Dodd	McKay	Scheuer
Downey, N.Y.	McKinney	Sebelius
Drinan	Madden	Seiberling
Duncan, Oreg.	Madigan	Sharp
Early	Maguire	Shipley
Eckhardt	Mahon	Shriver
Edgar	Mann	Simon
Edwards, Ala.	Martin	Sisk
Edwards, Calif.	Mathis	Skubitz
Eilberg	Matsunaga	Slack
Emery	Mazzoli	Smith, Iowa
English	Meeds	Solarz
Erlenborn	Melcher	Spellman
Evins, Tenn.	Metcalfe	Spence
Fary	Meyner	Staggers
Fascell	Mezvinsky	Stanton, J. William
Fenwick	Milford	Steed
Fish	Miller, Calif.	Steiger, Wis.
Fisher	Mills	Stephens
Flood	Minish	Stokes
Florio	Mink	Stratton
Foley	Mitchell, Md.	Studds
Ford, Mich.	Moakley	Sullivan
	Moffett	Talcott
		Taylor, N.C.
		Thompson
		Tsongas
		Udall
		Ullman
		Vander Jagt
		Vander Veen
		Vigorito
		Walsh
		Waxman
		Weaver
		Whalen
		White
		Wilson, C. H.
		Wilson, Tex.
		Winn
		Wolff
		Wright
		Yates
		Zablocki
		Zeferetti

NOT VOTING—66

Abzug	Fithian	Mitchell, N.Y.
Alexander	Green	Pepper
Anderson, Calif.	Hansen	Peyser
Andrews, N.C.	Harkin	Richmond
Badillo	Hébert	Riegle
Bell	Hefner	Risenhoover
Boggs	Heinz	Rodino
Bolling	Helstoski	Schneebeli
Byron	Hinshaw	Sikes
Chappell	Howe	Stanton, James V.
Clay	Jarman	Steelman
Conyers	Jeffords	Steiger, Ariz.
Crane	Johnson, Colo.	Symington
D'Amours	Jones, N.C.	Thornton
de la Garza	Jones, Tenn.	Van Deerlin
Dellums	Karth	Whitehurst
Dent	Landrum	Wiggins
Esch	Leggett	Wirth
Eshleman	Litton	Yatron
Evans, Colo.	McDade	Young, Ga.
Evans, Ind.	McFall	Young, Tex.
Findley	Mikva	
	Mineta	

Mr. BURLESON of Texas changed his vote from "no" to "aye."

Mr. NOLAN and Mr. RINALDO changed their vote from "aye" to "no."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Mr. RONCALIO. Mr. Chairman, I move to strike the last word.

Mr. Chairman and my colleagues, on the vote just competed 121 Members of the House voted in support of the proposal by the lovely gentlewoman from Nebraska (Mrs. SMITH) to end the Pennsylvania Avenue development program. There was almost one more. I labored long and with difficulty over that vote.

My difficulty is with something that could be called an "infuriating mindset." I find it interesting, and I am speaking now in the hope that the managing editors of the Washington Post and the Washington Star will pay heed to my remarks, I find it very interesting that when Federal Government money is required to assist in constructing buildings and for other projects in Washington, how ennobling are the editorials and how great are the appeals.

However, these same papers are not reluctant to ignore or even shoot down unfairly those proposals that would help and provide fair treatment for those of us in what they probably consider the boondocks; places like Wyoming and the other States in the West.

I shall ask the Speaker of the House for permission to insert with my remarks a column from the Denver Post of July 11, 1976, pointing this out in detail. The column is as follows:

POST ON THE POTOMAC—INFURIATING MINDSET

(By Leonard Larsen)

[From the Denver Post, July 11]

WASHINGTON.—Barry Goldwater used to talk about it when he was running for president and his scorn was directed at the "Eastern liberal establishment" and he suggested once that maybe New York could be cut off and allowed to float out to sea.

George Wallace refined it, suggesting that the New York-Washington axis was an intellectual infection spread by "pointy-headed

perfessers" who couldn't even park a bicycle straight.

What there actually is back here is a smug mind-set that has very little to do with intellectualism—or political popularity, for that matter—a media-reinforced viewpoint that whatever happens or concerns those who live west of the Potomac or the Hudson Rivers are matters quaint and provincial.

Most of the time it's only aggravating. Sometimes it's infuriating.

Like the front page report in the Washington Post July 2 that Sen. Clifford Hansen, R-Wyo., had met with President Ford and "promised" to deliver seven uncommitted Wyoming GOP national convention delegates in return for the President's signature on a bill containing amendments to the Mineral Leasing Act.

The piece, written by Bob Woodward and Carl Bernstein, the team that earned deserved honors and fame for their Watergate coverage, was one which illustrates the lack of concern—the ignorance—of what is going on out there in the rest of the country.

Never mind that the Woodward-Bernstein story never actually documented the "deal" offered by Hansen, aside from quoting anonymous "administration officials."

And never mind that the Washington Post—by giving prominent play to the Hansen "deal" story—played into the hands of coal operators and Ford himself, providing the President the opportunity to appear courageous in doing something he probably intended to do all along, vetoing the bill.

The Eastern-based mind-set, the infuriating mind-set, came when the Washington Post got around to explaining the bill.

There was no explanation.

Woodward and Bernstein said it was a "bonanza to Western states." They also said it was a "complicated measure," and the Washington Post in the following two days in stories by two different reporters stuck to that description—a "complicated measure."

What the bill would do—apparently not touched on by the "administration officials" friendly to the coal operators who talked with Woodward and Bernstein—is increase the royalty payments from federal coal leases that those coal operators must pay.

In addition, the bill would impose other leasing requirements and environmental restrictions on operators mining the federal lands, provisions also opposed by the coal companies.

The "bonanza to Western states"? That was a provision that states' shares of the mineral lease royalties on federal lands be increased from 37.5 per cent to 50 per cent with priority given to the communities threatened by population booms when the resource industries move in.

But the Washington Post and Woodward and Bernstein, presumably relying on a new generation of "Deepthroat" informants, had gone to the jugular with their "deal" report involving Hansen.

There was obviously no further concern with the bill and its impact on Western states. It was a "complicated measure."

Aside from the clear indications that the Washington Post, and other media which rushed to pick up their Hansen "deal" story and didn't bother to unravel the "complicated measure," have been played as patsies by their "administration sources," the episode re-illustrates the mind-set here.

An interesting footnote to the Western states' "bonanza" suggested in the Washington Post story is a revised estimate for the eventual cost—most of it in federal money—that will have to be paid for completion of the Washington Metro mass transit system.

While the "bonanza" might spill a few million to Western states to keep them able to care for new resource workers and their families, the nation's taxpayers—with the endorsement of the Washington Post—will invest more than $5 billion in the Washington area transit system.

During the 1 year I was chairman of the Public Building and Grounds Subcommittee, there were 17 separate appropriations for buildings, leases and other projects in the District of Columbia. They are probably all deserving. But, nevertheless, I find no similar treatment of the small States in the boondocks. All we ask is fair treatment in this regard. Mr. Chairman.

I hope that each of my colleagues might have some support to the purpose of these remarks, which is to override the veto of S. 391, the Federal Coal Leasing Amendments Act. This bill is major energy legislation. The veto of it was a slap in the face to the people of Wyoming, Montana, Idaho, and the other public lands States.

Neither Washington newspaper cared to either explain it or comment on it. But now we find both of them so urgently wanting millions of Federal dollars when the money is being spent on Pennsylvania Avenue.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The question in on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROWN of California, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7743) to amend the Pennsylvania Avenue Development Corporation Act of 1972 (Public Law 92-578), as amended, pursuant to House Resolution 1341, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MRS. SMITH OF NEBRASKA

Mrs. SMITH of Nebraska. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentlewoman opposed to the bill?

Mrs. SMITH of Nebraska. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. SMITH of Nebraska moves to recommit the bill H.R. 7743 to the Committee on Interior and Insular Affairs.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

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

Mrs. SMITH of Nebraska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 225, nays 149, not voting 58, as follows:

[Roll No. 542]

YEAS—225

Adams	Hall, Ill.	Pattison, N.Y.
Addabbo	Hamilton	Perkins
Allen	Hammer-schmidt	Pettis
Ambro	Hanley	Pickle
Anderson, Ill.	Hannaford	Pike
Annunzio	Harrington	Preyer
Ashley	Harris	Price
Aspin	Hawkins	Pritchard
AuCoin	Hayes, Ind.	Railsback
Baldus	Hays, Ohio	Randall
Baucus	Heckler, Mass.	Rangel
Beard, R.I.	Henderson	Rees
Bergland	Hightower	Reuss
Biaggi	Hillis	Rhodes
Biester	Holtzman	Rinaldo
Bingham	Horton	Roe
Blanchard	Howard	Rogers
Boggs	Hubbard	Roncalio
Boland	Hungate	Rooney
Bonker	Johnson, Calif.	Rose
Brademas	Jones, Ala.	Rosenthal
Breckinridge	Jordan	Rostenkowski
Broomfield	Kastenmeier	Roush
Brown, Calif.	Kazen	Roybal
Brown, Mich.	Koch	Ruppe
Buchanan	Krebs	Ryan
Burke, Calif.	Krueger	St Germain
Burke, Mass.	LaFalce	Santini
Burton, John	Leggett	Sarasin
Burton, Phillip	Lehman	Sarbanes
Carr	Lundine	Scheuer
Carter	McClory	Sebelius
Cederberg	McCormack	Seiberling
Chisholm	McDade	Sharp
Clausen, Don H.	McEwen	Shipley
Cohen	McKay	Sikes
Collins, Ill.	McKinney	Simon
Conable	Madden	Sisk
Conte	Madigan	Skubitz
Corman	Maguire	Slack
Cotter	Mahon	Smith, Iowa
Daniels, N.J.	Mathis	Solarz
Danielson	Matsunaga	Spellman
Delaney	Mazzoli	Staggers
Derwinski	Meeds	Stanton, J. William
Diggs	Melcher	Steiger, Wis.
Downey, N.Y.	Metcalfe	Stephens
Duncan, Oreg.	Meyner	Stokes
Early	Mezvinsky	Stratton
Eckhardt	Miller, Calif.	Stuckey
Edgar	Mills	Sullivan
Edwards, Ala.	Mink	Talcott
Edwards, Calif.	Mitchell, Md.	Taylor, N.C.
Eilberg	Moakley	Thompson
Emery	Moffett	Tsongas
Erlenborn	Mollohan	Udall
Evins, Tenn.	Moorhead, Pa.	Ullman
Fary	Morgan	Vander Jagt
Fascell	Mosher	Vander Veen
Fenwick	Moss	Vigorito
Findley	Murphy, Ill.	Waxman
Fish	Murphy, N.Y.	Weaver
Fisher	Myers, Pa.	Whalen
Flood	Natcher	White
Foley	Neal	Wilson, Bob
Ford, Mich.	Nedzi	Wilson, Tex.
Ford, Tenn.	Nix	Wolff
Forsythe	Nolan	Wright
Fraser	Nowak	Yates
Giaimo	Oberstar	Young, Alaska
Gibbons	Obey	Young, Ga.
Gonzalez	O'Neill	Young, Tex.
Gradison	Ottinger	Zablocki
Gude	Patten, N.J.	Zeferetti
Guyer	Patterson, Calif.	
Haley		

NAYS—149

Abdnor	Flynt	Minish
Andrews, N. Dak.	Fountain	Montgomery
Archer	Frenzel	Moore
Armstrong	Frey	Moorhead, Calif.
Ashbrook	Fuqua	Mottl
Bafalis	Gaydos	Murtha
Bauman	Gilman	Myers, Ind.
Beard, Tenn.	Ginn	Nichols
Bedell	Goldwater	O'Brien
Bennett	Grassley	Passman
Bevill	Hagedorn	Paul
Blouin	Hall, Tex.	Poage
Bowen	Harsha	Pressler
Breaux	Hechler, W. Va.	Quie
Brinkley	Hicks	Quillen
Brodhead	Holland	Regula
Brooks	Holt	Roberts
Brown, Ohio	Hughes	Robinson
Broyhill	Hutchinson	Rousselot
Burgener	Hyde	Runnels
Burke, Fla.	Ichord	Russo
Burleson, Tex.	Jacobs	Satterfield
Burlison, Mo.	Jenrette	Schroeder
Butler	Johnson, Pa.	Schulze
Carney	Jones, N.C.	Shriver
Clancy	Jones, Okla.	Shuster
Clawson, Del	Kasten	Smith, Nebr.
Cleveland	Kelly	Snyder
Cochran	Kemp	Spence
Collins, Tex.	Ketchum	Stark
Conlan	Keys	Steed
Cornell	Kindness	Studds
Coughlin	Lagomarsino	Symms
Crane	Latta	Taylor, Mo.
D'Amours	Lent	Teague
Daniel, Dan	Levitas	Thone
Daniel, R. W.	Lloyd, Calif.	Traxler
Davis	Lloyd, Tenn.	Treen
Derrick	Long, La.	Vanik
Devine	Long, Md.	Waggonner
Dickinson	Lott	Walsh
Dingell	Lujan	Wampler
Dodd	McCloskey	Whitten
Downing, Va.	McCollister	Wilson, C. H.
Drinan	McDonald	Winn
Duncan, Tenn.	McHugh	Wydler
du Pont	Mann	Wylie
English	Martin	Young, Fla.
Florio	Michel	
Flowers	Milford	
	Miller, Ohio	

NOT VOTING—58

Abzug	Goodling	Mitchell, N.Y.
Alexander	Green	O'Hara
Anderson, Calif.	Hansen	Pepper
Andrews, N.C.	Harkin	Peyser
Badillo	Hébert	Richmond
Bell	Hefner	Riegle
Bolling	Heinz	Risenhoover
Byron	Helstoski	Rodino
Chappell	Hinshaw	Schneebeli
Clay	Howe	Stanton, James V.
Conyers	Jarman	Steelman
de la Garza	Jeffords	Steiger, Ariz.
Dellums	Johnson, Colo.	Symington
Dent	Jones, Tenn.	Thornton
Esch	Karth	Van Deerlin
Eshleman	Landrum	Whitehurst
Evans, Colo.	Litton	Wiggins
Evans, Ind.	McFall	Wirth
Fithian	Mikva	Yatron
	Mineta	

The Clerk announced the following pairs:

Ms. Abzug with Mr. Bell.
Mr. Jones of Tennessee with Mr. Steelman.
Mr. Rodino with Mr. Alexander.
Mr. Dent with Mr. Peyser.
Mr. Evans of Indiana with Mr. Fithian.
Mr. Helstoski with Mr. Andrews of North Carolina.
Mr. Symington with Mr. Hébert.
Mr. Litton with Mr. Esch.
Mr. Byron with Mr. Schneebeli.
Mr. Chappell with Mr. Hefner.
Mr. McFall with Mr. Eshleman.
Mr. de la Garza with Mr. Goodling.
Mr. Richmond with Mr. Hansen.
Mr. Pepper with Mr. Steiger of Arizona.
Mr. Howe with Mr. Johnson of Colorado.
Mr. Dellums with Mr. Risenhoover.
Mr. Badillo with Mr. Landrum.
Mr. Riegle with Mr. O'Hara.
Mr. Clay with Mr. James V. Stanton.
Mr. Harkin with Mr. Van Deerlin.
Mr. Conyers with Mr. Karth.
Mr. Wirth with Mr. Whitehurst.
Mr. Anderson of California with Mr. Yatron.
Mr. Evans of Colorado with Mr. Wiggins.
Mr. Mineta with Mr. Mitchell of New York.
Mr. Mikva with Mr. Heinz.
Mr. Green with Mr. Jeffords.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1341, the Committee on Interior and Insular Affairs is discharged from the further consideration of the Senate bill (S. 1689) to amend the Pennsylvania Avenue Development Corporation Act of 1972 (Public Law 92–578), as amended.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. TAYLOR OF NORTH CAROLINA

Mr. TAYLOR of North Carolina. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TAYLOR of North Carolina moves to strike out all after the enacting clause of the Senate bill S. 1689 and to insert in lieu thereof the provisions of H.R. 7743, as passed, as follows:

That section 17 of the Pennsylvania Avenue Development Corporation Act of 1972 (86 Stat. 1266) as amended (40 U.S.C. 885), is further amended to read as follows:

"SEC. 17. (a) In addition to the sums heretofore appropriated, there are authorized to be appropriated for operating and administrative expenses of the Corporation sums not to exceed $1,300,000 for the fiscal year ending June 30, 1976; $325,000 for the period July 1 through September 30, 1976; and $1,500,000 each, for the fiscal years ending September 30, 1977, and September 30, 1978.

"(b) To commence implementation of the development plan authorized by section 5 of this Act, there are authorized to be appropriated to the Corporation through the fiscal years ending September 30, 1978, $38,800,000, to remain available without fiscal year limitation through September 30, 1990: *Provided*, That appropriations made under the authority of this paragraph shall include sufficient funds to assure the development of square 225 as a demonstration area for the development plan, and shall assure the preservation of the structure now located on square 225 known as the Willard Hotel and its historic facade. No appropriations shall be made from the Land and Water Conservation Fund established by the Act of September 30, 1964 (78 Stat. 897, as amended, 16 U.S.C. 4601), to effectuate the purposes of this Act."

The motion was agreed to.

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

A similar House bill (H.R. 7743) was laid on the table.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. 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 North Carolina?

There was no objection.

PERMISSION FOR COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT TO SIT TODAY AND THE BALANCE OF THE WEEK DURING 5-MINUTE RULE

Mr. FLYNT. Mr. Speaker, I ask unanimous consent that the Committee on Standards of Official Conduct be permitted to sit today and the balance of the week during proceedings under the 5-minute rule.

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

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS OF COMMITTEE ON GOVERNMENT OPERATIONS TO SIT TOMORROW DURING 5-MINUTE RULE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Government Information and Individual Rights of the Committee on Government Operations be permitted to sit tomorrow while the House is reading for amendment under the 5-minute rule.

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

There was no objection.

NATIONAL AGRICULTURAL RESEARCH POLICY ACT OF 1976

Mr. FOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 11743) to establish a National Agricultural Research Policy Committee, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Washington (Mr. FOLEY).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 11743, with Mr. JACOBS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Friday, June 11, 1976, the Clerk had read through line 12 on page 11.

Are there any amendments to section 1 of the bill?

Mr. FOLEY. Mr. Chairman, I ask unanimous consent that the Committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The remainder of the committee amendment in the nature of a substitute is as follows:

FINDINGS, DEFINITIONS, AND PURPOSES

Findings

SEC. 2. (a) The Congress finds that—

(1) agricultural research, which includes

research on food, nutrition, and fiber as well as timber growth and utilization and on other agricultural commodities, is vital to the Nation's well-being;

(2) the projected increase in the population of the United States, together with the worldwide population expansion, places increasing demands on agricultural production in the United States;

(3) agriculture and agricultural production are a national resource and should be supported by a strong system of agriculturally related research, resident instruction and extension;

(4) more intensive research and extension programs oriented to the specific, known needs of small-farm operators are essential to the preservation of the family farm system in this country;

(5) meeting the Nation's needs for wood products, consistent with the principles of multiple use and sustained yield, is in the national interest;

(6) the production of healthy animals and plants is essential to insure a safe food supply for the Nation;

(7) expanding exports of agricultural commodities is essential for maintaining a positive balance of payments in international trade;

(8) the public wants plentiful supplies of quality agricultural and forestry products at reasonable prices;

(9) agricultural research and extension costs have risen more rapidly than appropriations;

(10) various factors such as energy, the environment, and social, political, and economic considerations should be incorporated into planning for the agricultural sciences;

(11) the level of Federal support for the agricultural sciences, including research, conducted by the United States Department of Agriculture, and research and extension conducted by the land-grant colleges, State agricultural experiment stations, and other colleges and universities engaged in agricultural research and the training of agricultural research engineers and scientists, should be substantially increased;

(12) it is important to assure that the results of agricultural research be effectively communicated to farmers and all other users who can benefit therefrom; and

(13) this Nation has an opportunity and a responsibility to use its preeminence in the field of agricultural research to assist chronic food deficit developing countries to increase their own food production for domestic use.

Definitions

(b) For purposes of this Act:

(1) The term "agricultural research" shall include research into the laws and principles underlying the basic problems of agriculture in its broadest aspects. This term shall include, but not be limited to, those subject areas described or defined in section 1 of the Act of June 29, 1935, as amended (7 U.S.C. 427), section 7 of the Act of October 10, 1962 (16 U.S.C. 582a–6, commonly known as the McIntire-Stennis Act), section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622), the Act of May 22, 1928, as amended (16 U.S.C. 581 et seq.), and the Manual of Classification of Agricultural and Forestry Research prepared by the Research Classification Subcommittee of the Agricultural Research Policy Advisory Committee.

(2) The term "mission-oriented agricultural research" includes agriculturally related research on fundamental scientific problems with regard to which—

(A) there is a need already in existence for the new knowledge that would be generated by this research;

(B) the research has a strong potential to be of benefit to mankind; and

(C) the research deals with more than an unproven concept.

(3) The word "Board" means the National Agricultural Research Policy Advisory Board established pursuant to section 4 of this Act.

(4) The word "Secretary" means the Secretary of Agriculture.

Purposes

(c) The purposes of this Act are—

(1) to emphasize agricultural research and education as distinct missions of the United States Department of Agriculture;

(2) to encourage and facilitate the development and implementation of more efficient and environmentally sound methods of producing, processing, marketing, and utilizing food, fiber, and wood products;

(3) to provide for research on human nutrition in order to maximize the health and vitality of the people of the United States; and

(4) to provide a mechanism for indentifying the Nation's highest priorities for agricultural research, to assure that high priority research is effectively implemented, and to be certain that all research related to agriculture is effectively planned, coordinated, and evaluated.

COORDINATION OF AGRICULTURAL RESEARCH

SEC. 3. (a) The Secretary shall—

(1) coordinate and disseminate all agricultural research information, conducted or financed by or affiliated with the United States Department of Agriculture, and to the maximum extent practicable after consultation with other Federal departments and agencies coordinate all such research and the dissemination of information related thereto;

(2) keep abreast of developments in, and the Nation's needs for, agricultural research and education and represent the needs for such research and education in deliberations within the United States Department of Agriculture and the executive branch of the United States Government, and with the several States and their educational and research institutions, private educational institutions, agricultural and related industries, and other interested institutions and groups;

(3) designate an officer or employee of the United States Department of Agriculture as cochairman of the National Agricultural Research Policy Advisory Board established pursuant to section 4 of this Act;

(4) establish pursuant to the provisions of title 5, United States Code, governing appointments in the competitive service, an appropriate staff to assist him in carrying out the provisions of this Act and to provide such staff support for the Board as he deems necessary. The Secretary shall appoint from such staff one person to serve as the Executive Secretary of the Board; and

(5) provide liaison with other units within the executive branch which are involved in agricultural research activities in other countries.

(b) In addition to the Assistant Secretaries of Agriculture now provided for by law, there shall be one additional Assistant Secretary of Agriculture, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall perform such duties as the Secretary may direct, including, but not limited to, such duties as are necessary to carry out the purposes of this Act, and he shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of Agriculture.

(c) Paragraph (11) of section 5315 of title 5, United States Code, is amended by striking the number which appears in parentheses following the phrase "Assistant Secretaries of Agriculture" and inserting the next higher number.

ESTABLISHMENT OF NATIONAL AGRICULTURAL RESEARCH POLICY ADVISORY BOARD

SEC. 4. (a) There is established within the United States Department of Agriculture a permanent board to be known as the National Agricultural Research Policy Advisory Board.

(b) The Board shall consist of twenty-two members appointed by the Secretary as follows:

(1) two representatives from the United States Department of Agriculture, one from the Agricultural Research Service and one from the Cooperative State Research Service;

(2) five representatives from colleges and universities engaged in agricultural research;

(3) one representative from each of the following organizations upon the recommendation of the head of such organization:

(A) the National Academy of Sciences;

(B) the National Science Foundation;

(C) the Office of Technology Assessment of the Congress of the United States;

(D) the Environmental Protection Agency;

(E) the Food and Drug Administration, United States Department of Health, Education, and Welfare; and

(F) the Agency for International Development.

(4) nine representatives from the following types of organizations, as designated by the Secretary:

(A) two from national farm organizations;

(B) one from a national forestry organization;

(C) two from agricultural commodity associations;

(D) one from a national environmental organization;

(E) one from a national veterinary medical association;

(F) one from a national consumer organization; and

(G) one from a private sector organization involved in development programs and issues in developing countries.

(c) The Board shall be chaired jointly by the designee of the Secretary and a member of the Board elected by the Board.

(d) The Board's responsibilities shall include, but not be limited to—

(1) establishing appropriate means for evaluating the economic, environmental, and social impacts of research and extension programs related to the agricultural, food, and nutrition sciences;

(2) reviewing programs, policies, and goals of the agricultural research and extension agencies of the Department of Agriculture and the agricultural research and extension portions of programs in other agencies having primary missions outside of such Department, including colleges and universities;

(3) providing a forum for the exchange of information on plans and programs of other Federal agencies sponsoring or conducting research and education programs related to agriculture, food, and nutrition, including information to be provided through the Federal Council on Science and Technology;

(4) developing and recommending national policies, priorities, and strategies for agricultural research and education for both the short and the long term for consideration by the Department of Agriculture and other agencies and institutions conducting agricultural research; and

(5) reviewing and making recommendations to the Secretary with regard to the allocation of funds for all programs of research and extension carried out by the Department of Agriculture.

(e) In formulating its recommendations to the Secretary, the Board may obtain the assistance of United States Department of Agriculture employees, and to the maximum extent practicable and after appropriate consultations, obtain the assistance of employees of other Federal departments and agencies conducting related research, and of appropriate representatives of land-grant and other colleges and universities, State agricultural experiment stations, and other non-Federal organizations conducting significant programs in the agricultural sciences.

(f) While away from their homes or regular places of business in the performance of

services for the Board, members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with applicable laws.

(g) In the event a vacancy should occur on the Board it shall be filled in the same manner as provided in subsection (b) of this section.

(h) No later than January 31 of each year, the Board shall submit a report on its activities during the preceeding fiscal year to the President and the House Committee on Agriculture, the House Committee on Appropriations, the Senate Committee on Agriculture and Forestry, and the Senate Committee on Appropriations. The report may include the separate views of members of the Board. The first report shall be due following the first complete fiscal year after the enactment of this Act. The second annual report shall include a long-range plan for Agricultural Research and Extension, to be updated every five years.

COORDINATION OF HUMAN NUTRITION RESEARCH

SEC. 5. (a) To promote the coordination of human nutrition reserach and development, the Secretary shall, in cooperation with the heads of other Federal agencies, conduct a continuing inventory of ongoing human nutrition research projects and results. To the extent possible, this inventory shall make use of studies and other inventories being carried on by the Federal agencies, including information contained within the Department of Agriculture's Current Research Information System.

(b) Such inventory shall be conducted by a Clearinghouse for Federal Human Nutrition Research, to be established within the Department of Agriculture. The purpose of this office shall be to—

(1) collect on a continuing basis from each Federal agency information held by such agency which pertains to research which has been, is being, or will be conducted by or for such agency with regard to human nutrition. Such information shall include complete descriptions of the projects, and the final research results. Human nutrition research shall include studies on the nutritive value of foods, human nutrition requirements, the nutritional impact of Federal food programs, nutrient function and metabolism, malnutrition, food cost plans, nutrient analysis of foods, dietary or food consumption surveys, current dietary practices or habits, nutritional surveillance and status, nutritional education, clinical nutrition, dietary therapy, nutrition and its relationship to alcohol, environmental toxicants, cancer, and so forth, malabsorption syndromes, and familial or inherited errors in metabolism or nutritional defects;

(2) prepare a report containing a detailed summary of the information described in paragraph (1);

(3) submit such report, and each periodic revision thereof, to the Congress and each Federal agency from which the office collected information pursuant to paragraph (1);

(4) forward such report to the appropriate offices within the Department of Agriculture responsible for nutrition research activities; and

(5) make such report and collected information available to the public. The first such report shall be submitted and made available pursuant to paragraphs (3), (4), and (5) not later than one year after the date of enactment of this Act and shall be updated, resubmitted and made available in its updated form every year thereafter.

GRANTS FOR MISSION-ORIENTED RESEARCH

SEC. 6. (a) In addition to any other grants made under Federal law, the Secretary is authorized to make grants to land-grant colleges and universities eligible for assistance under the Acts of July 2, 1862 (commonly known as the First Morrill Act), end of August 30, 1890 (commonly known as the Second Morrill Act), the Tuskegee Institute, and to State agricultural experiment stations eligible for assistance under the Act of March 2, 1887 (commonly known as the Hatch Act), and to all colleges and universities having demonstrable capacity in agricultural research as determined by the Secretary, to carry out mission-oriented agricultural research. These grants shall be made without regard to matching funds being provided by the States in which the recipients are located. The Secretary shall limit allowable overhead costs to those necessary to carry out the purposes of a grant.

(b) Section 3(c)(4) of the Act of March 2, 1887, as amended (7 U.S.C. 361(c)(4)), is hereby repealed.

COMPETITIVE GRANT PROGRAM

SEC. 7. In addition to any other grants made under Federal law, the Secretary is further authorized to make grants, on a competitive basis, to Federal agencies, research institutions, organizations, and individuals for the purpose of carrying out agricultural research. These grants shall be made without regard to matching funds being provided by the States in which the recipients are located. The Secretary shall limit allowable overhead costs to those necessary to carry out the purposes of a grant.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. (a) Except as provided in subsection (b), there is authorized to be appropriated for the purposes of carrying out the provisions of section 7 of this Act $15,000,000 for the fiscal year ending September 30, 1977, and such sums as may be necessary for the two subsequent fiscal years ending September 30, 1978, and September 30, 1979, except that the total amount of such appropriations shall not exceed $150,000,000 during the three-year period beginning October 1, 1976, and ending September 30, 1979, and not in excess of such sums as may thereafter be authorized by law for any subsequent fiscal year.

(b) There is authorized to be appropriated for the purpose of conducting human nutrition research under this Act $5,000,000 for the fiscal year ending September 30, 1977, and such sums as may be necessary to carry out such research for each of the fiscal years ending September 30, 1978, and September 30, 1979, and not in excess of such sums as may thereafter be authorized by law for any subsequent fiscal year.

AUTHORIZATIONS FOR OTHER PROGRAMS

SEC. 9. Notwithstanding any authorization for appropriations for agricultural research in any Act existing prior to the date of enactment of this Act, there is authorized to be appropriated for the fiscal year ending September 30, 1977, a total of $600,000,000 for those agricultural research programs existing prior to the enactment of this Act and for sections 5 and 6 of this Act, and not in excess of such sums as may thereafter be authorized by law for any subsequent fiscal year.

Mr. MOORE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have asked for this time to enter into a colloquy with the ranking minority member of the Committee on Agriculture, the gentleman from Virginia (Mr. WAMPLER), who is one of the authors of the bill. Will the gentleman answer a question for me?

Mr. WAMPLER. Mr. Chairman, if the gentleman will yield, I will be happy to answer.

Mr. MOORE. Mr. Chairman, I thank the gentleman.

Mr. Chairman, as a cosponsor of H.R. 11743, I support the findings of the Agriculture Committee, upon which I am privileged to serve, especially the importance of increasing Federal support for agricultural research and extension services conducted by land-grant colleges, other colleges and universities, and State agricultural experiment stations nationwide.

However, I understand there has been some concern expressed recently by segments of the agricultural research community that this bill may endanger existing agricultural research programs, some of which are funded with Hatch Act, McIntire-Stennis Act, and Morrill Act appropriations. I would like to ask my distinguished colleague if by requiring all existing agricultural research programs to be reauthorized subsequent to fiscal year 1977, as this bill does, will this action in any way reduce or place restrictions upon existing funds allocated to State agricultural experiment stations or other agricultural research facilities? In addition, I would also like to ask if this reauthorization process will become an annual authorization procedure after fiscal year 1977?

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

Mr. MOORE. I yield to the gentleman from Virginia.

Mr. WAMPLER. Mr. Chairman, I want to thank the gentleman from Louisiana for raising this point about the effect of this bill on the Hatch, McIntire-Stennis and the Morrill Acts.

It is my understanding that the basis for the gentleman's concern is that the Hatch Act has traditionally permitted the State experiment stations to initiate, plan, and conduct agricultural research in areas of need to individual States where assurances of long-term commitments of funds and manpower have been essential. I would agree that it would be totally wrong to discourage long-range planning of agricultural research in State experiment stations or the USDA research facilities by casting the whole agricultural research budget into a short-term grant framework. And I want to assure the gentleman from Louisiana that this is not the purpose of this bill. Moreover, I think it should be noted that the past and the current agricultural research programs, including Hatch Act and USDA in-house projects, are both long and short-range duration and are funded on an annual appropriations basis.

Furthermore, this legislation is not designed to authorize individual agricultural research projects, but rather to establish a management mechanism which would require the Department of Agriculture to establish broad national guidelines of research policy, coordination, a national research plan, containing priorities, goals and strategies, which coupled with expanded funding authority contained in the bill would enhance overall agricultural research to meet the requirements of our people for the future.

As the gentleman from Louisiana remembers from our hearings on this legislation, the funding of agricultural research at our State agriculture research stations and the colleges and universities with which they are directly affiliated has

virtually stood still or declined during the last decade. Without exception, all of our witnesses—and they included representatives from the agricultural academic and scientific community, the Agriculture Department, the agricultural community in its broadest aspects, and the public—agreed that what was urgently needed was a substantial boost in agricultural research funding. This bill does just this.

One of the prime purposes of this legislation is to increase fundings of existing agricultural research programs under the Hatch Act, the McIntire-Stennis Act and the Morrill Act, as well as existing in-house agricultural research programs conducted by the Department of Agriculture at its facilities—such as Beltsville in nearby Maryland.

At my insistence, aided strongly by the support of our Chairman and our colleagues on the committee including Mr. THONE of Nebraska and yourself, for this legislation, we were able to convince the Department and the Office of Management and Budget to agree to support an increase this year in the President's budget request for these fine existing programs from $510 million to $600 million. In this regard, I think the people downtown were convinced of the validity of our suggested increase and became converted to the need for just such legislation.

Moreover, our committee has been able to increase these existing programs for fiscal year 77, and the mood in the committee is to increase them again next year and the year after that without disturbing the time-honored manner in which these funds are allocated to State agricultural research stations and State colleges and universities. I also call to your attention page 13 of House Report No. 94–1172, which accompanied this bill, which states:

> Finally, in considering the issue associated with managing science in U.S. Agriculture, there is a basic presumption by this Committee that any consideration for improvement must be based on the existing agricultural research system.

In my view the effect of the language in the bill which requires all existing agricultural research programs to be reauthorized subsequent to fiscal year 1977 is to review our progress to specifically determine if Congress is providing the support required for research to enable our agricultural producers to provide our people with the food, fiber and forestry products required.

I would also like to respond to my friend from Louisiana as to the second part of his question regarding the reauthorization process and whether it will become an annual authorization procedure after fiscal year 1977. Because of the schedule of the Agriculture Committee in the first session of the 95th Congress, I foresee a simple extension of this program for fiscal year 1978 with a substantial increase in authorization. By the time we get to the fiscal year 1979 authorizations, we will have the report of the board we have authorized in this bill—which will better apprise our committee and the Congress as to which is the best procedure since recommending research priorities and allocations is one of the functions assigned to that body. I personally would like to see either a 2- or 3-year authorization procedure. I understand there is support to move in this direction in the other body. I would also like to assure the gentleman from Louisiana, as long as both he and I are on the Agriculture Committee, we will see to it that the work of our fine argicultural research stations is not diminished.

The CHAIRMAN. The time of the gentleman from Louisiana (Mr. MOORE) has expired.

(On request of Mr. WAMPLER and by unanimous consent, Mr. MOORE was allowed to proceed for 3 additional minutes.)

Mr. MOORE. Then to summarize, Mr. Chairman, I would simply state, if I understand the gentleman's comments, that there is nothing in the legislative history of this particular bill that will call for annual authorizations beyond this one-time reconsideration for fiscal year 1977; is that right?

Mr. WAMPLER. In my opinion, that is a correct interpretation.

Mr. MOORE. And there is nothing inconsistent with the intention of this bill to continue the multiple-year authorizations in the future and that we are in fact in this bill expanding existing funding for existing research programs; is that correct?

Mr. WAMPLER. In my opinion, that is a correct interpretation.

Mr. Chairman, I might say to the gentleman from Louisiana (Mr. MOORE) that the gentleman from Virginia has had a number of his colleagues express this same concern.

I hope this will clarify what the intent of this legislation is.

Mr. MOORE. Mr. Chairman, I thank the gentleman from Virginia (Mr. WAMPLER).

Mr. SEBELIUS. Mr. Chairman, I want to take this opportunity to state my support of H.R. 11743, the Agriculture Research Policy Act of 1976.

Mr. Chairman, today we see many headlines and much publicity given to the very real problems of world malnutrition and hunger and the efforts behind the laudable Christian response as exemplified in the right to food resolution and the many programs sponsored by both Government and private groups.

Unfortunately, we do not hear much about agricultural research, the foundation from which efforts to feed a troubled and hungry world must be based. I believe this legislation can be instrumental in upgrading agriculture research from its neglected and all too often ignored position of recent years.

Let me stress that agriculture research is an essential prerequisite to providing a long-term dependable source of food products. The problems of food production and distribution will undoubtedly mount along with the booming world population and its corresponding appetite.

Today, the American farmer produces enough for himself and 56 other people. This achievement in terms of productivity is unmatched in our economy today and is currently more than adequate for our own consumption. But, in the next 25 years, the world population will expand by 2 to 3 billion people. We cannot afford the cost of not expanding our agricultural research.

In 1940, 40 percent of the Federal research and development funds went for agricultural research. In 1970, less than 2 percent went for this purpose. Unless we reverse this trend, we will simply not keep pace with future food demands.

Congress has allowed traditional agriculture programs such as research to become secondary to domestic food programs. These programs, particularly the food stamp program, accounted for $1 billion of the USDA budget in 1969 but jumped to $9 billion this year. Well over one-half of the total USDA budget is now earmarked for domestic food programs. I do not mean to imply that these programs are not worthy or needed. I am saying it is time for the Congress to address the problem of food and fiber production or none of these programs will have any relevance.

Simply put, agricultural research will result in increased production and that represents the best investment we can make in the fight against malnutrition, and hunger in our efforts to provide the quality food to the American consumer at a reasonable and fair price.

It is rather like a chain reaction, increased agriculture research results in increased production and reduced production costs, more income in the farmer's pocket and lower food costs to the consumer. The whole chain strengthens our domestic economy and improves our foreign balance of payments. Related benefits include more rural families staying on the farm, conservation of our natural resources, and the protection of our environment.

Specifically, this bill improves the current U.S. agricultural research program in two very important ways. First, it establishes a 22-member Agricultural Policy Advisory Board of agricultural exports from both the public and private sectors to coordinate our agriculture research efforts. Second, the bill authorizes increased funding and sets up a more efficient and cost-effective system for funding research grants. Mission-oriented grants would be available to both land grant and nonland grant colleges and universities which are either engaged in agriculture-related research or have agriculture curriculums. Other grants would be awarded on a competitive basis to various capable research organizations and individuals as well as schools.

There are many positive considerations for awarding mission-oriented grants to nonland grant schools. First, this would permit more agricultural research to be conducted by smaller universities especially in areas with regional problems of limited scope. Second, smaller universities often have lower overhead costs, reduced transportation costs, and proximity to the area of concern which aids in recognizing problems and communicating with producers. To put it simply, regional problems most often require commonsense regional solutions.

Finally, there is a greater ability to develop interdisciplinary research programs in those universities where the

smaller size brings professionals from all agricultural disciplines into the problem-solving process. This accommodates a more efficient use of funds and maximizes input and concentration on a project.

In conclusion, I believe there is a real need for increased Federal funding of agricultural research on all levels. It is evident that research will be the key to our ability to expand future agricultural production to meet growing domestic and foreign demand.

The current research system is stretched beyond prudent limits by increasing complex demands placed on it. The current national support of agricultural research has been allowed to slip below the level of sufficiency.

For this reason I urge consideration and support for this bill by my colleagues.

Mr. WAMPLER. Mr. Chairman, I move to strike the requisite number of words.

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

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

Mr. WHITTEN. Mr. Chairman, having worked on the committee for many years in this area, I would like to point out here that one of the major problems of our Subcommittee on Agriculture and Related Agencies, one of the main problems, that we have is that the present Department of Agriculture, which, several years ago, was given authority to reorganize, has diffused the research activities of the Department. No longer do we have a research section in the Department of Agriculture which reports directly to the Congress or to our subcommittee annually. They have regionalized it to the extent that each region in turn now has an area of its own.

So those in areas that have research problems frequently cannot even get through to the region. Once they get through to the region and the project is turned down there it does not come into the Department.

For the last 3 years, I believe that our committee has had hearings, we have had to almost summon from all over the United States those engaged in agricultural research.

In the first place let me say that there have been tremendous increases in the amount of money available. At one time we had, as the Members know, about a $12 million limit on the experimental stations, and so forth, and that ceiling has been removed and, as a result, we have trouble getting the results of the research. If anybody comes to the Department and wants anything, they say, "If you get us some more money we will gladly examine it." Our subcommittee has recommended, and the Congress has approved, without exception, $3 million, I believe it is now, so as to meet any problems we can foresee.

My question is: Is there any effort in this bill to coordinate research in the department so that it will report annually to the Congress, our committee or the gentleman's committee, or is it left as a regional type of setup, which keeps many of them in the situation where they do not get to Congress with their problems, or their results?

For instance, the gentleman who is in charge of the research activities of the department is very experienced in animal husbandry but can you imagine him reporting to us on the food production and of reducing the cost of production of food? In other words, we have a man who is clearly greatly experienced in one area but who is speaking for all the other areas. The same thing applies to the regional offices. We need to return to a channel through those qualified in the field.

That has been a major problem since the reorganization took place.

So, I just wondered, and I would like to know if the gentleman from Virginia has directed himself to that, or is there anything in this bill that would have them report back to the Congress so we can see what the results are?

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

Mr. WHITTEN. I yield to the gentleman from Virginia.

Mr. WAMPLER. Mr. Chairman, I thank the gentleman for yielding.

First of all, let me say, Mr. Chairman, that I know of no member of the Appropriations Committee who has worked any longer or harder or more effectively in the interest of basic agricultural research and development toward helping supply the food and fibers that the people of our country need and also for the less fortunate people of the world than the gentleman from Mississippi and I commend the gentleman for his efforts and contributions.

Mr. Chairman, there is established in this bill a National Agricultural Research Advisory Board consisting of 22 members that will advise the Secretary of Agriculture on both short-term and long-term priorities as they pertain to the basic agricultural research needs of this country.

The bill also provides that there will be an annual report to the President and to the House Committee on Agriculture, the Senate Committee on Agriculture and Forestry and the Committees on Appropriations of the House and Senate, to advise them of what they are doing. This bill also provides that members of the Advisory Board may file separate or minority views so that we can obtain proper information on what is going on. Hopefully this will provide for greater coordination on agricultural research both in the Department of Agriculture and other Federal agencies that are involved in agricultural research.

Mr. WHITTEN. Mr. Chairman, may I say to my colleague, the gentleman from Virginia (Mr. WAMPLER), that I appreciate his very kind remarks about my efforts here and the efforts of the subcommittee. I would point out to the gentleman that I know of his deep interest in this field and the hours of work that he has spent in dealing with that, as well as the members of the Committee on Agriculture.

For the record, I would express the hope at this point that the Commission would give attention to the organizational structure because it is highly important that whatever results they get that those results be reported annually to the Congress, not only to my committee, but to the gentleman's committee and others because, under the present setup, that is not done.

Mr. WAMPLER. Mr. Chairman, let me state to the gentleman from Mississippi that we have addressed ourselves to that problem in this legislation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SEIBERLING. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this bill.

I would like to take this opportunity to state my support for H.R. 11743, the National Agricultural Research Policy Act of 1976. As an active supporter of research to advance the state of our agricultural technology, I believe this bill is a significant step in that advancement.

A number of recent global developments have diminished the ability of the world to feed itself. We may be approaching a point where our basic concepts of how to produce food will have to change, and we should therefore be looking into ways to encourage agricultural research.

The first and most obvious problem is that of population increase. By the year 2000 there will be a projected 7 billion mouths to feed—double the 1974 population.

A second problem has been the decreasing availability of fuel over the last several years. The energy crisis has restricted the supply of raw materials needed for the production of many fertilizers and has idled irrigation pumps in some of the countries with the greatest food problems. Lacking the vital ingredients for the production of many of the recently developed strains of crops, developing countries have found the gains of the "Green Revolution" partially offset by resource scarcity.

Finally, drought and other adverse climactic conditions have caused starvation in different areas of the world. Our most advanced food-producing technology is still vulnerable to disruption by natural forces. As a result of the above factors—overpopulation, fuel scarcity, and poor climactic conditions, the United Nations estimated that 20 million people starved to death in 1974, while U.N. statistics from 1970 showed hundreds of millions suffering from different forms of malnutrition. It is evident that our dependence on traditional agricultural technology condemns millions to malnutrition and starvation.

It is therefore crucial that we begin to encourage a coordinated research program to discover and utilize new agricultural technologies which will help guarantee an adequate supply of nutritional food for the world's people. There has already been significant progress. Just one example of such progress has been the discovery of high protein single cell micro-organisms and fungus which are not only excellent sources of nutrition, but also extremely efficient in their use of resources, since they can be grown on what we commonly consider to be wastes: Newspapers, animal manure, sewage, and carbon dioxide. Furthermore, such "crops" require minimal amounts of space and water, and are not dependent on weather conditions. Best

of all, they produce large amounts of protein-rich food. Certain types can be harvested every 4 days. If utilized, these tiny plants could provide food directly to people in the most hard-pressed areas of the world, and in countries such as our own could go to feed livestock and therefore free large amounts of grain for human consumption.

We should be supporting such research at the Federal level. America's technological genius is well known; now it must be fully applied to solving mankind's most pressing problem, and that will take a reversal of spending priorities. Only $521 million has been authorized for agricultural research for fiscal 1977, while almost $10.5 billion has been authorized for military research. This is certainly one of the most startling examples of our misplaced national priorities.

The National Agricultural Research Policy Act of 1976 is an important step toward elevating agricultural research to the position of priority it should occupy. This bill would provide new authority to the Secretary of Agriculture to coordinate existing research activities and would establish a new National Agricultural Research Policy Advisory Board to assist the Secretary in developing agricultural research goals and determining how research moneys should be allocated. The bill also increases the amount of Federal funds available for grants to individuals and institutions working on agricultural research. By investing in research today, we may help save lives and improve the quality of life for millions in the future. I therefore urge my colleagues to support this legislation.

AMENDMENT OFFERED BY MR. FOLEY

Mr. FOLEY. Mr. Chairman, I offer a technical amendment.

The Clerk read as follows:

Amendment offered by Mr. FOLEY: On page 19, beginning at line 19, delete the phrase "Federal Council on Science and Technology" and insert in lieu thereof the phrase "Federal Coordinating Council for Science, Engineering, and Technology".

Mr. FOLEY. Mr. Chairman, this technical amendment is necessitated by enactment on May 11, 1976, of Public Law 94–282, the National Science and Technology Policy, Organization, and Priorities Act of 1976 which substituted the Federal Coordinating Council for Science, Engineering, and Technology for the former Federal Council on Science and Technology.

This amendment makes no change in the substance of the bill (H.R. 11743).

Mr. Chairman, I move the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. FOLEY).

The amendment was agreed to.

Mr. GOLDWATER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I, in addressing myself to this bill, have no basic problems with it an, in fact, would commend the chairman of the committee, the gentleman from Washington (Mr. FOLEY), and the members of the committee for recognizing the need for the proper coordination and cooperation in the area of agriculture research. Serving on the Committee on Science and Technology over the past several years, we have recognized that if we are to get the most from our invested dollars, certainly there should not be a coordination. Therefore, this particular piece of legislation recognizing such is a step in the right direction.

In looking over the legislation, I have a few questions that I would like the chairman and the ranking minority member to address themselves to. In the legislation there is created a board composed of, I think, 22 members. In addition to that, there is also created a clearing house for Federal human nutrition. This area of nutrition is very important, and it concerns me that there is no indication in the bill or the report that any of the members of this Board should possess nutritional qualifications and expertise. I can foresee this Board's becoming involved in such difficult questions as dietary supplements and fabricated foods. Should these or other similar issues arise, nutritional expertise would become an extremely important qualification. Therefore, I would like to ask my colleagues here who are responsible for this whether they agree that the Secretary of Agriculture in making appointments to the Board should pay careful attention to the desirability of having at least one of the members he appoints possess some expertise in nutrition?

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

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

Mr. FOLEY. I thank the gentleman for yielding.

I think that certainly should be something that the Secretary should keep in mind. Nothing in the legislation requires that he appoint someone to the Board with nutritional background and experience, but I personally feel—and I am sure my colleague from Virginia will concur in this because we have discussed this field—that it would be a most appropriate consideration for the Secretary to follow in his appointments to the Board.

Mr. GOLDWATER. I thank the gentleman.

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

Mr. GOLDWATER. I yield to the gentleman from Virginia.

Mr. WAMPLER. I thank the gentleman for yielding.

I also thank the gentleman for raising this point. I certainly would concur in what the distinguished chairman of the House Committee on Agriculture has said. I think it would be extremely advantageous to have one of the Advisory Board's members with expertise in nutrition.

If the gentleman from California will note the bill provides for a 22-member Board. I would hope that the Secretary of Agriculture in determining the qualifications for appointees to that Board would give strong consideration to someone who has expertise in the nutritional field. It is quite possible there would be a Board member who would possess expertise in more than one field. I hope the legislative history is clear, as is the committee report, that the Secretary should take this into account.

Mr. GOLDWATER. I thank the gentleman for his expression of concern, because obviously millions of Americans in the United States are concerned about this nutritional problem.

Now that we are to have a clearinghouse and coordination of research in these areas if we are to have this Board, it seems to me we need some kind of expertise in this particular area.

In another concern I have with the annual authorizations and appropriations up to this point, there are moneys made available for research and development in various forms that the Department of Agriculture manages, and I am speaking specifically about the Forest Service, and I am sure there are other areas within the Department of Agriculture where there are already ongoing research projects and moneys already appropriated and authorized. I am wondering in this $600 million we will be authorizing in this bill whether that is in addition to those projects, or does this $600 million taken into account those programs which are in being and moneys which are authorized for the programs which are in existence?

The CHAIRMAN. The time of the gentleman from California (Mr. GOLDWATER) has expired.

Mr. GOLDWATER. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for an additional 5 minutes.

Mr. GRASSLEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. GOLDWATER. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for 2 additional minutes.

Mr. GRASSLEY. Mr. Chairman I object.

The CHAIRMAN. Objection is heard.

Mr. GRASSLEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of H.R. 11743, the National Agricultural Research Policy Act.

The great agricultural State of Iowa, which is certainly one of the great food production centers of the world, is proud of its contributions to the economy of our Nation and to the world's food supply. Our people have worked hard to increase the production of our farms and the distribution of these products of the markets of our country and the world. At the same time, we are proud that we have had the insight to increase the nutritive value of our farm products. For example, our farmers readily adopted hybrid corn to increase our corn production per acre. They have also grasped the increased nutritive value of high-lysine corns, which we believe may contribute importantly to meeting some of the protein deficiencies in the diets of people in our own country as well as in some of the developing countries. By the same token, our farmers have also adopted reduced or minimum tillage in producing many crops, not only to conserve energy, but to cut the cost of production to improve the farmer's economic position and simultaneously hold down food costs to consumers.

These practices were first identified by agricultural scientists at the Department of Agriculture, the State agricultural ex-

periment stations, our State universities and in our private industry research sector. It should be noted that Iowa State University and its associated State agricultural experiment stations have been at the forefront in these scientific advances and food production achievements.

Our people in Iowa are concerned whether or not the Nation's agricultural research system can respond effectively to future United States and world food needs as it has in the past. They are also concerned as to the course of direction agricultural science and technology in the United States should take to maintain and improve productivity growth in agriculture to meet the predicted increased demands for food in the future, as well as to maintain the economic vitality of our people. This also prompts the question—what ways can our agricultural research system be improved?

It was to find answers to these questions that I was prompted to join as a cosponsor of this legislation.

Moreover, I also was prompted to join on this legislation after I discovered, contrary to the views held in my own State which is production and work-oriented rather than socially oriented, that the agricultural scientist was not held in high esteem here in Washington as he is in Iowa. I also was shocked to learn, as was pointed out earlier by the distinguished ranking minority member on our committee from Virginia, Mr. WAMPLER, that the emphasis on agricultural research and development, insofar as Federal funding is concerned, had nosedived from 39 percent in 1940 to slightly over 2 percent in 1976, in our total Federal research and development budget.

Additionally, I was also appalled by the fact that our Federal Government has allowed scientific research that pertains to agriculture to be dissipated willy-nilly throughout the Federal establishment without proper means to coordinate or disseminate this research.

To make matters worse, I have learned that agricultural scientists are few and far between in our Federal establishment in departments and agencies outside the Department of Agriculture, and that these departments and agencies also make national policy that vitally affects farmers and farm policy. Nor do these agencies find it at all necessary to coordinate with the Department of Agriculture when they conduct agriculturally related research or impose regulations vitally affecting farmers or farm policy.

This bill, I believe, gives the Department of Agriculture the tools: to enhance agriculture research by upgrading agriculture research, by upgrading research to the top level of the Agriculture Department; to provide the Secretary of Agriculture with a National Agricultural Research Policy Advisory Board made up of representatives from the Federal sector, the academic-scientific community, the agriculture community and the public sector to advise the Secretary on priorities, planning, goals, strategies, and funding allocations for agricultural research; to provide new research grant programs to broaden the base of agricultural research throughout our scientific community and allow us to take advantage in developing, research breakthroughs by better and faster utilization of our fine and well established mission-oriented research facilities at our State university and State agricultural research stations; and, finally, to attempt to stop the decline of funding of agricultural research in our country by authorizing increased expenditure of appropriations for existing programs, as well as these new grant programs.

Mr. Chairman, we must revise our Federal funding priorities and adopt these new management tools if we expect American agriculture to maintain, let alone increase, the production of food, fiber, and forest products for our people and an ever-increasing world population.

The farmers of America are willing to work and produce the food, fiber, and wood products required. However, more productive grains, plants, animals, fibers, and wood products to meet the requirements of the future can only be produced if they are first discovered and tested for use by research.

I urge my colleagues to support this legislation.

Mr. DODD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this legislation. I commend the committee, both the majority and minority members, for bringing this legislation forth.

Mr. Chairman, I would like to point out a major area of concern to me and one which I feel needs to be addressed and that is the plight of the family farmer. Throughout this Nation the number of small farms has dwindled considerably over the past two decades. In my own State of Connecticut the dairy farmers in 1963–64 numbered 3,000. Today there are 760 of them left. We are losing these farms in Connecticut at a rate of 100 a year.

I feel strongly we have got to do more to preserve the family farm in this country if we are to maintain a healthy and sound agricultural base in the years to come. I would like to address the distinguished gentleman from Virginia on the minority side regarding this issue of the family farm. I wonder if the gentleman might explain or tell me whether the role of the family farmer has been an essential factor in the development of an agricultural base in this country. How essential has the family farm been?

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

Mr. DODD. I yield to the gentleman from Virginia.

Mr. WAMPLER. I thank the gentleman for yielding.

Mr. Chairman, in response to the question raised by the gentleman from Connecticut, let me refer him to page 17 of the report accompanying the committee bill, in which it says on the subject of small farmers:

> The Committee adopted a clarification of language encouraging more intensive research and extension on small-farm operators and urges an expanded effort in this area.

The House Committee on Agriculture for many years has recognized the vital role that the family-sized or family-type farm has played in contributing to the whole of American agriculture. Unfortunately, because of a series of economic factors, far too many of our small family-type farms have gone out of production. It would be the hope of the gentleman from Virginia and I am sure every member of the House Committee on Agriculture that in the mechanism that is being established in this bill, as we set both long-term and short-term priorities for agricultural research, the peculiar problems faced by the family farmer will be addressed, and hopefully some better answers can be found to these perplexing problems and through intensive research and more importantly through extension that we do everything possible to preserve this vital segment of our farm economy.

Mr. JONES of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from North Carolina.

Mr. JONES of North Carolina. Mr. Chairman, I thank the gentleman for yielding.

I rise in support of this legislation. As a cosponsor I am sure it will help our farmers. I sincerely hope it will pass by an overwhelming vote.

Mr. HAGEDORN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to speak in favor of H.R. 11743, the National Agricultural Policy Act of 1976. Even more important than the funds for research which this program authorizes are its provisions calling for more effective coordination of existing research efforts. This is not an emergency bill; those institutions which have been and will remain responsible for conducting the great share of agricultural research in the United States have done an excellent job. This bill makes no fundamental changes in their responsibilities, it creates no new bureaucracies, institutes no coercive policies, and attempts to build upon the present framework, not work radical changes upon it.

Yet, increasingly in recent years, the Department of Agriculture has been given authority in nontraditional areas, most notably food stamps. I have testified before the Senate Agriculture Committee in behalf of transferring these "income security" functions to HEW where they properly belong, but, until that time, I believe that we must attempt to renew USDA efforts in its more traditional areas of responsibility. Since 1969, "income security" expenditures within USDA have soared from approximately 12 percent of its total budget to more than 60 percent. Traditional agriculture expenditures have declined from more than 62 percent of USDA's total budget to less than 25 percent—declining in absolute dollars from $4.5 billion to $1.8 billion. In terms of 1969 dollars, USDA is also spending substantially less for agricultural research.

H.R. 11743 would require USDA to refocus and clarify its own research efforts, as well as the assorted agriculture research efforts conducted by other Federal agencies. Currently, within USDA, the Forest Service, the Agricultural Research Service, the Cooperative State Research

Service, the Farmer Cooperative Service, the Economic Research Service, as well as other agencies all have significant research and development responsibilities.

Outside the USDA, the Department of Health, Education, and Welfare, the Department of the Interior, the Department of Commerce, the National Science Foundation, and numerous other departments and agencies all possess jurisdiction in the area of food research. Charged with responsibility for coordinating the efforts of these numerous agencies will be a new Assistant Secretary of Agriculture, who is also charged with disseminating the fruits of this research to those private institutions and individuals who can potentially benefit. A Research Advisory Board is also to be established within USDA, composed of representatives from both public and private groups, to review longer range research needs, as well as to analyze the longer range impact of ongoing research.

At a time when rates of increase in farm productivity are declining, a step-up in agricultural research efforts is extremely important to the strength of the United States. Such research can help us learn ways to control pests with maximum efficiency while doing the least damage to our environment, it can teach us how to use fertilizers to maximum benefit, how to fully utilize the energy of the Sun and the nourishing abilities of water and soil, and how better to produce disease resistant strains of plants and breeds of livestock. Provisions in H.R. 11743 that call upon the United States to share the yield of our research with the people of other nations insure that this bill is a foreign assistance bill of the very best kind.

I also endorse sections of this bill which encourage nutrition research, animal health research, and methods by which to insure that small farmers will be able to take full advantage of the knowledge gained through these and other research efforts. H.R. 11743 is certain to prove one of the best investments that this Congress will make in the future health of this country.

Mr. FINDLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from California (Mr. GOLDWATER).

Mr. GOLDWATER. Mr. Chairman, I thank the gentleman from Illinois for his kindness.

I just want to continue on with the chairman or ranking minority Member on this question of research funds.

Are there funds in being today, is this added on top of the $600 million that is being authorized?

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

Mr. FINDLEY. I yield to the gentleman from Virginia.

Mr. WAMPLER. Mr. Chairman, in responding to the query of the distinguished gentleman from California (Mr. GOLDWATER) I was replying that the authorization contained in the bill would include funding for forestry research; however, the thrust of the bill is to increase research funding or funding for all research, including forestry.

Mr. GOLDWATER. In other words, would this be on top of that which is now in existence?

Mr. WAMPLER. Let me respond in this manner. In the President's proposed budget for fiscal year 1977, there was an amount of $510 million for all agricultural research, including forestry research. The authorization level in the bill before us would increase that for fiscal year 1977 from the $510 million and it would be $600 million. So the answer is, yes, as explained.

Mr. GOLDWATER. Would that be $600 million total?

Mr. WAMPLER. $600 million total.

Mr. GOLDWATER. One last question that I would like to ask the gentleman. Section 4(f), which is found on page 20 of the bill, provides for reimbursement of members of the Board. It is my desire to be reassured by the committee that this language is standard language. My concern arises from the fact that this is a very large board which possesses an unlimited life and will involve individuals all over the country.

Am I correct that it is the intent of the committee that this section is intended to cover the legitimate expenses and that it is the intent of the committee that the taxpayer is getting the most effective expenditure of his tax dollars with respect to the expenses of the Board?

Mr. WAMPLER. If the gentleman will yield further, in responding to the distinguished gentleman from California, I would say that the answer is, and I wish to assure the gentleman, that the language in the bill is intended to be boilerplate language. There is provision for membership on the Board for both Government members, as well as the private sector members, as provided in the bill, and the language that the gentleman from California refers to is intended to provide that Board members be reimbursed for legitimate expenses only as provided for in existing law. No change in existing law is intended and none is provided, in my opinion.

Mr. GOLDWATER. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I rise in support of this legislation. I think it is a good move. It is a step in the right direction and provides the proper kind of coordination between various research concerns. By doing this we can find the answers to many of the plaguing questions that we who are interested in agricultural research have for carrying on agriculture as it has been in many years. I commend the committee for bringing this bill to the floor.

Mr. FINDLEY. Mr. Chairman, I, too, rise in support of the bill.

Mr. McHUGH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the Committee on Agriculture, I am very pleased that we have brought this bill before the House. I think it is a good bill and a reflection of the increasing concern we have regarding the importance of agricultural research.

I therefore want to commend the chairman and the ranking minority member, the gentleman from Virginia (Mr. WAMPLER), who is the sponsor of the legislation.

I am also pleased that we have included in the bill a modest specific authorization for human nutrition research. The authorization for fiscal year 1977 is $5 million, which is a modest figure relative to the need. We had testimony before the committee to indicate that given the gaps in our knowledge of human nutrition, a greater authorization is justified. However, the committee was reluctant to authorize more than $5 million, which, while still short of a total commitment to nutrition research, is, at least, a good beginning.

Mr. Chairman, I do have two concerns with this bill which I would like to mention briefly. The first relates to whether or not agricultural research programs now in existence have to be reauthorized every year. The ranking minority member, the gentleman from Virginia (Mr. WAMPLER) and the gentleman from Louisiana (Mr. MOORE) have addressed that rather specifically, and I thank them for it. I believe their discussion clarifies the situation, and while I would personally prefer that the existing programs not be subjected to an annual authorization, even temporarily, I am encouraged by the statements made on the record by the author of the bill, Mr. WAMPLER.

My second concern relates to section 4, which would create a National Agricultural Research Policy Advisory Board. Subsection (a)(2) would authorize the Secretary to appoint five representatives from colleges and universities engaged in agricultural research. If I may address my question on this to the gentleman from Virginia (Mr. WAMPLER), I would appreciate his attention.

Mr. WAMPLER, would it be possible under that subsection for the Secretary to appoint someone to the Advisory Board from an experiment station that is engaged in agricultural research?

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

Mr. McHUGH. I yield to the gentleman from Virginia.

Mr. WAMPLER. I thank the gentleman for yielding to me. In response to the question of the distinguished gentleman from New York, I would say that the answer is "Yes." There is nothing in the bill to prohibit or prevent it. It certainly would be the thought of the gentleman from Virginia that when the Secretary of Agriculture makes his selections to the policy board, that he would consult closely with the academic community in making these selections.

Moreover, as I stated earlier, it would be entirely possible, if we could find an individual who had expertise in more than just one field—and certainly nutrition, in my judgment, would be of the highest priority—I would hope that we would have at least one constituent member on the board who would have broad knowledge of the field of nutrition.

Mr. McHUGH. Is it the gentleman's hope and intention, as it is mine—and I ask this of the gentleman since he is the author of the bill—that the Secretary appoint a person from an experiment station to the board, given the great contribution that those experiment stations have made to agricultural research?

Mr. WAMPLER. Absolutely, it would be the hope of the gentleman from Vir-

ginia that this consideration would take place.

Also, Mr. Chairman, I think the record should note that there is a very important part of this bill, the so-called McHugh amendment, which was offered by the gentleman from New York during the markup session on this legislation, which does provide for a new and integrated thrust into the field of nutritional research. By some standards, $5 million is considered a modest sum, but it was the initiative of the gentleman from New York which produced that new initiative. He is to be commended for it. We have, in effect, an open-end authorization in this particular area for fiscal year 1978 and 1979.

It would be the hope of the gentleman from Virginia that as our budgetary situation improves—and hopefully, it will—that we can devote larger sums of money to this area because I can think of nothing that is more important than adequate programs into nutritional research. I commend the gentleman from New York for his contribution, because it has made this a better bill.

Mr. McHUGH. I thank the gentleman for his very thoughtful remarks.

Mr. VANIK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask a question of the gentleman from Virginia (Mr. WAMPLER). What was the logic of putting nutritional research in Agriculture rather than Health? It would seem to me that the producers of food are not necessarily the group in government that would be as vitally concerned about nutrition and the health of the people as the division of Health in the Department of HEW. Nutrition research would seem a more likely responsibility of HEW.

What was the logic of putting this nutrition research organization, which I think is a very important function, in Agriculture, in the food production sector of our governmental bureaucracy, rather than in that which is concerned with health?

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

Mr. VANIK. I yield to the gentleman from Virginia.

Mr. WAMPLER. I thank the gentleman for yielding to me.

May I say that approximately 60 percent of the total budget for the U.S. Department of Agriculture is allocated to functions which are classified as nutrition. As the gentleman from Ohio knows, the food stamp program is under the legislative jurisdiction of the Committee on Agriculture and, of course, is administered by the Department of Agriculture. Other worthwhile nutritional programs are likewise under the jurisdiction of the Department of Agriculture.

It was the feeling of our committee that the land grant colleges and universities, through their extension services, have contributed greatly to nutritional research on a one-on-one basis, helping low income, impoverished people to improve their diet through better nutritional education. This means of transmitting this vast reservoir of information and putting it in usuable form was one of the reasons we considered it. In certain unique areas, we consider the Department of Agriculture can well perform this, because I believe that in the Department of Agriculture, there is a large reservoir of expertise on nutrition. It was for those reasons as well as others that it was considered.

Mr. VANIK. In HEW is there a comparable nutrition research function?

Is there a nutrition research function that is presently carried on in the Department of Health?

Mr. WAMPLER. If the gentleman will yield, I believe in the Department of Health, Education, and Welfare most of the nutritional research pertains more to disease—how nutrition may improve health and prevent disease and malnutrition—rather than the nutritional value of food that is consumed on an ongoing basis.

That would be the opinion of this gentleman.

Mr. VANIK. Would there be any correlation between what we establish in this bill and the functions that are performed by HEW? Is that specified?

Mr. WAMPLER. In responding to the gentleman, yes, I would say the bill specifically provides for better coordination for the assimilation of research data. There is a substantial amount of basic research taking place other than in the Department of Agriculture that has a definite bearing on nutrition and other matters relating to agriculture. The bill provides for a better clearinghouse or assimilation point so that research information and data can be better used and disseminated.

Mr. VANIK. I thank the gentleman.

Mr. SMITH of Iowa. If the gentleman will yield, I sit on the Appropriations Subcommittee dealing with national health. We can give them hundreds and hundreds of millions of dollars and they will spend almost none on nutritional research. They are constantly looking for some magic drugs that will solve the problems, and they constantly refuse to consider the great importance of nutrition and the ability of the body itself to respond to its stresses and strains if they have proper nutrition.

Mr. VANIK. I thank the gentleman.

Mr. BROWN of California. Mr. Chairman, the National Agricultural Research Policy Act of 1976, H.R. 11743, is a good piece of legislation which place a long-needed emphasis on planning and focusing our efforts in agricultural research so that present and evolving food problems, both domestic and international, will be addressed.

We have witnessed famines, energy shortages, droughts, disease, water, air and soil pollution, deforestation and overgrazing, and other grave problems that have had immediate impacts on our food production and distribution system. The subsequent depletion of our grain reserves in the early seventies triggered a full food production policy which called for the planting of all available acreage. Farmers eagerly responded, technology kept pace with larger, more energy-intensive machinery, and research produced new, chemical, farming aids, more high-yielding hybrid crops, and other supports for large farmers.

I am not disparaging the many achievements of our agricultural system, but I am concerned over certain factors resulting from this mechanized system of large-scale, monocultural farming. The constantly increasing international demand for food, and the abundance, until recently, of cheap energy has developed a built-in reliance on petrochemical sources of energy in our agricultural system. This heavy use of chemical fertilizers, pesticides and herbicides has begun to take its toll in many ways.

Fossil fuels have become expensive as their sources have diminished and the finiteness of the supply has been recognized. This has meant increased costs to our farmers and higher food prices to our consumers. Besides this serious factor, petrochemicals are polluting our streams and lakes, and possibly damaging the quality of our soil and food. This is definitely an area for research. We may need to move away from this heavy emphasis on energy-intensive chemical aids in the near future and should be prepared with good alternatives. The price of energy will continue to escalate and farmers will start to feel the crunch. Those who depend heavily on natural gas for the irrigation process, as many farmers in Texas do, are already cutting down their irrigated acreage due to costs.

Adequate preparation for such needs may involve the development of farming alternatives which include mixed-cropping, no-tillage, biological and integrated pest controls, a move toward smaller, organic farms which use appropriate technology that demands little fuel and maximizes efficiency. The studies, reports, and views on this issue by such organizations as the Center for the Biology of Natural Systems, the Agribusiness Accountability Project, and Friends Committee on National Legislation should be seriously considered.

The promotion of small farms, direct marketing from farmer to consumer, appropriate technology, and organic farming aids may become very necessary elements in our future agricultural system. I hope that the agricultural research which is stimulated by H.R. 11743 addresses these points.

Mr. BALDUS. Mr. Chairman, colleagues, I rise in support of the bill.

Agricultural research has in the past provided us with the means to maximize our agricultural production. In our recent history it has been our ability to increase our food yields on a per acre or per animal basis that has kept the United States in an enviable position in terms of the world production of food.

Nevertheless, present and future world food demands require continued comprehensive research into food production and marketing capabilities. The bill before us provides for a system of research which will be subject to input from a wide variety of interested parties. The bill is offered in the anticipation that its enactment will result in higher production for the farmers of America and the rest of the world and will make more food available for a starving world.

I would like to bring to the attention of my colleagues a significant and meritorious change which is made under this bill in terms of who may undertake research authorized under the act.

In the past, research grants have been

earmarked for land-grant colleges and universities. This policy has neglected the research capabilities of non-land-grant institutions. When hearings were held by the Agriculture Committee, Dr. James Dollohan of the University of Wisconsin at River Falls, a university which is very strong on agricultural studies, gave testimony supporting an extension of eligibility to non-land-grant institutions.

In response to this concern, this bill authorizes the Secretary to make grants to all colleges and universities having demonstrable capacity in agricultural research. Such institutions shall also, of course, be eligible to seek the special competitive grants contained in the bill. In this way, no institution which is capable of performing the research will be barred from doing so simply because of the nature of the institution.

I urge my colleagues to support passage of the National Agricultural Research Policy Act of 1976.

Mr. SYMINGTON. Mr. Chairman, I rise in support of H.R. 11743, the National Agricultural Research Policy Act of 1976.

There are many reasons for my strong support of this legislation. The food crisis of 1972, during which worldwide crop output dropped almost 2 percent after years of steady increases, magnified the Nation's concern for our precious agricultural system. Since that time the increasing demands in other countries for our food products, the simultaneous disappearance of our own food reserves, and the prevailing economic, political, and social trends, have combined with the usual vagaries of the weather to warrant continuing concern about food supplies and to make farming an increasingly risky business.

The American farmer has always been at center stage, but this has perhaps never been as apparent as it is now. His productivity and experience today and tomorrow may well provide the difference between a sane and rational world and one plunged into the abyss of famine, recrimination, and war. Many of the farmers' successes in achieving their production records of the past have been directly related to research investments in earlier years—and it is primarily for this reason that I urge my colleagues to support this bill.

Our ability to meet future United States and world food needs will continue to depend on major breakthroughs in agricultural science and technology, and this legislation will, to the greatest degree possible, provide a mechanism for identifying the Nation's highest priorities for agricultural research, assure that this high-priority research is effectively implemented, and insure that all research related to agriculture is effectively planned, coordinated, and evaluated.

From my perspective as a member of the Committee on Science and Technology, I would also like to mention that this bill complements well the provisions of the National Science and Technology Policy, Organization, and Priorities Act of 1976 which originated in our committee and which was signed into law by the President on May 11, 1976. One of the high-priority goals for science and technology emphasized in that act is assuring an adequate supply of food and materials for the Nation's needs. H.R. 11743 provides the specific policy needed by the agricultural research community to reach this goal.

At the beginning of this Congress, the Committee on Science and Technology was assigned a special oversight function over all areas of nonmilitary research and development. Because of its crucial importance to the Nation's welfare, agricultural research and development was the first area of special oversight chosen both by my Subcommittee on Science, Research, and Technology and by Chairman RAY THORNTON'S Subcommittee on Domestic and International Scientific Planning and Analysis. We began our joint effort early in 1975, and held 8 days of hearings on agricultural R. & D. in Washington plus field hearings in three centers of agricultural research in June, September, and October of 1975.

This joint venture turned out to be extremely worthwhile for the members of our subcommittees. Given the world food situation and the relationship of research to agricultural productivity as laid out in our hearings, it would seem imperative to devise an agricultural policy which will maximize the possibility of discovering unexploited opportunities for helping to solve world food problems through science and technology.

The report on these hearings will be printed within the next few weeks. We hope that it will be helpful to the House and the Senate committees with legislative jurisdiction over agriculture, both in the formulation of future legislative approaches and during the remaining action on this bill.

Numerous studies and reports have already appeared which strongly support the need for this legislation. Although each contributes something new and something important, the time to act is now. I urge my colleagues to give their support to this bill.

Mrs. HECKLER of Massachusetts. Mr. Chairman, the House has before it today legislation I have cosponsored which is urgently needed and foresighted. For too long criticism has been leveled at American agriculture for its slow reaction to changing climatic and environmental conditions, altered eating habits of Americans, and nutritional and agricultural needs of the world family of nations. Much of the blame for agriculture's less than deliberate outlook can be directly traced to the lack of coordinated, effective, and visionary agricultural research. This shortcoming hurts both immediately and in the long term. The legislation before us is a major step toward achieving a consolidated agricultural research program for it lays the groundwork to meet today's agricultural problems headlong. Our only obstacles will be and should be technological in nature and not the result of poor planning, lack of coordination, and insufficient funding.

The National Agricultural Research Act directs the Department of Agriculture to coordinate and disseminate information from federally affiliated agricultural research and to monitor and report to concerned institutions, agricultural research and education structures. A National Agricultural Research Policy Advisory Board is established with membership from the academic community, the agricultural community, and specified areas of the public interest.

The board will set the framework for exchange of information on Government and Government-sponsored agricultural research and education programs in addition to reviewing agricultural research policies and programs. The board will have the key responsibility of recommending long- and short-range priorities and plans for agricultural research and education and will make recommendations for allocation of USDA research funds. We in Congress will have the fruits of their labors in the form of an annual report on the state of agricultural research.

The past year and a half I have served on the Agricultural Committee have been both educational and enlightening in addition to providing more than a few surprises on our agricultural programs. I am amazed at the dearth of funding for human nutrition research when I consider the wide-ranging and complex USDA-administered food stamp program and its cost of approximately $5 billion. The enormity of these statistics and the various other federally funded nutrition-related programs make the shortage of funding for research in this area ever more puzzling and disturbing.

I am particularly pleased the bill authorizes $5 million for fiscal year 1977 and such sums as are necessary for fiscal year 1978 and 1979, though the total appropriation for the 3 years shall not exceed $150 million. This funding level compares quite favorably with the $11 million total fiscal year 1976 appropriation for nutrition research by the Agricultural Research Service, the USDA agency with major responsibility in this area. In addition, the legislation establishes a clearinghouse for Federal human nutrition research to consolidate information on nutrition research projects and results.

Finally, the bill addresses the timely and very real concern of the role of the United States in helping needy countries increase their food production. We have the necessary technology, skills, and manpower to help those less developed countries expand their agricultural horizons so that they can provide their own citizenry with basic foodstuffs. The mandate in this legislation is to assist needy countries to help themselves through our advanced resources and technical knowledge. This is a very real, tangible, and moral goal for the United States.

I commend this bill to my colleagues with my strong words of support. It seeks to answer both current agricultural research problems and anticipated hurdles in years ahead. The achievement of the purposes of this bill will more than outpace the funding requested therein.

Mr. TEAGUE. Mr. Chairman, I wish to commend my colleagues for having supported the bill (H.R. 11743), to establish a National Agricultural Research Policy Advisory Board.

This bill will enable Texas A. & M. University to expand its present research programs in agricultural research and will be of considerable help to an already extensive State Agriculture Research Service.

My congressional district has a tremendous interest in agricultural research and I am glad that the Congress has today provided the opportunity for greater focus on agricultural research.

The bill, of which I was a coauthor, has commanded nearly unanimous support from the many representatives of the agricultural, research, and academic communities throughout the country.

This measure should assure that this Nation will establish and meet adequate national goals in food, fiber, forestry product, and human nutrition research. It provides the Secretary of Agriculture with major management tools to better plan, carry out, coordinate, and evaluate the Federal role in agriculture research.

The bill provides an additional Assistant Secretary of Agriculture and a staff to assist the Secretary of Agriculture in carrying out both the new functions assigned in this bill and those agriculture research and education responsibilities already entrusted to the USDA.

The measure establishes a new permanent National Agricultural Research Policy Advisory Board, composed of 22 members drawn from concerned Federal departments and agencies, the academic community, the agricultural community, and the public, to advise and assist the Secretary of Agriculture in carrying out these functions.

The measure further authorizes additional funds for the USDA to expand agricultural research as follows:

First, $150 million would be authorized over the next 3 fiscal years for a new program of competitive grants for agricultural research, of which $15 million would be available for fiscal year 1977.

Second, an additional $5 million is authorized for competitive human nutrition research grants in fiscal year 1977 and such sums as may be necessary to carry out further human nutrition research in fiscal years 1978 and 1979.

Additionally, the bill provides an additional authorization of approximately $90 million to fund both a new mission-oriented research grant program established by the bill, and also to fund expansion of the USDA existing agricultural research programs. This is accomplished by providing an authorization of $600 million for agricultural research as compared with the President's budget request of $510 million. However, after fiscal year 1977, annual authorizations other than the new competitive research grant programs would be required.

The CHAIRMAN. If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. O'NEILL) having assumed the chair, Mr. JACOBS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 11743) to establish a National Agricultural Research Policy Committee, and for other purposes, pursuant to House Resolution 1244, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute? If not, the question is on the amendment.

The amendment was agreed to.

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

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

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 373, nays 7, not voting 52, as follows:

[Roll No. 543]

YEAS—373

Abdnor	Burke, Fla.	Early
Adams	Burke, Mass.	Eckhardt
Addabbo	Burleson, Tex.	Edgar
Allen	Burlison, Mo.	Edwards, Ala.
Ambro	Burton, John	Edwards, Calif.
Anderson, Ill.	Burton, Phillip	Eilberg
Andrews, N. Dak.	Butler	Emery
Annunzio	Carney	English
Archer	Carr	Erlenborn
Armstrong	Carter	Evins, Tenn.
Ashbrook	Cederberg	Fary
Ashley	Chisholm	Fascell
Aspin	Clancy	Fenwick
AuCoin	Clausen, Don H.	Findley
Bafalis	Clawson, Del	Fish
Baldus	Cleveland	Fisher
Baucus	Cochran	Flood
Bauman	Cohen	Florio
Beard, R.I.	Collins, Ill.	Flowers
Beard, Tenn.	Collins, Tex.	Flynt
Bedell	Conable	Foley
Bell	Conlan	Ford, Mich.
Bennett	Conte	Ford, Tenn.
Bergland	Corman	Forsythe
Bevill	Cornell	Fountain
Biaggi	Cotter	Fraser
Biester	Coughlin	Frenzel
Bingham	D'Amours	Frey
Blanchard	Daniel, Dan	Fuqua
Blouin	Daniel, R. W.	Gaydos
Boggs	Daniels, N.J.	Giaimo
Boland	Danielson	Gibbons
Bonker	Davis	Gilman
Bowen	Delaney	Ginn
Brademas	Dent	Goldwater
Breaux	Derrick	Gonzalez
Breckinridge	Derwinski	Goodling
Brinkley	Devine	Gradison
Brodhead	Dickinson	Grassley
Brooks	Diggs	Gude
Broomfield	Dingell	Guyer
Brown, Calif.	Dodd	Hagedorn
Brown, Mich.	Downey, N.Y.	Haley
Brown, Ohio	Downing, Va.	Hall, Ill.
Broyhill	Drinan	Hall, Tex.
Buchanan	Duncan, Oreg.	Hamilton
Burgener	Duncan, Tenn.	Hammer-schmidt
Burke, Calif.	du Pont	Hanley
Hannaford	Mezvinsky	Ryan
Harrington	Michel	St Germain
Harris	Mikva	Santini
Harsha	Milford	Sarasin
Hayes, Ind.	Miller, Calif.	Sarbanes
Hays, Ohio	Miller, Ohio	Satterfield
Hechler, W. Va.	Mills	Scheuer
Heckler, Mass.	Minish	Schroeder
Henderson	Mink	Schulze
Hicks	Mitchell, Md.	Sebelius
Hightower	Mitchell, N.Y.	Seiberling
Hillis	Moakley	Sharp
Holland	Moffett	Shipley
Holt	Mollohan	Shriver
Holtzman	Montgomery	Shuster
Horton	Moore	Sikes
Howard	Moorhead, Calif.	Simon
Hubbard	Moorhead, Pa.	Sisk
Hughes	Morgan	Skubitz
Hungate	Mosher	Slack
Hutchinson	Moss	Smith, Iowa
Hyde	Murphy, Ill.	Smith, Nebr.
Ichord	Murphy, N.Y.	Snyder
Jacobs	Murtha	Solarz
Jenrette	Myers, Ind.	Spellman
Johnson, Calif.	Natcher	Spence
Johnson, Colo.	Neal	Staggers
Johnson, Pa.	Nedzi	Stanton, J. William
Jones, Ala.	Nichols	Stark
Jones, N.C.	Nix	Steed
Jones, Okla.	Nolan	Steiger, Wis.
Jordan	Nowak	Stephens
Kasten	Oberstar	Stokes
Kastenmeier	Obey	Stuckey
Kazen	O'Brien	Studds
Kelly	O'Hara	Sullivan
Kemp	O'Neill	Symms
Ketchum	Ottinger	Talcott
Keys	Passman	Taylor, Mo.
Kindness	Patten, N.J.	Taylor, N.C.
Koch	Patterson, Calif.	Teague
Krebs	Pattison, N.Y.	Thompson
Krueger	Perkins	Thone
LaFalce	Pettis	Traxler
Lagomarsino	Pickle	Treen
Latta	Pike	Tsongas
Leggett	Poage	Udall
Lehman	Pressler	Ullman
Lent	Preyer	Vander Jagt
Levitas	Price	Vander Veen
Lloyd, Calif.	Pritchard	Vanik
Lloyd, Tenn.	Quie	Vigorito
Long, La.	Quillen	Waggonner
Long, Md.	Railsback	Walsh
Lott	Randall	Wampler
Lujan	Rangel	Waxman
Lundine	Rees	Weaver
McClory	Regula	Whalen
McCloskey	Reuss	White
McCollister	Rhodes	Whitten
McCormack	Rinaldo	Wilson, Bob
McDade	Roberts	Wilson, C. H.
McFall	Robinson	Wilson, Tex.
McHugh	Roe	Winn
McKay	Rogers	Wirth
Madden	Roncalio	Wolff
Madigan	Rooney	Wright
Maguire	Rose	Wylie
Mahon	Rosenthal	Yates
Mann	Rostenkowski	Young, Alaska
Martin	Roush	Young, Fla.
Mathis	Rousselot	Young, Ga.
Matsunaga	Roybal	Young, Tex.
Mazzoli	Runnels	Zablocki
Meeds	Ruppe	Zeferetti
Melcher	Russo	
Metcalfe		
Meyner		

NAYS—7

Crane	Myers, Pa.	Wydler
McDonald	Paul	
Motti	Stratton	

NOT VOTING—52

Abzug	Green	Mineta
Alexander	Hansen	Pepper
Anderson, Calif.	Harkin	Peyser
Andrews, N.C.	Hawkins	Richmond
Badillo	Hébert	Riegle
Bolling	Hefner	Risenhoover
Byron	Heinz	Rodino
Chappell	Helstoski	Schneebeli
Clay	Hinshaw	Stanton, James V.
Conyers	Howe	Steelman
de la Garza	Jarman	Steiger, Ariz.
Dellums	Jeffords	Symington
Esch	Jones, Tenn.	Thornton
Eshleman	Karth	Van Deerlin
Evans, Colo.	Landrum	Whitehurst
Evans, Ind.	Litton	Wiggins
Fithian	McEwen	Yatron
	McKinney	

The Clerk announced the following pairs:

Mr. Jones of Tennessee with Mr. Andrews of North Carolina.
Ms. Abzug with Mr. Dellums.
Mr. Rodino with Mr. Evans of Colorado.
Mr. Badillo with Mr. Hefner.
Mr. Helstoski with Mr. Hébert.
Mr. Symington with Mr. Alexander.
Mr. Litton with Mr. Heinz.
Mr. Byron with Mr. Hansen.
Mr. Chappell with Mr. Esch.
Mr. Richmond with Mr. Eshleman.
Mr. Pepper with Mr. Jeffords.
Mr. Riegle with Mr. Karth.
Mr. Clay with Mr. Evans of Indiana.
Mr. Harkin with Mr. Peyser.
Mr. Conyers with Mr. Fithian.
Mr. de la Garza with Mr. Schneebeli.
Mr. Hawkins with Mr. Green.
Mr. Howe with Mr. Steelman.
Mr. Mineta with Mr. McEwen.
Mr. Risenhoover with Mr. Steiger of Arizona.
Mr. Thornton with Mr. McKinney.
Mr. Yatron with Mr. Whitehurst.
Mr. Van Deerlin with Mr. Landrum.
Mr. Anderson of California with Mr. James V. Stanton.

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to establish a National Agricultural Research Policy Advisory Board, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FOLEY. 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 Washington?

There was no objection.

USDA EXECUTIVE ADJUSTMENTS

Mr. FOLEY. Mr. Speaker, I move that the House resolve itself into the committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10133) to upgrade the position of Under Secretary of Agriculture to Deputy Secretary of Agriculture; to provide for an additional member of the Board of Directors, Commodity Credit Corporation; and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 101333, with Mr. JACOBS in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Washington (Mr. FOLEY) will be recognized for 30 minutes, and the gentleman from Virginia (Mr. WAMPLER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Washington (Mr. FOLEY).

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

Mr. Chairman, I have the privilege to bring to the Committee today the bill (H.R. 10133) which I introduced at the request of the administration. This bill makes much-needed salary and other adjustments at the policymaking level at the Department of Agriculture. It is designed to accommodate the tremendous increase in the scope and complexity of the programs administered by the United States Department of Agriculture over the past quarter century by upgrading and augmenting the top-level policy staff of the Department.

Briefly, this legislation:

Upgrades the position of Under Secretary—executive level III; $42,000—to Deputy Secretary of Agriculture—executive level II; $44,600;

Establishes a new position of Assistant Secretary of Agriculture at executive level IV ($39,900);

Raises the positions of Administrator, Animal and Plant Health Inspection Service, and Administrator, Food and Nutrition Service, from GS–18—$37,800—to executive level V—$37,800;

Increases the membership of the board of the Commodity Credit Corporation from 6 to 7; and

Removes from executive level V the position of Director of Agricultural Economics—whose duties will be assumed by the New Assistant Secretary—and the position of Director of Science and Education, which has not been filled for several years.

This legislation will bring the USDA top-level staff structure more in line with that of other major executive departments. At present, the Secretary of Agriculture has available to assist him in managing and directing the complex and far-reaching programs of the Department of Agriculture a top echelon staff consisting of one Under Secretary, four program Assistant Secretaries—executive level IV—an Assistant Secretary for Administration—executive level V—and the Director of Agricultural Economics—also executive level V. This small group of top policy officials is responsible for developing the policies and directing and managing the operations of a Department that carries out its many complex programs at over 10,000 locations, in every one of the 50 States, in over 3,000 counties, and in many foreign countries. Many new programs have been enacted by the Congress since 1953. Net budgetary expenditures for all activities of the Department have increased from about $4.7 billion in 1953 to an estimate of about $10.7 billion in 1977; and during this same period, the average annual employment has increased from 62,479 to 105,752.

The need for adequate staffing of the several Departments at the Deputy Secretary and Assistant Secretary level has been recognized in most of the other Cabinet-level agencies of the Government. Four Departments of Government now have Deputy or Under Secretaries at the executive level II, including the Departments of State, Treasury, Transportation, and Defense—which has two Deputies. The committee believes that the Department of Agriculture, in terms of budget, numbers of employees, breadth of program, and general responsibility more than merits a Deputy Secretary at executive level II. In addition, changing the classification of this position from Under Secretary to Deputy Secretary will give the incumbent status commensurate with his responsibility as he deals with other nations, other Departments of Government, and agencies outside Government.

USDA, with but four Assistant Secretaries at executive level IV, ranks low among the Executive Departments. By comparison, the Defense Department and its service departments have a combined total of 22; the Department of Housing and Urban Development has 8; the Department of State has 12; the Department of Justice has 9; the Department of the Treasury has 5; the Department of the Interior has 6; and the Department of Labor has 6.

The position of Director of Agricultural Economics at executive level V—$37,800— was established in the Office of the Secretary of Agriculture on October 13, 1961. The incumbent in this position exercises the responsibility of an Assistant Secretary of Agriculture and should be accorded the same rank. This bill upgrades this position to that of an Assistant Secretary at executive level IV and abolishes the position of Director of Agricultural Economics.

The positions of Administrator, Animal and Plant Health Inspection Service—APHIS—and Administrator, Food and Nutrition Service—FNS—will be upgraded from GS–18 to executive level V.

APHIS is one of the largest and most complex agencies in the Department of Agriculture. It has overall responsibility for the meat and poultry inspection programs as well as the many programs in the areas of plant and animal disease and pest control. The agency employs over 15,000 people and administers a budget of over $400 million. A number of other smaller agencies have Level V administrators. For example, the Food and Drug Administration, which has responsibilities which are comparable in some respects to those of APHIS, has a Level V commissioner even though its employment—6,763—and budget—$252 million—are less than half of those of APHIS.

The growth in importance and in budgetary impact of the programs of FNS since it came into existence in 1969 probably has no peacetime parallel among Federal agencies. In fiscal year 1970, FNS had a staff of 1,747 to administer programs with outlays of approximately $1 billion. By fiscal year 1976, the FNS staff had grown to 2,534 and its budget, due in large measure to the tremendous expansion in the numbers of people served by the food stamp program, had jumped to $7.9 billion. The mission of this agency, to bring to millions of Americans a nutritious and adequate diet, demands that the prestige and compensation of its chief executive officer be such as to attract able men and women.

Finally, this bill will increase the membership of the Board of Directors of the Commodity Credit Corporation—CCC—from 6 to 7. Of recent years, greater attention has been focused on the stablization of the rural population and major emphasis has been placed upon programs which enhance rural development. The basic economic decisions of the CCC Board need to be correlated with the administration of Rural Development programs and the Committee believes that adding the Assistant Secretary of Agriculture for Rural Development to the CC Board of Directors will strengthen this relationship.

The Congressional Budget Office has estimated that, in view of the negligible increases in salary effected by this bill and in view of the fact that two executive level V positions would be eliminated, this bill will result, over a 5-year period, in a net annual savings of over $30,000. The Committee's estimate, which agrees almost exactly with that of USDA, is that this bill would cost about $5,000 per year. The principal reason for the difference is that the Committee and USDA have attributed no saving to elimination of the position of Director of Science and Education because the position is vacant.

Mr. Chairman, this bill was approved by the Subcommittee on Department Operations, Investigations and Oversight by a record vote of 6–1 and was ordered reported by voice vote by the full Committee on Agriculturee on May 11, 1976. The Committee on Agriculture believes that if the Secretary of Agriculture is to be held accountable, as he must be, for the effective administration of the numerous and complex programs of the Department of Agriculture, he must also be given the tools to do the job. We urge the Members to support prompt enactment of this bill in order that the Secretary may attract an adequate staff of qualified and competent administrators and organize them to do an effective job. Thank you.

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

Mr. Chairman, I rise in support of H.R. 10133. This bill, which will elevate the Under Secretary of Agriculture, add an additional Assistant Secretary, and upgrade the status of the Administrators of Animal, Plant and Health Inspection Service and Food and Nutrition Service, was submitted and supported by the administration and is in my opinion justified.

While other agencies in Government have continually upgraded their top leadership positions, the Department of Agriculture has not kept pace. It is interesting to note that the USDA budget during the past 20 years has increased by 127 percent, while management upgrading has not begun to keep up with this increase. I believe strongly that the position upgrading which is contained in this bill will give the Department of Agriculture the additional influence it will need in the future to attract people to lead this Government agency, which is charged with keeping our agriculture sector healthy.

In addition, this legislation also deletes the positions of Director of Agricultural Economics, Director of Science and Education, and increases the number of members of the Board of Directors of the Commodity Credit Corporation from six to seven. The CCC reorganization is necessary to make a position on the board for the new Assistant Secretary being authorized in section 2 of this bill. The Director of Science and Education has been unfilled for years, and it is assumed that the Director of Agricultural Economics will become the new Assistant Secretary.

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

Mr. WAMPLER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. MOORE).

Mr. MOORE. Mr. Chairman, this is a noncontroversial bill. It is not one that causes a great deal of excitement. There is one provision in this bill, however, that does cause a great deal of controversy and causes me and a number of other members of the committee not to be able to support the bill so long as this amendment remains. I am talking about the seventh committee amendment which on page 3 of the bill inserts a new paragraph 64, seeking to raise the Administrator of the Food Nutrition Service from the present GS–18 level up to an executive level 5.

Mr. Chairman, we believe this is most unwise at the present time. This is the one provision in the bill that was not—I repeat, was not—requested by the USDA. This was the one provision in the bill inserted during markup of the bill in the subcommittee without any hearings, without any justification.

When we consider the evidence of the job that this particular division or part of the United States Department of Agriculture has been doing, I do not believe we can conclude that this particular head of this Department, the administrator of FNS, deserves a promotion. As a matter of fact, I believe it is really premature.

We should wait until, one, the House and Senate works their will on new food stamp legislation; two, we should definitely wait until we have further evidence that the General Accounting Office investigations of the program and its administration are completed; and third, we should wait until we see this Office doing a better job than it is doing now so that it merits or deserves a promotion, as none is deserved now.

Members of the committee, people in this country, in this particular year, it seems, are very skeptical about what has been going on in Washington. I find that they are very, very skeptical about the bureaucracy and the job it is doing. They believe it to be unresponsive, inefficient and often not doing what the people back home believe it should do. We have ample evidence in discussion and debate on this program before our committee. We have ample evidence that the FNS has not been administering the food stamp program as you and I and the people of this country would have it done. They have not done a good job; they do not deserve having a promotion within the department at this time. We would be flying in the face of the people of this country who expect people to be promoted only for having done a good job, not when the evidence clearly establishes that a good job has not been done.

I call this to the attention of the Members during general debate in order to urge them to give their attention when committee amendment No. 7 is brought up. We are going to call for a separate vote on this amendment, and I urge that the Members vote this amendment down. The bill then would clearly be deserving of passage and can be supported by everybody and will be noncontroversial.

As long as this amendment remains in the bill, I think it is an insult to all the administrators who have done a good job, and flies in the face of what we are talking about to the people back home when we say that we are trying to make the bureaucracy operate better. I urge defeat of this amendment.

Mr. FOLEY. Mr. Chairman, I have no further requests for time on this side.

Mr. WAMPLER. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5313 of title 5 of the United States Code is amended by adding at the end thereof the following new paragraph:

"(22) Deputy Secretary of Agriculture.".

(b) Section 5314 of such title 5 is amended by striking out paragraph (3).

(c) The Acts listed in paragraphs (1) and (2) of this subsection are amended by striking out the words "Under Secretary of Agriculture" wherever they appear and by inserting in lieu thereof the words "Deputy Secretary of Agriculture":

(1) The Act of March 26, 1934 (48 Stat. 467; 7 U.S.C. 2210).

(2) The Act of June 5, 1939 (53 Stat. 809; 7 U.S.C. 2211).

(d) The officer occupying the position of Under Secretary of Agriculture, on the date of enactment of this Act, may assume the duties of the Deputy Secretary of Agriculture. The individual assuming such duties shall not be required to be reappointed by reason of the enactment of this Act.

SEC. 2. There shall be hereafter in the Department of Agriculture, in addition to the Assistant Secretaries now provided for by law, two additional Assistant Secretaries of Agriculture who shall be appointed by the President, by and with the advice and consent of the Senate, shall be responsible for such duties as the Secretary of Agriculture shall prescribe, and shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of Agriculture.

SEC. 3. (a) Section 5315 of title 5 of the United States Code is amended by striking out "(4)" at the end of paragraph (11) and by inserting in lieu thereof "(6)".

(b) Section 5316 of such title 5 is amended as follows:

(1) By striking out paragraph (23).

(2) By striking out paragraph (55).

(3) by striking out paragraph (63) and inserting in lieu thereof:

"(63) Administrator, Animal and Plant Health Inspection Service, Department of Agriculture.".

(c) Section 3 of Reorganization Plan Numbered 2 of 1953 (67 Stat. 633) is hereby repealed.

SEC. 4. Section 9(a) of the Commodity Credit Corporation Charter Act, as amended (62 Stat. 1072, as amended, 15 U.S.C. 714g (a)), is amended by striking out the third sentence and inserting in lieu thereof: "The Board shall consist of seven members (in addition to the Secretary), who shall be ap-

pointed by the President by and with the advice and consent of the Senate.".

SEC. 5. (a) Except as otherwise provided in this section, this Act shall take effect on its date of enactment.

(b) Subsection (b)(1) and subsection (c) of section 3 of this Act shall take effect upon appointment of a Presidential appointee to fill the successor position created by section 2 of this Act.

(c) Subsection (b)(2) of section 3 of this Act shall take effect upon appointment of a Presidential appointee to fill the successor position created by section 2 of this Act.

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

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

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 6, strike "(22)" and insert "(23)".

The committee amendment was agreed to.

The CHAIRMAN. The clerk will report the next committee amendment.

Mr. FOLEY. Mr. Chairman, I ask unanimous consent that committee amendments 2 through 6 be considered en bloc.

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

Mr. MOORE. Mr. Chairman, reserving the right to object, I would like to ask the Chairman if the seventh committee amendment is the one I am concerned with.

Mr. FOLEY. The gentleman is correct. My unanimous-consent request does not go to that committee amendment, but to the committee amendments preceding that.

Mr. MOORE. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The clerk will report the committee amendments 2 through 6.

The clerk read as follows:

Committee amendments: Page 2, line 19, strike the clause "two additional Assistant Secretaries" and insert in lieu thereof "one additional Assistant Secretary".

Page 3, lines 2 and 3, strike all of the sentence after the words "is amended" and insert in lieu thereof "by striking the number which appears in the parenthesis at the end of paragraph (11) and by inserting in lieu thereof the next higher number."

Page 3, strike lines 5, 11 and 12 inclusive.

Page 3, line 6, strike "(2)" and insert in lieu thereof "(1)".

Page 3, line 7, strike "(3)" and insert in lieu thereof "(2)".

The committee amendments were agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, immediately after line 10, insert the following: "(3) By inserting a new paragraph (64) as follows: '(64) Administrator, Food and Nutrition service.' "

Mr. MOORE. Mr. Chairman, I rise in opposition to this committee amendment.

Mr. Chairman, this is the amendment to which I addressed my remarks during general debate. This promotion is not justified for several points, the first comes from the USDA Quality Control Report of February 1976, where they reported a 46.6-percent error rate in almost 37,000 food stamp cases reviewed for the time period of January through June 1975.

Second, the Assistant Secretary, Richard L. Feltner of USDA, who is in charge of the Food and Nutrition Service, has reported that from a review of the records from July 1, 1974, to September 1975, there were funds totaling some $17 million due USDA for food stamp purchases which were missing or could not be accounted for in satisfactory fashion.

Third, this same Assistant Secretary testified before the Committee on Agriculture on February 11, 1976, that FNS had no overall coordinated data collection system on illegal activities in the food stamp program. This is a program that will cost some $5.7 billion this year alone, 39 percent of USDA's budget, and we have no satisfactory program for collecting the data to tell us what is going wrong with it.

Fourth, the General Accounting Office has four separate investigations going on right now concerning the problems of the administration of this program by FNS.

Fifth, Mr. Gene Senat, of Louisiana, who was the manager for FNS in Louisiana, testified he believed that because of poor administration, the program lost $46 million in Louisiana alone, as backed up by a USDA audit dated June 25, 1975.

Sixth, 26 members of the Committee on Agriculture, well over a majority, signed a joint letter dated May 13, 1976, to GAO, stating that in view of evidence they had seen in the hearings on the food stamp program, the entire administration of the program by FNS should be reviewed by the General Accounting Office.

I met last Friday with representatives of the GAO concerning this joint letter, and there is indication that the current four investigations they now have under way may well be expanded to look into more of the operations of FNS.

Seventh, there were no hearings on this amendment. This simply came up in markup. There is no evidence to support it. Instead, USDA said they prefer this particular one to be put off. They see no need for doing it now.

Eighth, it seems to me to be premature and illogical to call for a promotion or upgrading, in view of all of the evidence we have against this office doing a good job. This seems to be a slap in the face to the public and administrators trying to do a good job to see a promotion take place in light of substantial evidence of poor administration of this program.

All of us who oppose this amendment are perfectly willing to see the FNS administrator promoted but only when this particular office makes significant improvement in the administration of the food stamp program. We have seen no evidence of this so far. This particular administrator has been on the job 6½ years. I am not criticizing one man. I am not trying to say that one man has not done a good job.

The point is that the office or organization of FNS within USDA has not functioned as we would have it function. The evidence is clear to that effect. Therefore, we should not promote the head of that office or organization. Whether he is personally at fault or not, he is the head of it. I think it is very clear that it would be most unwise at this time to promote him when in fact his office, his division, and the people under him have evidently not performed satisfactorily.

The people back home are not at all happy with the food stamp program. Major legislation is being considered by the House and the Senate in that area. This is not the time to promote the head of a program that is the subject of such justifiable criticism as that which has been leveled at the administrator of the program. Our evidence shows that most of the problems seem to be not with the legislation but with the failure to administer the program properly.

Therefore, Mr. Chairman, I urge the Members to vote down the committee amendment.

Mr. ROUSSELOT. Mr. Chairman, I move to strike the last word.

(Mr. ROUSSELOT asked and was given permission to revise and extend his remarks.)

Mr. Chairman, I am sure that the gentleman from Louisiana (Mr. MOORE) recalls that when the appropriation bill was here from the Committee on Appropriations, they stated that they found substantial fraud and misuse in the food stamp program. When the Appropriations Committee went through much of the testimony relating to the funding of dollars for the food stamp program, that was one of the prime justifications for cutting the appropriation for the program.

The gentleman from Washington will also recall that I mentioned at the time the appropriation bill was debated before the House that there had been an extensive grand jury investigation of food stamps in Los Angeles County. Los Angeles County, which is the largest county dispensing food stamps in the State of California, found that there was substantial fraud and misuse of the program in that county.

So what the gentleman from Louisiana is trying to tell us is that the appropriate place to correct that administrative problem in the program is in this legislation. We should not in any way promote those who have been responsible for this major neglect in the program.

Mr. MOORE. Mr. Chairman, if the gentleman from California will yield, I agree completely with his comments.

If we go through this and approve this committee amendment today, what we are telling the people in this country is, notwithstanding the fact that the administration is poor, notwithstanding the fact a good job has not been done, and notwithstanding the fact the program is

not functioning as we would have it function, we are still going to promote those who are in charge of it.

Mr. Chairman, that, it would seem to me, would be as illogical to the average citizen as it is to me.

Mr. ROUSSELOT. Mr. Chairman, I think the gentleman makes a valid point.

Mr. FOLEY. Mr. Chairman, I rise in support of the committee amendment.

I wish to point out 2 things, Mr. Chairman: First of all, during the consideration of this particular amendment in the committee, it was decided to place a different time on the effective date of this amendment than reflected by the other changes in the bill.

This amendment which upgrades the position of Administrator of the Food and Nutrition Service and the provision of the bill which upgrades the position of Administrator of the Animal and Plant Health Inspection Service would not take effect until January 21, 1977.

Now, as a matter of fact, the difference between grade level 18 of the General Schedule and executive level 5 is at the moment nil; there is no difference at all in the salary. So we have a prospective change in the grade level without any change in salary, and even the change in grade level is postponed until next year.

I know that the gentleman from Louisiana (Mr. MOORE) has very strong feelings about the administration of the food stamp program by the Food and Nutrition Service of the Department of Agriculture. But it does not seem to the Committee wise to downgrade a position that is responsible for the largest area of expenditure in the Department of Agriculture because of dissatisfaction with the performance of the present incumbent of that office. If we want to get better administration, then we ought to treat the position with the importance that its responsibilities demand. The question of who holds the position is an administratve judgment to be made by the executive branch. For Congress to reduce by legislation the relative importance of a position to a level totally incommensurate with its responsibilities and with its potential impact on the budget seems a most unwise action to take in terms of proper budgetary and fiscal responsibility. If anything, we should treat these positions that have responsibility for making expenditures of an extraordinary magnitude with some very careful concern.

There are now eight administrators of agencies in the Department of Agriculture who are at Executive Level V; and the Administrator of the Food and Nutrition Service immediately supervises programs that account for more than half of the total expenditures of the Department of Agriculture.

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

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

Mr. ROUSSELOT. Mr. Chairman, I appreciate the gentleman's yielding.

The gentleman has just indicated that the reason he favors the committee amendment is because if we do not approve it the people who are administering this portion of the program will be downgraded. He did not mean to say that. They will remain at their present level, grade 18; is that correct?

Mr. FOLEY. The gentleman is correct. They are at grade 18.

Mr. ROUSSELOT. The gentleman will also admit that promotion to Executive Level V does not really increase very substantially their salaries; is that correct?

Mr. FOLEY. It does not increase them at all because they are effectively the same.

Mr. ROUSSELOT. It is not really a matter of "money" being paid to these people.

The point the gentleman from Louisiana (Mr. MOORE) is making is, that it gives the appearance, slight though it may be, if we approve this committee amendment, that Congress approves of this mismanagement, of this fraud of which the Committee on Appropriations spoke, and that we should not apply these kinds of increases to that portion of the Agriculture Department that has done a bad job in administering this program.

Mr. FOLEY. No. What I am saying is that if the gentleman feels that the Department of Agriculture has done a bad job in administering this program, the remedy is to address the Department of Agriculture, with a recommendation that they do a better job.

Mr. ROUSSELOT. We have tried many times.

Mr. FOLEY. But that is the correct answer.

When I say "downgrade," I mean denying what would normally be an appropriate upgrading of the position to specifically exclude the position of Administrator of the Food and Nutrition Service from that upgrading amounts, in effect, to a kind of legislative bill of attainder against the individual who holds that position.

I recognize that it is not a bill of attainder, but in expressing one's judgment of the performance of the present incumbent by voting not to increase the status of the office; the effect is the same. I would emphasize that under the committee amendment the upgrading in the office does not take effect, the increase of the office's status—that is all it is, as the gentleman rightly says—does not take effect until January 21, 1977, so that whoever is President of the United States at that time or whoever is Secretary of Agriculture, has an opportunity either to confirm the present incumbent or to make a change.

Mr. Chairman, I think that is the way we ought to look at the proposed upgrading of this position, and not in terms of the qualifications of the present holder of the office, one way or the other.

The CHAIRMAN. The time of the gentleman from Washington (Mr. FOLEY) has expired.

(By unanimous consent, Mr. FOLEY was allowed to proceed for 2 additional minutes.)

Mr. FOLEY. To continue, Mr. Chairman, this is exactly like being dissatisfied with the performance of some military officer or the head of some service. It is like deciding to take stars away from, let us say, the Commandant of the Marine Corps, because one does not like the performance of the present Commandant. I am not speaking about him personally, but as an example. Or, Mr. Chairman, let us take the Chief of Naval Operations. If one did not like his performance, there might be a decision to take away his stripes, simply because one does not like the performance of the incumbent Chief of Naval Operations.

Mr. Chairman, what we ought to focus on is whether the position, without regard to the performance of any individual, deserves this kind of grade level. If it does, we ought to establish it.

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

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

Mr. ROUSSELOT. Mr. Chairman, as the gentleman knows, in the case of the military, those improvements in status have to be approved by the U.S. Senate so that we do have an opportunity, at least one body of the Congress does, to approve or disapprove the increases based on the capability of the recipients as military officers.

I am sure the gentleman from Washington (Mr. FOLEY) did not mean to say that. However, Mr. Chairman, the point I was trying to make, at this particular juncture, in making legislative history, is that if we approve even this status or symbolism, as the gentleman said, of an increase in this particular position, I think we would be making a major mistake on the basis of the record of this Congress and the hearings before this Congress.

That is why, Mr. Chairman, I think the gentleman from Louisiana (Mr. MOORE) has made an excellent point.

Mr. FOLEY. Will the gentleman just let me say this: I want to go back to this example of the military because I think it is important.

True, he who is proposed, as an individual, to be Chief of Naval Operations is subject to confirmation by the Senate. However, the gentleman's argument only serves to underscore my point. The position of Chief of Naval Operations inevitably carries actually the rank of admiral, full admiral. The Congress, the Senate decides on the individual, that is on whether or not he should be confirmed in the position. But the Senate does not decide that, based upon the officer's past performance, he should take office as Chief of Naval Operations at the grade of vice admiral or rear admiral. The position of Chief of Naval Operations is that of a full admiral.

All I am saying is that that position deserves that status. If the Members are not satisfied with the discharge of the responsibilities of that position by the present incumbent then they have the remedy to change the incumbent. But this should not be done by downgrading the position.

The CHAIRMAN. The time of the gentleman has again expired.

(On request of Mr. MOORE, and by unanimous consent, Mr. FOLEY was allowed to proceed for 3 additional minutes.)

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

Mr. FOLEY. I yield to the gentleman from Louisiana.

Mr. MOORE. Mr. Chairman, I thank the gentleman from Washington for yielding to me.

I do not agree with remarks that have been made by the gentleman from Washington. I think that eventually this position might well deserve a rating of Executive Level 5; but I do not think it deserves it now because of the manner in which that job has been done. It may be true that people above the administrator of this program are not qualified to exercise that decision either, they do not have the authority to vote it. We have been asked by the Secretary and it must be necessary or we would not have this question here. We are asked to vote on the promotion of one that the undisputed evidence shows is not capable to hold this responsible position. Such a thing is not done, to be sure, in private industry, there they do not approve the advancement of a man in his section, or his group, or the staff if he is not functioning properly. That is where we are here, in a situation where they are not functioning properly and we want them to function properly. We want a clear demonstration that they are functioning properly and they do not deserve this when they are not functioning properly.

Mr. FOLEY. Let me say that I think we have a basic difference in philosophy here. And we might just as well get this very clear. I think that, just as in the case of the military services, grades should be established upon the basis of the importance of the position, and not upon the basis of the performance of particular incumbents. So when we begin to establish levels upon the basis of personalities I think that we establish a dangerous precedent. This could start a chain reaction that has nothing to do with how the Government ought to be organized; and has no legislative connection with legislative review of the performance of the incumbents in these offices.

I happen to think that the Department of Agriculture ought to have a Deputy Secretary. I also happen to think that a very talented and able man presently occupies the office of Under Secretary. But, spect for the person in that position today, I would, nevertheless, be in favor of upgrading the position of Under Secretary to Deputy Secretary, because this is, and has always been, the kind of office that ought to be upgraded to the responsible position of Deputy Secretary.

But, if we start deciding that we are going to review the performance of every particular person who holds an office, the level of which is proposed for change, then I think we will plunge ourselves into confusion. We will not be carrying out our proper responsibility of approving or disapproving the upgrading upon its merits as we should. Mr. Chairman, in my judgment we are not called upon here to approve or disapprove the manner in which the food stamp programs have been administered. I respect the very strong feelings of the gentleman from Louisiana about the failures of the Administration that he has talked about so eloquently. But that is not the issue here.

The issue is, assuming that we have an able, competent, and devoted Administrator of the Food and Nutrition Service, should he be at grade 18 or Executive Level V? And the answer is that that position should be at Executive Level V. It is up to the Secretary in charge of the Department of Agriculture to make the decision as to whether or not the incumbent's performance is satisfactory. The issue here is the upgrading of that office; and I think the decision to upgrade is correct. This judgment is based on the importance of the office and implies no judgment one way or the other on the performance of the present incumbent.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MOORE. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The Chair will state that the gentleman from Louisiana has already been recognized previously.

Mr. HYDE. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. HYDE. I yield to the gentleman from Louisiana.

Mr. MOORE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would simply like to comment on the remarks of the distinguished chairman of the full committee, the gentleman from Washington (Mr. FOLEY), that if we were embarked on a review of all these levels and the men in them, I would agree with the gentleman, but we are not. We have been asked, not by the department and not by the Secretary, to raise this position. We have not held hearings on this. We really do not know whether this is justified or whether it is not justified. In view of the extensive hearings that we have had, we know that this office has not been functioning properly, and that is, I repeat, in view of undisputable evidence. Therefore, in this particular case I do not see how we can separate promotion from a bad job done. In the abstract I agree with him. I think he is wrong in this specific instance. We cannot escape the fact that we are promoting the office of an individual who has not done the job he should have.

I thank the gentleman.

The CHAIRMAN. The question is on the committee amendment.

The question was taken; and on a division (demanded by Mr. FOLEY) there were—ayes 18, noes 18, and the Chairman voted "aye."

Mr. MOORE. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

The CHAIRMAN. A quorum of the Committee of the Whole has not appeared.

The Chair announces that a regular quorum call will now commence.

Members who have not already responded under the noticed quorum call will have a minimum of 15 minutes to report their presence. The call will be taken by electronic device.

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

[Roll No. 544]

Abzug	Gibbons	O'Neill
Adams	Green	Pepper
Addabbo	Hall, Ill.	Peyser
Alexander	Hansen	Pike
Anderson, Calif.	Harkin	Rees
	Harsha	Richmond
Andrews, N.C.	Hawkins	Riegle
Archer	Hébert	Risenhoover
Badillo	Hefner	Rodino
Bolling	Heinz	Roncalio
Burke, Calif.	Helstoski	Ruppe
Burton, Phillip	Hillis	Santini
Byron	Hinshaw	Scheuer
Chappell	Holland	Schneebeli
Clay	Howe	Stanton, James V.
Conyers	Jarman	
Coughlin	Johnson, Colo.	Steelman
D'Amours	Jones, Ala.	Steiger, Ariz.
de la Garza	Jones, Tenn.	Stephens
Dellums	Karth	Stokes
Derrick	Landrum	Stuckey
Derwinski	Lehman	Symington
Diggs	Litton	Thornton
Drinan	Madden	Udall
du Pont	McDade	Ullman
Esch	McFall	Van Deerlin
Eshleman	McKinney	Whitehurst
Evans, Colo.	Mineta	Wiggins
Evans, Ind.	Moorhead, Pa.	Wright
Evins, Tenn.	Murphy, N.Y.	
Fithian	O'Hara	

Accordingly the committee rose; and the Speaker pro tempore (Mr. BRADEMAS) having assumed the Chair, Mr. JACOBS, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee, having had under consideration the bill H.R. 10133, and finding itself without a quorum, he had directed the Members to record their presence by electronic device, whereupon 343 Members recorded their presence, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The committee resumed its sitting.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Louisiana (Mr. MOORE) for a recorded vote.

A recorded vote was ordered.

PARLIAMENTARY INQUIRY

Mr. FOLEY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FOLEY. Mr. Chairman, my understanding is that the vote that will now occur by recorded vote will be on committee amendment No. 7, and an "aye" vote will support committee amendment No. 7 and a "no" vote will oppose it; is that correct?

The CHAIRMAN. The Chair will state that that is not a parliamentary inquiry.

The Chair will protect the rights of the Members.

A recorded vote has been ordered.

The vote was taken by electronic device, and there were—ayes 171, noes 207, not voting 54, as follows:

[Roll No. 545]

AYES—171

Adams	Gonzalez	Ottinger
Addabbo	Hall, Ill.	Patten, N.J.
Annunzio	Hamilton	Perkins
Ashbrook	Hanley	Pressler
Ashley	Hannaford	Preyer
Aspin	Harrington	Price
AuCoin	Hawkins	Pritchard
Baldus	Hayes, Ind.	Rangel
Baucus	Heckler, Mass.	Rees
Beard, R.I.	Hicks	Reuss
Bedell	Holtzman	Richmond
Bergland	Howard	Roe
Biaggi	Jacobs	Rogers
Biester	Jeffords	Rooney
Bingham	Johnson, Calif.	Rose
Blanchard	Johnson, Colo.	Rosenthal
Blouin	Jordan	Rostenkowski
Boggs	Kastenmeier	Roush
Boland	Keys	Roybal
Bolling	Koch	Ryan
Bonker	LaFalce	St Germain
Bowen	Leggett	Sarbanes
Brademas	Lehman	Scheuer
Breckinridge	Long, Md.	Schroeder
Brodhead	Lundine	Seiberling
Brown, Calif.	McCloskey	Sharp
Brown, Mich.	McCormack	Sikes
Burke, Calif.	McFall	Simon
Burke, Mass.	McHugh	Sisk
Burlison, Mo.	McKay	Slack
Burton, John	Madden	Smith, Iowa
Burton, Phillip	Maguire	Solarz
Carr	Mathis	Staggers
Chisholm	Matsunaga	Stark
Conte	Meeds	Stephens
Corman	Melcher	Stokes
Cornell	Metcalfe	Studds
Diggs	Meyner	Sullivan
Dingell	Mezvinsky	Teague
Drinan	Miller, Calif.	Thompson
Duncan, Oreg.	Mills	Traxler
Early	Mink	Tsongas
Eckhardt	Moakley	Udall
Edgar	Moorhead, Pa.	Vander Jagt
Edwards, Calif.	Morgan	Vander Veen
Eilberg	Mosher	Vanik
Fary	Mottl	Vigorito
Fascell	Murphy, Ill.	Wampler
Fenwick	Murphy, N.Y.	Waxman
Findley	Nedzi	Weaver
Flood	Nix	Whalen
Flowers	Nolan	Wilson, Bob
Foley	Nowak	Wilson, Tex.
Ford, Mich.	Oberstar	Wirth
Fraser	Obey	Yates
Fuqua	O'Hara	Young, Ga.
Giaimo	O'Neill	Zablocki

NOES—207

Abdnor	Daniel, R. W.	Henderson
Allen	Daniels, N.J.	Hightower
Ambro	Danielson	Holt
Anderson, Ill.	Davis	Horton
Andrews, N. Dak.	Delaney	Hubbard
	Dent	Hughes
Archer	Derwinski	Hungate
Armstrong	Devine	Hutchinson
Bafalis	Dickinson	Hyde
Bauman	Dodd	Ichord
Beard, Tenn.	Downey, N.Y.	Jenrette
Bell	Downing, Va.	Johnson, Pa.
Bennett	Duncan, Tenn.	Jones, Ala.
Bevill	Edwards, Ala.	Jones, N.C.
Breaux	Emery	Jones, Okla.
Brinkley	English	Kasten
Brooks	Erlenborn	Kazen
Broomfield	Fish	Kelly
Brown, Ohio	Fisher	Kemp
Broyhill	Florio	Ketchum
Buchanan	Flynt	Kindness
Burgener	Ford, Tenn.	Krebs
Burke, Fla.	Forsythe	Krueger
Burleson, Tex.	Fountain	Lagomarsino
Butler	Frenzel	Latta
Carney	Frey	Lent
Carter	Gaydos	Levitas
Cederberg	Gibbons	Lloyd, Calif.
Clancy	Gilman	Lloyd, Tenn.
Clausen, Don H.	Ginn	Long, La.
	Goldwater	Lott
Clawson, Del	Goodling	Lujan
Cleveland	Gradison	McClory
Cochran	Grassley	McCollister
Cohen	Guyer	McDade
Collins, Ill.	Hagedorn	McDonald
Collins, Tex.	Haley	McEwen
Conable	Hall, Tex.	McKinney
Conlan	Hammer-schmidt	Madigan
Cotter		Mahon
Coughlin	Harris	Mann
Crane	Harsha	Martin
D'Amours	Hays, Ohio	Mazzoli
Daniel, Dan	Hechler, W. Va.	Michel
Mikva	Poage	Stanton, J. William
Milford	Quie	Steed
Miller, Ohio	Quillen	Steiger, Wis.
Minish	Railsback	Stratton
Mitchell, N.Y.	Randall	Stuckey
Moffett	Regula	Symms
Mollohan	Rhodes	Talcott
Montgomery	Rinaldo	Taylor, Mo.
Moore	Roberts	Taylor, N.C.
Moorhead, Calif.	Robinson	Thone
	Rousselot	Treen
Moss	Runnels	Waggonner
Murtha	Ruppe	Walsh
Myers, Ind.	Russo	White
Myers, Pa.	Santini	Whitten
Natcher	Sarasin	Wilson, C. H.
Neal	Satterfield	Winn
Nichols	Schulze	Wolff
O'Brien	Sebelius	Wright
Passman	Shipley	Wydler
Patterson, Calif.	Shriver	Wylie
	Shuster	Yatron
Pattison, N.Y.	Skubitz	Young, Alaska
Paul	Smith, Nebr.	Young, Fla.
Pettis	Snyder	Young, Tex.
Pickle	Spellman	Zeferetti
Pike	Spence	

NOT VOTING—54

Abzug	Fithian	Mitchell, Md.
Alexander	Green	Pepper
Anderson, Calif.	Gude	Peyser
	Hansen	Riegle
Andrews, N.C.	Harkin	Risenhoover
Badillo	Hébert	Rodino
Byron	Hefner	Roncalio
Chappell	Heinz	Schneebeli
Clay	Helstoski	Stanton, James V.
Conyers	Hillis	
de la Garza	Hinshaw	Steelman
Dellums	Holland	Steiger, Ariz.
Derrick	Howe	Symington
du Pont	Jarman	Thornton
Esch	Jones, Tenn.	Ullman
Eshleman	Karth	Van Deerlin
Evans, Colo.	Landrum	Whitehurst
Evans, Ind.	Litton	Wiggins
Evins, Tenn.	Mineta	

Mr. PASSMAN changed his vote from "aye" to "no."

So the committee amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, strike lines 22 through 25, and insert in lieu thereof: "(b) Subsections (b) (2) and (3) shall become effective January 21, 1977.".

AMENDMENT OFFERED BY MR. FOLEY TO THE COMMITTEE AMENDMENT

Mr. FOLEY. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FOLEY to the committee amendment: Delete committee amendment No. 8 by deleting lines 9 and 10 on page 4; and on page 4, line 11, strike "(c)" and insert in lieu thereof "(b)".

Mr. FOLEY. Mr. Chairman, recognizing the will of the Committee of the Whole in supporting the position of those who wish to defeat committee amendment No. 7, the reason for offering this amendment to the committee amendment No. 8 is as follows: In the hope of removing some of the concern about raising the grade level of the Administrator of the Food and Nutrition Service, the committee adopted a committee amendment which delayed the change in grade level for the Administrator of Food and Nutrition Service and the Administrator of Animal and Plant Health Inspection Service until January 21, 1977.

As far as I know, Mr. Chairman, there is no objection to the immediate change in the classification of the Administrator of Animal and Plant Health Inspection Service. The effect of this amendment to the amendment is to allow that change to take effect immediately and not wait until January 1, 1977. All other changes take effect upon enactment. There seems to be no reason why the change in the position of Administrator of Animal and Plant Health Inspection Service should be delayed beyond enactment.

Mr. WAMPLER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I concur with the remarks of the distinguished gentleman from Washington (Mr. FOLEY), because I believe that the Department would look with great favor on this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. FOLEY) to the committee amendment.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. The Clerk will report the last committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 1, strike "(b)(2)" and insert in lieu thereof "(b)(1)".

The committee amendment was agreed to.

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

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JACOBS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10133) 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, pursuant to House Resolution 1243, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

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

The amendments were agreed to.

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

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

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device; and there were—yeas 356, nays 18, not voting 58, as follows:

[Roll No. 546]

YEAS—356

Abdnor
Adams
Addabbo
Allen
Ambro
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Armstrong
Ashbrook
Ashley
Aspin
AuCoin
Bafalis
Baldus
Baucus
Beard, R.I.
Beard, Tenn.
Bedell
Bell
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Carney
Carr
Carter
Cederberg
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cochran
Cohen
Collins, Ill.
Conable
Corman
Cornell
Cotter
Coughlin
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
Delaney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Oreg.
Duncan, Tenn.
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
English
Erlenborn
Fary
Fascell
Fenwick
Findley
Fish
Fisher
Flood
Florio
Flowers
Flynt
Foley
Ford, Mich.
Ford, Tenn.
Forsythe
Fountain
Fraser
Frenzel
Frey
Fuqua
Gaydos
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Gradison
Guyer
Hagedorn
Haley
Hall, Ill.
Hall, Tex.
Hamilton
Hammer-schmidt
Hanley
Hannaford
Harrington
Harris
Harsha
Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Hightower
Holtzman
Horton
Howard
Hubbard
Hughes
Hungate
Hutchinson
Hyde
Ichord
Jacobs
Jeffords
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jordan
Kasten
Kastenmeier
Kazen
Kelly
Kemp
Ketchum
Keys
Kindness
Koch
Krebs
Krueger
LaFalce
Lagomarsino
Latta
Leggett
Lehman
Lent
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Long, Md.
Lott
Lujan
Lundine
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McKinney
Madden
Madigan
Maguire
Mahon
Mann
Martin
Mathis
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Montgomery
Moore
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nix
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Neill
Ottinger
Passman
Patten, N.J.
Patterson, Calif.
Pattison, N.Y.
Perkins
Pettis
Pickle
Pike
Poage
Pressler
Preyer
Price
Pritchard
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Rhodes
Richmond
Rinaldo
Roberts
Robinson
Rodino
Roe
Rogers
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Roybal
Runnels
Ruppe
Russo
Ryan
St Germain
Santini
Sarasin
Sarbanes
Satterfield
Scheuer
Schroeder
Schulze
Sebelius
Seiberling
Sharp
Shipley
Shriver
Shuster
Sikes
Simon
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Solarz
Spellman
Spence
Staggers
Stanton, J. William
Stark
Steed
Steiger, Wis.
Stephens
Stokes
Stuckey
Studds
Sullivan
Talcott
Taylor, Mo.
Taylor, N.C.
Teague
Thompson
Thone
Traxler
Treen
Tsongas
Udall
Vander Jagt
Vander Veen
Vanik
Vigorito
Waggonner
Walsh
Wampler
Waxman
Weaver
Whalen
White
Whitten
Wilson, Bob
Wilson, Tex.
Winn
Wirth
Wright
Wylie
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—18

Archer
Collins, Tex.
Conlan
Conte
Crane
Grassley
Levitas
McDonald
Mottl
Paul
Rousselot
Snyder
Stratton
Symms
Wilson, C. H.
Wolff
Wydler
Yates

NOT VOTING—58

Abzug
Alexander
Anderson, Calif.
Andrews, N.C.
Badillo
Bauman
Byron
Chappell
Clay
Conyers
de la Garza
Dellums
Derrick
du Pont
Esch
Eshleman
Evans, Colo.
Evans, Ind.
Evins, Tenn.
Fithian
Green
Gude
Hansen
Harkin
Hébert
Hefner
Heinz
Helstoski
Hillis
Hinshaw
Holland
Holt
Howe
Jarman
Jones, Tenn.
Karth
Landrum
Litton
McHugh
McKay
Michel
Mineta
O'Hara
Pepper
Peyser
Riegle
Risenhoover
Roncalio
Schneebeli
Stanton, James V.
Steelman
Steiger, Ariz.
Symington
Thornton
Ullman
Van Deerlin
Whitehurst
Wiggins

The Clerk announced the following pairs:

Mr. Hébert with Mr. Evans of Indiana.
Mr. Jones of Tennessee with Mr. Andrews of North Carolina.
Ms. Abzug with Mr. Karth.
Mr. Badillo with Mr. Wiggins.
Mr. Helstoski with Mr. Heinz.
Mr. Litton with Mr. Peyser.
Mr. Byron with Mr. Schneebeli.
Mr. Chappell with Mr. Hansen.
Mr. Pepper with Mr. Fithian.
Mr. Riegle with Mr. Esch.
Mr. Clay with Mr. Steelman.
Mr. Harkin with Mr. Eshleman.
Mr. Conyers with Mr. Steiger of Arizona.
Mr. Howe with Mr. Whitehurst.
Mr. Mineta with Mr. Landrum.
Mr. Risenhoover with Mr. James V. Stanton.
Mr. Thornton with Mr. Alexander.
Mr. Van Deerlin with Mr. Michel.
Mr. Dellums with Mr. O'Hara.
Mr. Hefner with Mr. Gude.
Mr. de la Garza with Mr. Hillis.
Mr. Evans of Colorado with Mrs. Holt.
Mr. Anderson of California with Mr. Bauman.
Mr. Derrick with Mr. du Pont.
Mr. McHugh with Mr. Evins of Tennessee.
Mr. Green with Mr. Holland.
Mr. Symington with Mr. Ullman.
Mr. Roncalio with Mr. McKay.

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to upgrade the position of Under Secretary of Agriculture to Deputy Secretary of Agriculture; to provide for an additional Assistant Secretary 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."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FOLEY. 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 Washington?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 13955, PROVIDING FOR AMENDMENT OF THE BRETTON WOODS AGREEMENTS ACT

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1394 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1394

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. 13955) to provide for amendment of the Bretton Woods Agreement Act, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Currency and Housing, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Louisiana (Mr. LONG) is recognized for 1 hour.

Mr. LONG of Louisiana. Mr. Speaker, I yield the usual 30 minutes for the minority to the distinguished gentleman from California (Mr. DEL CLAWSON), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1394 provides for an open rule with 1 hour of debate on H.R. 13955, which authorizes the United States to accept a package of proposed amendments to the articles of agreement of the International Monetary Fund. The bill further authorizes the United States to consent to an increase in the quota that we pay to that fund.

These articles of agreement, which are commonly identified as the Bretton Woods Agreements, were adopted just after the end of World War II. These articles were based on a system of par exchange rates. However, since that time the practice has developed whereby a system of managed floating rates is used. These amendments will bring the charter of the International Monetary Fund into conformity with what has been and continues to be the existing practice.

This measure was first before the House on Monday, June 22, 1976, on the Suspension Calendar. By a very narrow

vote, the bill failed to get the required two-thirds, 264 to 147. Unfortunately that vote has been widely misinterpreted in international monetary markets as an indication that the United States is not going to ratify these proposed amendments. The psychological impact of his misinterpretation could have far-reaching implications and adverse effects if we do not move quickly to adopt this bill and for that reason this Rules Committee granted this rule.

It is important that the United States maintain its leadership role in the IMF and that we act quickly and affirmatively so that other member nations can follow our lead toward the ratification of these important amendments.

Therefore, Mr. Speaker, I urge the adoption of House Resolution 1394 so that we can proceed to debate and vote on H.R. 13955.

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

Mr. Speaker, my colleague, the gentleman from Louisiana, has conveyed the provisions of House Resolution 1394 to us already—an open rule permitting 1 hour of general debate for the consideration of H.R. 13955 which provides for amendment to the Bretton Woods Agreements Act.

H.R. 13955 authorizes the United States to accept a package of proposed amendments to the Articles of Agreement of the International Monetary Fund—IMF—and to consent to an increase in the quota of the United States in the IMF.

Under the existing IMF articles, members are required to establish a par value for their currencies in terms of gold and to maintain exchange rates for their currencies within a narrow margin around the parities defined by those par values.

The amendments provide wide latitude for member nations to adopt exchange arrangements of their choice. They will, upon approval, abolish the Fund's official price for gold, repeal the obligation of members to define a par value in terms of gold, and abolish the use of gold in other transactions between the Fund and member countries.

The Fund presently owns a large stock of gold. It has decided, under existing authority, to sell one-third of its gold stock over the next 4 years. Of this one-third, half is to be sold to Fund members at the official price of about $42 per ounce. The other half is being sold at public auctions for whatever price it will command, using the proceeds to establish a "special trust fund."

In addition, H.R. 13955 authorizes the United States to consent to an increase in its quota amounting to approximately $2 billion. Because other nations, oil producing ones in particular, are increasing their quotas the United States share of the total will actually be reduced from its present standing by 1.7 percent. This reduction will result in a decreased voting share for the United States—from 20.75 to 19.96 percent. U.S. veto power, however, will be preserved.

Representative PAUL, in his dissenting views, advocates the reduction of Government intervention in free markets and cites the IMF as part of the problem, not part of the cure. According to Mr. PAUL, the proposed revisions of the IMF charter will allow the agency to become just one more bureaucracy in the field of foreign aid. Rather than selling the gold and giving the profits to the "socialist bureaucrats in the third world," he favors legislation calling for the return of all gold held by the IMF to the contributing nations. He notes that we are being asked to ratify the floating exchange rate system which is, and has been, in direct violation of IMF rules. This fact lends credence to his assumption that the IMF does what it pleases, member hations do as they please, under the banner of "the rule of international law."

Finally, Mr. Speaker, this measure failed to receive the necessary two-thirds for passage under a suspension of the rules on June 22, 1976. In spite of the controversy surrounding the bill itself, I am aware of none relating to the rule.

Mr. Speaker, I do have requests for time, and I yield such time as he may consume to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, since this bill came before us on a suspension of the rules, there have been further developments that raise reservations that many of us have. I also believe that my colleague, the gentleman from Texas (Mr. GONZALEZ), might have some amendments tomorrow which will be worthy of careful consideration by all Members. I am just sorry that we have not really had more time to understand this, as my colleague, the gentleman from Texas (Mr. GONZALEZ) has said—and I am sure our reasons come from different directions. But this is really the first major changes in the law governing the international monetary system for some 30 years, and I am sorry that we have really not had more time to understand what the total impact of this legislation will be.

I believe most of us recognize that the International Monetary Fund has served an important purpose by providing short-term balance-of-payments assistance, but we should also be aware that many significant changes are proposed to be made to the international monetary system under this bill, and that as a House we have not had an adequate opportunity to understand fully what the impact of many of these changes will be.

I was impressed that my colleague, the gentleman from Illinois (Mr. CRANE), introduced into the RECORD a rather substantial article from Barron's which raised a number of questions which we did not have a chance to really consider during the time we had debate on this bill in committee. I am somewhat concerned myself, as are some of my other colleagues, that we have not really given adequate consideration to all of the ramifications of this legislation, and I certainly hope that my colleagues will spend some time here tomorrow to help us ensure that thorough consideration is given to this bill and to all of the amendments which are offered.

My understanding is that we will probably rise at 6:30, and that we may not get to the amendments tonight. I hope that I can encourage my colleagues to be present tomorrow when the amendments to this bill are discussed to hear the rationale of my colleague, the gentleman from Texas (Mr. GONZALEZ), and consider several important amendments to this bill.

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

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

Mr. KEMP. I thank the gentleman for yielding.

Mr. Speaker, I want to congratulate the gentleman for his statement. I agree that not enough consideration has been given to this particular piece of legislation.

Mr. Speaker, I join the gentleman in opposition to the bill now before us—legislation to implement agreements already made by the administration but without the consent of the Congress. The bill would retroactively approve those agreements.

Several things have to be said at the outset.

First, this a major piece of legislation. Its innocuous sounding title—Providing for amendment of the Bretton Woods Agreements Act—cannot mask over this reality.

Second, I cannot remember when a piece of legislation, as far reaching for this Nation's economic future as this one, came before the House with as little prior public debate about its probable consequences.

Third, and most important, I believe this legislation will work against retaining America's economic strength within the world community by setting into motion a combination of events which will further shift the resources which stand behind our currency—which buttress the value of our dollar—out of our country and into European central banks for the benefit of third world countries and who knows who else.

Let me be more specific.

The International Monetary Fund originally was established to administer a system of fixed exchange rates—a fixed, known standard of values between different nation's currencies. Under the present system of flexible exchange rates, this original purpose for the IMF has been made moot, irrelevant. In the absence of Congress passing the bill now before us, the IMF has no real purpose, and it would go out of business. Of course, experience shows us that very few agencies of government—an agency of the United States or a multinational agency of which the United States is the prime underwriter of expenses—ever go out of business. One of the purposes of the bill before us, therefore, is to create a new legal framework for the IMF, and that in turn will mean that its highly paid employees—who enjoy diplomatic immunity and tax-free incomes—will not be put out of work. It should be noted that a large number of employees of the agency make more than the salary of our Secretary of the Treasury.

The new function of the IMF will be to sell off its gold holdings—most of which came originally from the gold reserves of the United States—for the purpose of

using the proceeds to make one-half of 1 percent loans to third world countries—lesser developed countries having an average per capita income of $350 or less.

Uganda would be eligible in that they fall into that definition and in that there is no treaty in place for invoking economic sanctions against it for having given sanctuary to Palestinian Liberation Organization terrorists after the recent skyjacking of an Air France airliner.

Hanoi would be eligible under this definition, and some have suggested that this may be the avenue through which the United States will, in effect, make reparation payments to that Communist government. It certainly would explain why the Vietnamese have quieted on that issue in recent months.

Cambodia would be eligible despite highly reliable reports that its new Communist government has already become one of the most tyrannical on the face of the Earth. Many other countries would be eligible also.

What this means is that the most mammoth redistribution of Western wealth in history is about to take place. Its magnitude transcends any of the foreign aid bills to have been considered by Congress, and it cannot be left unsaid that at a time when Congress has asserted itself forcefully in holding down the level of foreign aid—because we need the money just as much, if not more, here to help create jobs and get us fully out of the recession and because countries continue to be hostile to the United States even after we give them the foreign aid—that the administration has entered into a series of agreements which would accomplish the same thing. Now, after the fact, we are being asked to ratify those decisions. If we do, it sends a signal to this and to future administrations that they can do what they pretty well please.

How will these gold transfers work? The initial purchaser will be the Bank of International Settlements and any private parties which can get together the high minimum purchase figures. The European central banks are going to then buy the gold from the Bank. The IMF has already announced that it does not intend to trace the sales past the first transaction. The United States seeks to justify this transfer of gold from the IMF to European banks on the basis that since we have demonetized gold—it is no longer what stands behind U.S. currency—that it is no longer needed and ought to be sold like any other commodity. This bears some careful scrutiny.

The fact that the European central banks are the main gold purchasers shows one thing about all others—they do not have much faith in the new paper currency of the IMF—the special drawing rights—SDR's—and are counting on the monetizing of gold, rather than its elimination.

There was a time—not too long ago—when the United States had most of the gold. Our currency was strong; the value of the dollar was great. The U.S. dollar as the standard in the international financial community against which other dollars were measured in terms of value. Then, after the Second World War, we started massive aid programs to the rest of the world. The countries which received this aid had a claim on increasing proportions of our gold. The value of the dollar started to slip. The German deutsche mark started to become the standard against which other currencies were measured. After years of wrangling about what standard to use, a system of flexible rates was adopted.

Now, through the bill before us today, gold will be transferred to other countries, mostly the European central banks. What happens if there is a remonetization of gold—we return to some type of monetary standard based on the value of gold? It means that this time the European central banks—not the United States as in the last time—will have most of the gold, and ours will be the lesser valued currency in the international community. Thus, the bill before us would give Congress approval to agreements which would ratify once and for all the decline of the American dollar. This leads to an additional point.

Flexible exchange rates and SDR's—international paper money which unlike gold can be expanded endlessly—contribute to inflation. Flexible exchange rates remove discipline from the domestic monetary authorities and that in turn increases their tendency to inflate. Approving this bill runs a risk, therefore, of setting off a new round of international inflation.

Several other things must be said about this bill and put into a better perspective.

Even if one wants gold to become less important in relation to currencies, one should oppose this bill. By allowing these agreements to rest on transfers of gold, by allowing the central banks to acquire the gold, and by making loans to third world countries dependent upon the sale of the gold, we are making gold of more importance, not less importance. The gentleman from Texas (Mr. GONZALEZ) has articulated this point very well.

In that the IMF has promised it will not track the gold beyond the first level of transaction, we really do not know who will end up owning this gold.

Not one supporter of Israel in this House can adequately assure me that major shares of this gold will not end up in the hands of Arab countries. We all know of the cash liquidity of most of the Arab countries today. They simply have so much cash lying around that they do not even know what to do with all of it. Why not—from their perspective—use it to purchase gold from the European central banks? And those banks will sell the gold, if the price is right—one simply higher than the $42 per ounce at which much of the IMF gold will be sold or one higher than the $176-per-ounce market range of today. Can one imagine the impact of that cost of gold price rise after the price drops slightly initially upon the cost of anything having gold in it—from crucially important industrial items to luxury products?

Not one supporter of black governments in Africa can adequately assure me that South Africa—wealthy because of its own gold—would not buy heavily into these additional gold reserves, as they come onto the market through the European central banks, thus substantially enhancing their economic strength. And not one supporter of white governments in Africa can adequately assure me that oil-rich black governments—such as Nigeria—would not buy heavily into this gold, thus increasing their strength.

There are other examples too, but the point is the same. We simply do not know who or what will end up with this gold. Given the vast expansion of private wealth in recent years—from the older fortunes in America and Europe to the vast new fortunes in the oil countries—a great percentage of this gold could even end up in private hands.

I can sympathize with the sentiments of many that the living standard throughout the world should be increased. But our sense of international commitment ought not to lead this Congress into approving legislation which will accomplish worthwhile goals at the exepnse of our own country's economic stability. We ought to concentrate on increasing the total economic pie available to the world's people, not on dividing up a limited pie and giving America's share away to others.

An articulate presentation on this subject was made last month before the Subcommittee on International Trade, Investment and Monetary Policy of the House Committee on Banking, Currency and Housing. That testimony was offered by Arthur B. Laffer, the very respected and outstanding economist who has done extensive work in this subject area. In my opinion, it is the best presentation made before the subcommittee on why great caution should be exercised with respect to the agreements proposed through the legislation before us. I think it underscores my conclusion that this bill ought not to be passed.

The testimony follows:

STATEMENT PERPARED FOR THE SUBCOMMITTEE ON INTERNATIONAL TRADE, INVESTMENT AND MONETARY POLICY OF THE HOUSE COMMITTEE ON BANKING, CURRENCY AND HOUSING ON H.R. 13955, JUNE 3, 1976, BY ARTHUR B. LAFFER

Mr. Chairman and Members of the Subcommittee:

The issues you face today represent a long series of issues pertaining to different features of the international monetary system. The novelty of the current hearings is the potential emergence of the International Monetary Fund as an explicit aid-granting institution. In addition to the new side of the issue, there is the older side as to the appropriate direction to take for evolution of the world monetary system. The proper role of gold is of obvious importance here.

I would first like to address my comments on the monetary system's progress and the direction I would like to see it go.

The decision to encourage increased intervention by Central Banks into foreign exchange markets reached at Rambouillet and Jamaica represents an important deviation from a policy objective of freely floating exchange rates. According to many people, the flexible exchange rate experiment has not lived up to expectations, and a growing nostalgia for international economic order is apparent. While the agreements of Rambouillet and Jamaica are only a small step, they are clearly in the direction of more intervention in foreign exchange markets. In the press as well as in official releases, the discussions appear to be focused more now on the issue of monetary discipline

than they had been, say, four or five years ago.

It had become quite clear by 1970 that the international monetary system had deteriorated to a postwar low. Under the aegis of U.S. leadership, western treasury and central bank officials sought to rectify the deterioration by constructing an entirely new system. The date usually thought of as representing the beginning of this effort is August 15, 1971, the date of the beginning of the New Economic Policy. Modifications built on the legal and economic foundations of the existing system were rejected. The Bretton Woods system had been labeled a failure.

The quest for a new system settled on the theoretical underpinnings of floating exchange rates. By the end of 1971, the U.S. objective was to transform the international monetary system to as close a facsimile of purely floating rates as was bureaucratically possible. Judging by longer term movements and patterns, exchange rates appear to have become far more volatile. The costs of buying and selling foreign exchange have increased dramatically. Very recently some people have noted an unusual slowing in the growth of world trade and a resurgence of protectionist pressures. On these grounds, the current monetary system seems to be functioning more poorly than even the seeming low of 1970.

The point most frequently used to sell floating rates was the widely held belief that U.S. goods had become uncompetitive in world markets. The root cause of the uncompetitiveness was described as an overvalued dollar and low growth in productivity. The vanishing trade surplus was the proof. Floating rates were put forth as the answer. Having had little if any historical experience with either floating rates or frequent exchange rate changes, the post-1971 U.S. experience surprised and disappointed the administration and many others.

During the 1970s, inflation rose to a postwar high. While the issue of cause versus effect remains controversial, the inflation experienced corresponded remarkably closely to exchange depreciations. While hitherto little known in the United States, the association between exchange depreciation and relative inflation is one of the best documented phenomena in economics. The studies commencing with Wicksel on through Lee have documented that over reasonably long periods differential inflation rates correspond closely to exchange rate changes.

As vividly demonstrated by the recent voluntary quotas on specialty steels, competitive pressures have remained unabated in spite of the substantial depreciation of the dollar. The trade account, which was in surplus prior to the 1970 devaluation against the Canadian dollar, has dipped into a deficit position during the last few months. While the trade balance of any country oscillates over time, there is little evidence to suggest that trade balances improve following devaluation. This is especially true for the experience of the United States. In the U.S. episode the exchange rate does not appear to be a determining factor of the overall trade balance.

The important lesson to learn is simply that monetary variables do affect monetary phenomena, and do not in general affect real phenomena. For the case in point, exchange rate movements affect the difference between the devaluing country's inflation rate and that of the countries it devalued against, but do not affect the country's real competitive position vis-a-vis the other countries, nor its trade balance. In order to make U.S. industry more competitive, real variables have to be changed, such as a reduction of taxes on U.S. workers and factories.

The other point used to support the adoption of a system of floating rates was the belief that every government should control its own country's monetary policy. Floating rates, it was argued, would provide the needed monetary independence. By having monetary independence, each country would be able to follow the appropriate policies to prevent undue inflation and excessive unemployment. The implicit assumption underlying the analysis was that once a country's monetary authority garnered control over its domestically defined money supply, it would have control over monetary policy.

Control over monetary policy requires at last two questionable conditions. The first, which I will not discuss at any length here, is that the monetary authority knows the appropriate empirical counterpart of money to control. Even in a completely closed economy, it is by no stretch of the imagination obvious that empirical magnitude constitutes the relevant money figure. The issues raised by seasonal adjustment, time deposits, certificates of deposit, credit cards, and liquid assets make any control variable tenuous.

The second questionable condition relates to the elasticity of substitution of domestic for foreign monies in demand. When exchange rates are fixed by the monetary authorities, it is clear that foreign and domestic monies are perfect substitutes in supply. Once exchange rates are floating, analysts assume that monetary policies are thereby independent. This assumption directly implies complete non-substitutability of monies in demand across national boundaries.

The traditional implications for floating can be seen by describing the following situation. Imagine two equal-sized countries, say A and B, with floating exchange rates. A increases its money supply by ten percent and B decreases its money supply by ten percent. If monies are non-substitutes, then prices in A will rise by ten percent and prices in B will fall by ten percent. A's exchange rate with B will depreciate by twenty percent. Under these circumstances, A's monetary authority controls inflation in A and B's monetary authority inflation in B. The exchange rate merely acts to accommodate the discrepancies in each country's price levels. The exchange is simply an outcome of the independent policies in A and B.

If we take the same situation only where the monies of A and B are close substitutes on the margin, we get very different results. Let us imagine that transactors in A can use B's currency and transactors in B can use A's currency. Let us invoke the extreme assumption that transactors, wherever located, are indifferent as between the two currencies. In such a situation, an increase of money in A and a decrease of money in B will lead to pressures on transactors in B to reduce their money holdings below their desired level. It will also make money quite accessible in A.

One can easily imagine that ten percent of the holders of money in country B will switch their deposits to A. This leads to an increase in the demand for money in A by ten percent and a fall in the demand for money in B by ten percent. A rise in both the demand and the supply of money in A by ten percent results in unchanged prices. Likewise, the fall in both the demand for and the supply of money by ten percent in B leads to unchanged prices in B. As a direct result, even though free to move, the exchange rate will not move. The failure of the exchange rate to change because of the close substitutability of money negates the policy effects of the monetary authorities' control over the money supply. For all practical purposes, under this case, the existence of floating rates has not provided monetary independence at all. Under these circumstances, floating rates remove even the aggregate ability to control monetary policy.

While no one can say with any degree of certainty just what degree of demand substitutability is across currencies, it is by no means obviously zero. Only when monies are non-substitutes will floating rates yield independence of monetary policy. On an intuitive level, it is hard to see why international firms would not be willing to hold different combinations of currencies if their prices changed slightly. This is especially pertinent with regard to eurodollars. Here is a non-U.S. located dollar deposit. It seems implausible to assume that U.S. monetary policy could be independent of the existence and growth of eurodollars. In the final analysis, the issue of demand substitutability, and with it the capacity of monetary authorities to control monetary policy, is an empirical issue.

In spite of these rather questionable conditions required for floating rates to bring monetary independence, it was widely held that floating exchange rates would result in monetary independence. Each country, it was argued, would be able to better regulate the inflation rate it deemed appropriate, given its employment objectives.

In the post-1970 period, inflation rates in virtually every country increased. Even the best performances today rate poor by the same countries' standards of a decade earlier. Some countries, such as the U.K. and Italy, moved into inflation categories previously occupied by only a handful of South American countries.

The performances on unemployment and output growth have fared no better. Unemployment today, even though falling, is high by all standards save those of the great depression. The western world's real growth is equally unimpressive. High inflation as well as poor unemployment performances are ubiquitous.

While much is made of preventing imported inflation by having floating exchange rates, little is made of the disciplinary aspects of fixed exchange rates and limited international reserves. Under fixed exchange rates that are to be maintained, central banks have little leeway to run excessively expansive monetary policies. If a country's money supply growth excessively, it will lose reserves and threaten the maintenance of the fixed exchange rate. The threat of balance of payments deficits, reserve losses and, ultimately, devaluation of the currency is an important restraint on rapid money growth.

Under floating exchange rates, excessive monetary expansion entails no deficit, no reserve loss, and a tolerated, if not encouraged, depreciation of the currency. Under floating rates, there is less reason, or perhaps even excuse, for not restricting money growth. If for any reason, be it economic or political, the monetary authority feels it expedient to expand money growth, the excuse of maintaining the par value will not impede their actions. Over a long enough period of time in a number of countries, there should result a noticeable tendency for money growth rates to increase. Since much of the discipline has been removed, it does appear as though there has been an increase in inflation rates.

The lesson is that politically sensitive agencies may well act on short-term perceived expediency to the detriment of longer term stability, unless constrained by discipline. The case in point is characteristic. During a system of fixed exchange rates, monetary authorities kept money growth in line for fear of running out of foreign exchange and gold reserves. Once this fear was removed by the advent of more exchange rate flexibility, money growth increased. United States discipline was lost when we abandoned the gold value of the dollar in the free market.

The failure to control output and employment is another example of the confusion that exists between monetary variables and real phenomena. If any relationship does exist, it is the opposite of what is usually said. Higher money growth is associated with higher inflation. Higher inflation on the other hand, leads to increasing marginal tax

brackets and work disincentives. These, in turn, result in lower economic growth. The view that somehow printing money creates jobs continues to persist in spite of the paucity of empirical support. Monetary policy should be geared to the provision of price stability. This is a task monetary policy has some chance of accomplishing.

At present, the serious problem facing monetary officials is that the foundations of the Bretton Woods system had been rendered inoperable. Codes of behavior, once violated, lose their *tour de force* when resurrected. No new set of rules has been used sufficiently to have any power of precedence. Hopefully, the lessons of the immediate past have had enough time to affect people's thinking and thereby wend their way into the international monetary process.

Learning from the past, a viable monetary system for the purpose of achieving either domestic or international objectives, has a better chance of succeeding if it is built on formal rules. Reliance on the goodwill of public officials often leads to a politicized process.

If the rightful concern of monetary policy is the maintenance of price stability, then the appropriate rule for monetary policy is a price rule. A pricer rule occurs when the government guarantees to maintain the purchasing power value of money. Historically, fixed money prices of gold and silver, etc., served as the rule of the monetary system. Two countries which maintained the gold value of their respective currencies had achieved, by the process of elimination, truly fixed exchange rates. Thus, good domestic monetary rules lead *pari passu* to fixed exchange rates. This route to fixed rates is the essence of what is currently referred to in international monetary circles as policy coordination and consultations.

Another form of rules occurs when countries fix their exchange rates to the currency of a country already on a price rule. This was, in fact, both the spirit and the essence of the Bretton Woods system up to March of 1968. At that time, the United States reneged on its commitment to maintain the gold value of the U.S. dollar in private markets.

However achieved, stable international monetary systems tend to require fixed exchange rates. In the cases of domestic price rules, fixity of exchange rates is a result of policy coordination. In other cases, fixed rates are the policy objective themselves. Whatever the origin, systems of fixed exchange rates have performed admirably in the past.

I am greatly encouraged by the concerted efforts of both U.S. and foreign monetary authorities to increase policy coordinations, foreign exchange support operations, and frequent consultations. The spirit of such moves is referred to as the "Spirit of Rambouillet," and has been carried forward into the English meeting of the Central Banking officials and the Jamaica Accord to the Treasury officials.

It would seem to me short-sighted at this juncture to attempt to transform the International Monetary Fund into an aid-granting institution. By selling gold and using the proceeds for development fund, the IMF will be confusing its functions. Such an act carried out by the IMF will detract from its other more appropriate roles. This is especially true with regard to the sale of gold. While serious debate is to be encouraged over the future roles of gold, SDR's, par values, tranche positions, and currency swaps, it is counter-productive to foreclose options at the present. This is more emphatically the case now that the deficiencies of our new system are so widely recognized.

In the event some new world monetary system does eventually emerge, institutions will be required. Perhaps these institutions will be housed under the auspices of the IMF. Whatever their specific form, these institutions will require vast infusions of capital in order to stabilize world money markets and instill confidence in the market participants. It seems to me to be exceptionally shortsighted at this time to dispose of some of the IMF net capital when, hopefully, we shall soon need large additional sums.

It also appears to me to be a poor choice to select the IMF as the conduit for world foreign aid. As a method of helping poor nations develop, this method is noted for its inefficiency. Far preferable schemes exist, some of which even benefit the U.S. directly. Examples of these include tariff cutting, reduction of quotas, and the removal of other artificial trade barriers. These measures provide direct incentives to development. By working harder and more efficiently, less-developed countries would be able to sell more goods to the developed nations.

Even if a transfer of aid must take place, specific U.S. agencies can do a far better job than can be expected of the IMF. On a world scale, the project appraoch of the World Bank is far more promising. Surely the already existing mechanisms can be expected to perform their outlined tasks better than the IMF administered fund will be able to do.

At a different level altogether, given the proliferation of the world foreign aid-granting institutions that have arisen during the postwar era, it is a wasteful duplication of function to authorize yet another.

Given the current mood of the Nation, it behooves Congress and the Administration to keep a close watch on how American-earned assets are disposed of. Several of the countries who would receive this foreign aid may well use it in ways that are detrimental to the ultimate donor—the American people. Far closer scrutiny must be made of the recipient nations than is possible under the guidance of the IMF to assure that the true donors are not duped into providing aid to their detractors.

Mr. DEL CLAWSON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Speaker, I would like to take a few moments to go on record as opposing this rule. I would like to mention one episode that occurred in the process of this legislation that did not follow the rules correctly. This bill was voted out of committee on a Thursday evening, and we had until Tuesday at noon to put in our dissenting views, but over the weekend the rules were changed. I was called at home by my staff and told that I had to have my views in by noontime Monday or they would not be printed. I believe that this was not a fair procedure. By Tuesday when the views should have been in, the bill was on the floor under suspension of the rules. I do not believe this bill should be run through the way it has been run through. This, to me, is one of the most important pieces of legislation on the floor since I have been here in Congress, and due consideration should be given.

It is my understanding that it will be another 18 months before all the nations ratify these amendments and these agreements, so there is no rush.

What they want is a rubberstamp to continue to run roughshod over the international monetary scheme. We have been living with floating rates for 5 years. The Bretton Woods Agreement has been dead for 5 years. There is no panic to do something. The responsibility is ours for setting up any foreign aid program, and it is our responsibility to understand and know what we are doing. There are $2 billion of the American taxpayers' money involved. To pass this legislation will also sanction international inflation.

We need to give this more consideration and reject the rule.

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

Mr. LONG of Louisiana. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, I wish to add my voice to that of the two gentlemen from the opposite side of the aisle who preceded me, the gentleman from California and the gentleman from Texas. Essentially they have stated exactly the very thing that has made me feel very keenly the mistaken notion that speed and haste is necessary in order to approve this legislation here and now.

The gentleman from Texas is absolutely correct. The rules were changed. The committee had agreed that each member would have until Tuesday to file supplemental, additional, or dissenting views. We prepared the same only to find that Monday instead of Tuesday had become the deadline. Why? What is the reason for this haste?

Second, the House sooner or later is going to have to correct some of its so-called reforms that have led I think to very hasty and undue consideration of very important legislation. During the time that we were trying to consider this bill in a hastily contrived meeting of the full committee, the House was also sitting in session. While some of us were trying to raise points in the committee we had to come to the floor and answer quorum calls, and some of us who had business with the legislation on the floor could not return to the committee to debate or to offer amendments or to raise questions.

Mr. Speaker, sooner or later this is going to end in an imperative need to change our rules again. One reform has bred a vice, the vice of undue and intemperate consideration of very important legislation. I think under the circumstances we are fortunate at least that we do not have this under a suspension of the rules. We at least have an open rule with 1 hour of debate and a chance to offer amendments. But I still must continue to protest the fact that the Congress has gotten into the habit of abdicating its responsibility, its contribution in the process of drafting this type of legislation. We have deferred to such bodies as the IMF.

Mr. LONG of Louisiana. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. REES).

Mr. REES. Mr. Speaker, I did not plan to rise during the debate on the rule. I am the chairman of the Subcommittee on International Trade, Investment, and Monetary Policy, and I am really unhappy when they accuse our committee of trying to rush something through without any hearing.

Mr. Speaker, let me read the chronology of the bill. In July 1975, my subcommittee, along with the Joint Economic Committee, had a meeting with Secretary Simon, and this was an open meeting with all the Members, to discuss the International Monetary Reform that was

being contemplated by the International Monetary Fund, which was meeting in the beginning of September 1975. That was a year ago.

Now, a year ago we discussed the U.S. position as to floating rates and what changes we would be making in the system.

We then had a meeting of what is called the Interim Committee of the International Monetary Fund last January, 1976 in Jamaica. At that time all the countries, the 126 countries of the International Monetary Fund, agreed in principle to the changes that we are now discussing. A staff report was prepared and sent to all the members of the Committee on Banking and Currency in February of 1976.

We then had hearings, and Treasury Under Secretary Yeo who deals with this matter, was our major witness. The purpose of the hearings of the subcommittee was to have a briefing as to what the results of the Jamaica agreement were. This meeting was held on March 4, this year.

The final text of the agreements, and this is a very complicated text, was sent to the members of the Committee on Banking and Currency on April 9, 1976.

Hearings on the bill were held on June 1 and June 3 before the subcommittee.

The subcommittee had a markup on June 15. The committee markup was on June 17.

Mr. Speaker, I think this represents a great deal of work by my subcommittee on these various amendments to the Bretton Woods Act. I certainly do not think this constitutes rushing something through the House of Representatives.

Mr. J. WILLIAM STANTON. Mr. Speaker, will the gentleman yield?

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

Mr. J. WILLIAM STANTON. Mr. Speaker, the gentleman in the well, I think, has clearly outlined the procedure that our subcommittee has followed in bringing this legislation to our attention here this afternoon.

In addition to what the gentleman has already stated, I would only add that I believe that the Department of Treasury, in this particular instance, has bent over backward to inform not only the gentleman in the well, but myself, of the interim steps that have been taken over the last 1-year period, as the gentleman has stated, to make us fully informed on the legislation before us.

Members of the subcommittee were clearly invited to go down to Jamaica at the time of this agreement in January to observe every step that was taken to keep us fully in compliance with the agreements made at that time and the agreements and ratification that we will be asked to vote upon probably tomorrow afternoon. We go on the emphasis of our own U.S. Treasury; so I appreciate the remarks of the gentleman in the well.

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

Mr. REES. I yield to the distinguished minority leader.

Mr. RHODES. Mr. Speaker, I appreciate my friend, the gentleman from California, yielding.

The facts as the gentleman from California (Mr. REES) has set them forth and the gentleman from Ohio are absolutely correct, as far as I know, because I have heard the same thing from the Secretary of the Treasury. Secretary Simon informed me this morning that in his opinion this was a most important piece of legislation affecting the Department of the Treasury and affecting the international monetary situation that we will have, not only this year, but in the foreseeable future. He feels that if the bill were not to become law, it would possibly have a catastrophic effect on the international monetary stability which we are all trying to seek.

Mr. REES. Mr. Speaker, I thank the distinguished minority leader.

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

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

Mr. GONZALEZ. Mr. Speaker, I am sure that the distinguished member of the committee and the very able chairman of the subcommittee will not dispute the facts.

The SPEAKER. The time of the gentleman from California (Mr. REES) has expired.

Mr. LONG of Louisiana. Mr. Speaker, I yield 5 additional minutes to the gentleman from California (Mr. REES).

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

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

Mr. GONZALEZ. Mr. Speaker, the full committee met one morning on this bill. I am not talking about the subcommittee. After all, the subcommittee has, I would say, less than a dozen members or about a dozen members. We are talking about the full committee meeting of 43 members.

The gentleman surely will agree that we had 1 day's markup session in the morning, and that the bill was passed out by the time the noon bell rang. The gentleman certainly does not belie the fact that the committee agreed that morning that the Members would have until Tuesday to file additional and supplementary views or dissenting views, as the case might be; but somewhere, somehow, somebody made a ruling and contravened some of that. Surely, the gentleman does not wish to dispute that.

Mr. REES. No, I do not dispute it. Let me give the gentleman the parliamentary situation as it was that morning. This bill was brought up before the full Committee on Banking, Currency and Housing. There were several amendments offered by the gentleman from California (Mr. ROUSSELOT); one of the amendments, I believe, was accepted. There were no other amendments.

What do we do when we have a bill before the full committee and there are no other amendments? We try to get the bill out of the committee. We do not leave it in there for a couple of months. So, we voted on the bill, and there was only one dissenting vote. The normal motion was made that the Members have 3 legislative days in which to come up with their remarks, and then a subsequent suggestion was made that the bill be put on suspension, because there was only one dissenting vote on the Committee on Banking, Currency and Housing. I think we have around 43 members.

Then, it was decided, with no dissent at all, that the bill would be on suspension. When a bill is on suspension, there is nothing in the rules which requires a written report on that bill. If we had been given until Tuesday, the report would have come out 1 day after the bill was to be taken up on suspension. This would not be fair to the Members at all, and certainly Dr. PAUL's very excellent dissenting remarks were put in time; therefore, we do have dissenting remarks in the committee report. Copies are available on the floor. It has dissenting remarks by the distinguished gentleman from Texas (Mr. PAUL).

So, that was the situation, as an accommodation to the Members. We said that even though this is on suspension, we are going to have a report. We did not even have to have a report. There was absolutely no reason for this Member to try to slam some bill across the floor of the House as important as this bill is. It should be debated, but it was felt that we should go on suspension because there was a time factor, and also there was no dissent at that time in the meeting.

Those are the facts as to what the parliamentary situation was on that morning when we had the hearing. I think this whole subject matter has been very thoroughly dealt with by the Committee on Banking, Currency and Housing.

Mr. DEL CLAWSON. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, I want to clear up a point that I think my colleague from Texas addressed today, and one which I believe is well taken. We were really not presented in the Committee on Banking, Currency and Housing with a substantial number of changes that were requested by the Treasury Department until April 9, 1976. I have before me the communication from the Secretary of the Treasury. It is more than 100 pages long, by the way, and there are a substantially greater number of changes that were recommended in this communication than had been previously recommended.

When the Secretary of the Treasury submitted these amendments to Congress on April 9, 1976, the Secretary sent the following letter of transmittal:

THE SECRETARY OF THE TREASURY,
Washington, April 9, 1976.

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

DEAR MR. SPEAKER: As Chairman of the National Advisory Council on International Monetary and Financial Policies, I am pleased to transmit herewith the Council's special report on the proposed amendment of the Articles of Agreement of the International Monetary Fund and on the proposed increase in quotas in the International Monetary Fund.

The proposed changes in the Articles of Agreement represent the first general revision of international monetary arrangements since the Bretton Woods Conference in 1944. These changes are of major importance to the United States and fulfill policy objectives which the United States has pursued over several years of negotiations on international monetary reform. The proposed increase in

quotas will enable the IMF to maintain its central role in the provisions of temporary balance of payments financing to members, thereby continuing its important contribution to international financial stability.

The Council recommends the prompt introduction and enactment of legislation authorizing U.S. acceptance of the proposed amendment and consent to the proposed increase in the United States quota.

Copies of the report are also being submitted to the President and to the President of the Senate.

Sincerely yours,

WILLIAM E. SIMON,
Chairman, National Advisory Council on International Monetary and Financial Policies.

In addition to the important changes which the Secretary mentions in his letter, there are numerous other important amendments, including the addition of a new section 12 of article V which sets forth procedures for the sale of IMF gold at the market price and for the establishment of a Special Disbursement Account through which proceeds of the gold sale may be used to provide concessional balance-of-payments assistance to lesser developed countries.

As a matter of fact these additional amendments were submitted after the hearings that the gentleman from California (Mr. REES) held last year concerning floating rates and the role of gold. These amendments represent the results of the so-called Rambouillet Jamaica Conferences. Many members of the committee did not have the chance until perhaps 1 or 2 days before the markup hearings to really go through and find out what all these changes recommended by the Treasury Department really were. I do not disagree with my colleague from Arizona that the Secretary of the Treasury wants this legislation. He came over and held a special meeting with the members of the minority, so I am fully aware of that.

The argument that all of these changes in this legislation were well known a year ago just is not quite the case.

My colleague from Texas is right. This communication did not arrive before the full committee until April 9, of this year, and we were not even made aware of all of the ramifications of the exposure of the U.S. Treasury as a result of these changes until a month or 2 months later. That is the point my colleague from Texas is trying to make. I have joined him in that concern.

If it is a good idea today, it will be a good idea tomorrow.

Again, for these reasons, among others, I would like to encourage my colleagues to be here tomorrow for a full discussion of the amendments because that will give us an opportunity to discuss them even more thoroughly and carefully than we did in committee. I think that is important.

I am not suggesting by that that my colleague from California was in a substantial hurry on this bill, because I think he was also receiving a lot of encouragement from the Treasury Department to hurry this bill.

I would like to ask my colleague from California this question: The gentleman is not aware of any great crisis that we face if we do not pass this today, is he? Has the Senate had hearings on this?

Mr. REES. If the gentleman will yield, I believe the Senate has had hearings on this.

I am not trying to get rid of the bill. It is the only bill my subcommittee has. We want to fondle it. I am leaving here at the end of the year. I hate to lose a bill like this. I have been looking at it. It is in the committee. It is the only bill we have. I sort of feel like I am losing my only child, now that it has come to the floor.

I think it is important that the United States, as the richest country in the world, as the leader of the free world, as the country that has proposed these amendments, be one of the first countries to ratify them.

The major reason we must have these amendments now is that we have a floating currency. But there are no rules and regulations on the float. So it is possible for one country to practice beggar thy neighbor by placing an artificial price on their own currency, and this has already happened. So it is necessary that these be ratified as soon as possible so that we have some rules and regulations governing the practice of floating currency.

Mr. ROUSSELOT. But there is no crisis if we do not pass this tomorrow? I appreciate the gentleman's statement.

Mr. REES. Yes; there are several crises that I feel imminent.

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

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

Mr. PAUL. I thank the gentleman for yielding.

I would at this point like to point out that there have been some questions of legality.

Mr. LONG of Louisiana. 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; and the Speaker announced that the ayes appeared to have it.

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

The SPEAKER. 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 346, nays 15, not voting 71, as follows:

[Roll No. 547]

YEAS—346

Abdnor	Aspin	Biester
Adams	AuCoin	Bingham
Addabbo	Bafalis	Blanchard
Allen	Baldus	Blouin
Ambro	Baucus	Boggs
Anderson, Ill.	Beard, R.I.	Boland
Andrews, N. Dak.	Beard, Tenn.	Bolling
Annunzio	Bedell	Bowen
Archer	Bell	Brademas
Armstrong	Bennett	Breaux
Ashbrook	Bergland	Breckinridge
Ashley	Bevill	Brinkley
	Biaggi	Brodhead
Brooks	Hughes	Pickle
Broomfield	Hungate	Pike
Brown, Mich.	Hutchinson	Poage
Broyhill	Hyde	Pressler
Buchanan	Ichord	Preyer
Burgener	Jacobs	Price
Burke, Calif.	Jeffords	Pritchard
Burke, Fla.	Jenrette	Quie
Burke, Mass.	Johnson, Calif.	Quillen
Burleson, Tex.	Johnson, Colo.	Railsback
Burlison, Mo.	Johnson, Pa.	Randall
Burton, John	Jones, N.C.	Rangel
Burton, Phillip	Jones, Okla.	Rees
Butler	Jordan	Regula
Carney	Kasten	Reuss
Carr	Kastenmeier	Rhodes
Carter	Kazen	Richmond
Cederberg	Kelly	Rinaldo
Clausen, Don H.	Kemp	Roberts
Cleveland	Ketchum	Robinson
Cochran	Keys	Rodino
Cohen	Koch	Roe
Collins, Ill.	Krebs	Rogers
Conable	Krueger	Rose
Conte	Lagomarsino	Rosenthal
Corman	Latta	Rostenkowski
Cornell	Leggett	Roush
Cotter	Lehman	Rousselot
Coughlin	Lent	Roybal
D'Amours	Levitas	Runnels
Daniel, Dan	Lloyd, Calif.	Ruppe
Daniel, R. W.	Lloyd, Tenn.	Russo
Daniels, N.J.	Long, La.	Ryan
Danielson	Long, Md.	St Germain
Davis	Lott	Sarasin
Delaney	Lujan	Sarbanes
Dent	McClory	Satterfield
Derwinski	McCloskey	Scheuer
Dickinson	McCollister	Schroeder
Dingell	McCormack	Schulze
Dodd	McDade	Sebelius
Downey, N.Y.	McEwen	Seiberling
Downing, Va.	McFall	Sharp
Drinan	McHugh	Shipley
Duncan, Oreg.	McKay	Shriver
Duncan, Tenn.	McKinney	Shuster
Early	Madden	Sikes
Eckhardt	Madigan	Simon
Edgar	Maguire	Sisk
Edwards, Ala.	Mahon	Skubitz
Edwards, Calif.	Mann	Slack
Eilberg	Martin	Smith, Iowa
Emery	Mathis	Smith, Nebr.
English	Matsunaga	Solarz
Erlenborn	Mazzoli	Spence
Evins, Tenn.	Meeds	Staggers
Fary	Melcher	Stanton, J. William
Fascell	Metcalfe	Stark
Fenwick	Meyner	Steed
Findley	Mezvinsky	Steiger, Wis.
Fish	Michel	Stephens
Fisher	Mikva	Stokes
Flood	Milford	Stratton
Florio	Miller, Calif.	Stuckey
Flowers	Miller, Ohio	Studds
Flynt	Mills	Talcott
Foley	Minish	Taylor, N.C.
Ford, Mich.	Mink	Teague
Ford, Tenn.	Mitchell, Md.	Thompson
Forsythe	Mitchell, N.Y.	Thone
Fountain	Moakley	Traxler
Fraser	Moffett	Treen
Frenzel	Mollohan	Tsongas
Frey	Montgomery	Udall
Fuqua	Moore	Vander Jagt
Gaydos	Moorhead, Calif.	Vander Veen
Giaimo	Moorhead, Pa.	Vanik
Gibbons	Morgan	Vigorito
Gilman	Mosher	Waggonner
Ginn	Moss	Walsh
Goldwater	Motti	Wampler
Goodling	Murphy, Ill.	Weaver
Gradison	Murphy, N.Y.	Whalen
Guyer	Murtha	White
Hagedorn	Myers, Ind.	Whitten
Haley	Myers, Pa.	Wilson, Bob
Hall, Ill.	Natcher	Wilson, C. H.
Hall, Tex.	Nedzi	Wilson, Tex.
Hamilton	Nichols	Winn
Hammer-schmidt	Nix	Wirth
Hanley	Nolan	Wolff
Hannaford	Nowak	Wright
Harrington	Oberstar	Wydler
Harris	Obey	Wylie
Hawkins	O'Brien	Yates
Hechler, W. Va.	O'Neill	Yatron
Heckler, Mass.	Ottinger	Young, Alaska
Henderson	Passman	Young, Fla.
Hicks	Patten, N.J.	Young, Ga.
Hightower	Patterson, Calif.	Young, Tex.
Horton	Pattison, N.Y.	Zablocki
Howard	Perkins	Zeferetti
Hubbard	Pettis	

NAYS—15

Clancy	Devine	McDonald
Clawson, Del	Gonzalez	Paul
Collins, Tex.	Grassley	Snyder
Conlan	Harsha	Symms
Crane	Kindness	Taylor, Mo.

NOT VOTING—71

Abzug	Green	Neal
Alexander	Gude	O'Hara
Anderson, Calif.	Hansen	Pepper
	Harkin	Peyser
Andrews, N.C.	Hayes, Ind.	Riegle
Badillo	Hays, Ohio	Risenhoover
Bauman	Hébert	Roncalio
Bonker	Hefner	Rooney
Brown, Calif.	Heinz	Santini
Brown, Ohio	Helstoski	Schneebeli
Byron	Hillis	Spellman
Chappell	Hinshaw	Stanton, James V.
Chisholm	Holland	
Clay	Holt	Steelman
Conyers	Holtzman	Steiger, Ariz.
de la Garza	Howe	Sullivan
Dellums	Jarman	Symington
Derrick	Jones, Ala.	Thornton
Diggs	Jones, Tenn.	Ullman
du Pont	Karth	Van Deerlin
Esch	LaFalce	Waxman
Eshleman	Landrum	Whitehurst
Evans, Colo.	Litton	Wiggins
Evans, Ind.	Lundine	
Fithian	Mineta	

The Clerk announced the following pairs.

Ms. Abzug with Mr. Evans of Indiana.
Mr. Jones of Tennessee with Mr. Andrews of North Carolina.
Mr. Hébert with Mr. Wiggins.
Mr. Badillo with Mr. Heinz.
Mr. Helstoski with Mr. Peyser.
Mr. Byron with Mr. Hansen.
Mr. Chappell with Mr. Eshleman.
Mr. Pepper with Mr. Schneebeli.
Mr. Riegle with Mr. Esch.
Mr. Clay with Mr. Fithian.
Mr. Harkin with Mr. Steelman.
Mr. Conyers with Mr. Steiger of Arizona.
Mr. Howe with Mr. Whitehurst.
Mr. Mineta with Mr. James V. Stanton.
Mr. Risenhoover with Mr. Landrum.
Mr. Thornton with Mr. Alexander.
Mr. Van Deerlin with Mr. O'Hara.
Mr. Dellums with Mr. Karth.
Mr. Hefner with Mr. Evans of Tennessee.
Mr. de la Garza with Mr. Hayes of Indiana.
Mr. Evans of Colorado with Mr. Gude.
Mr. Anderson of California with Mr. Jarman.
Mr. Symington with Mr. du Pont.
Mr. Green with Mr. Hillis.
Mr. Bonker with Mr. Jones of Alabama.
Mr. Hays of Ohio with Mr. Neal.
Ms. Holtzman with Mr. Holland.
Mr. Diggs with Mr. Roncalio.
Mr. Derrick with Mrs. Holt.
Mr. LaFalce with Mr. Santini.
Mr. Lundine with Mrs. Spellman.
Mr. Rooney with Mr. Ullman.
Mr. Waxman with Mrs. Sullivan.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO HAVE UNTIL MIDNIGHT JULY 27, 1976, TO FILE CONFERENCE REPORT ON H.R. 12169

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tomorrow night, July 27, 1976, to file a conference report on the bill (H.R. 12169.)

To amend the Federal Energy Administration Act of 1974 to provide for authorizations of appropriations to the Federal Energy Administration, to extend the duration of authorities under such act, and for other purposes.

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

There was no objection.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

The SPEAKER laid before the House the following communication from the Chairman of the Committee on Public Works and Transportation, which was read and, together with the accompanying papers, referred to the Committee on Appropriations:

WASHINGTON, D.C.,
July 21, 1976.

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

DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959, as amended, the House Committee on Public Works and Transportation approved on June 29, 1976, the following prospectuses:

NEW CONSTRUCTION

Border Station, Alaska Highway, Alaska
U.S. Tax Court, Washington, D.C.

REPAIR AND ALTERATION

Central Heating Plant, Washington, D.C.
West Heating Plant, Washington, D.C.
Customhouse, Chicago, Illinois
Federal Building, Dallas, Texas
Post Office and Courthouse, Boston, Massachusetts
U.S. Customhouse, New Orleans, Louisiana
GSA Supply Deport, Shelby, Ohio
Winder Building, Washington, D.C.

LEASES

Crystal Plaza No. 5, Arlington, Virginia
8060 13th Street, Silver Spring, Maryland
500 N. Capitol Street, Washington, D.C.
800 N. Quincy Street, Arlington, Virginia
201 E. 69th Street, New York, New York
96–05 Horace Harding, New York, New York
Federal Trade Commission, Washington, D.C.

11(b) RESOLUTIONS

Waynesboro, Georgia
Corpus Christi, Texas
Ashland, Kentucky
Chattanooga, Tennessee

The original and one copy of the authorizing resolution are enclosed.

Sincerely,

ROBERT F. JONES.

A LANDMARK VOTE DUE ON NUCLEAR FUEL ASSURANCE

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

Mr. RONCALIO. Mr. Speaker and my colleagues, this week the House will be considering the Nuclear Fuel Assurance Act, H.R. 8401, probably one of the most profoundly important pieces of legislation affecting the future of mankind which we have handled in the history of the House of Representatives, in my opinion.

I present a short item supporting each side.

Proponents will approve the following letter from the counsel for the Uranium Enrichment Associates, proponents of this legislation. Opponents will laud the editorial written by Tom Braden in the Washington Post of July 22, 1976, in support of the amendment to be offered by my colleague from New York (Mr. BINGHAM) to strike the first two sections of the act and permit a Government-owned add-on.

I believe none of is is as well informed as we should be on this legislation. I would prefer that it be remanded to the Joint Committee on Atomic Energy, so that we may engage in the deliberation this matter rightfully requires.

Mr. Speaker, the letter and the Washington Post column follow:

RAGAN & MASON,
Washington, D.C., July 21, 1976.

Hon. TENO RONCALIO,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RONCALIO: As counsel for Uranium Enrichment Associates, one of the companies in support of H.R. 8401, the Nuclear Fuel Assurance Act, we are writing you in connection with that legislation. The bill will reach the floor shortly. Because some statements have been made in writing to various members, undoubtedly in good faith but nevertheless in error, we are taking the liberty of attempting to clarify some of the erroneous conclusions that have been heretofore circulated and rumored. Knowing the value of your time, our remarks are truncated, but we will be glad to elaborate further at any time at your convenience.

1. The proposed legislation does not authorize the private enrichment of uranium; it only authorizes any companies that may be interested to present to the Congress of the United States for its specific approval by a vote of the Congress a Cooperative Working Agreement with ERDA to commence such private enrichment. The bill does not create, we repeat, does not create, a contractual right.

2. While some of the material circulated in opposition makes almost hysterical comments, none of these matters indicates the fact that this legislation was reported by the Joint Atomic Energy Committee by a vote of 15–0, with all committee members from the House of Representatives voting in support of it. Only two Senators were absent, Senators Buckley and Case. Clearly the Joint Committee would not report a bill unanimously that offered dire consequences for the security of the United States.

3. There are no "massive guarantees or hidden costs" built into the bill. The bill does provide that the technology which now belongs solely to the United States, although it is in the hands of private contractors operating the three government-owned enrichment plants, will be guaranteed as to workability. This warranty, a warranty of fitness for purpose, will expire after one year of operation. It is anticipated that the contract will contain contractual obligations only that in the event the private contractor cannot finance or get the plant working the Government may take over and have the advantage of having a plant already substantially constructed.

4. In the case of Uranium Enrichment Associates, there is not a 60% foreign ownership, but there will be a 60% investment by foreigners in a company that is not permitted access to any of the secrets or confidential matters involving uranium enrichment technology This 60% investment attracts funds from abroad and is a "hell or high water" investment. Thus, if the Government takes over the plant it does so for 40% of the cost as distinguished from spending the full 100%. At this point it should be noted that ⅓ of the ERDA contracts are non-U.S. customers.

5. Obviously any arrangements of foreign investments are subject to all the security restrictions that the United States imposes and this was made very clear on page 8 of the Joint Committee Report, No. 94-897.

6. It is stated the Government will have to raise prices on enriched uranium causing higher electric prices everywhere. This is not so. The Government controls over the price of enriched uranium are set forth in the recent ERDA Authorization Act and are subject to the control of the Joint Committee on Atomic Energy.

7. It is said that the single add-on plant that Section 4 of the Act provides will be adequate for our future requirements. We again refer you to the aforementioned Committee Report of the bill at Page 5, which states "six to nine plants of the size compared to any three existing plants" will be required to meet domestic needs by the year 2000. The report continues that as we continue to dominate in the foreign market "nine to twelve similar size plants" will be needed. The report then notes this would add $42 billion to our existing taxpayers costs. The proposed route of privatization not only relieves that burden on the taxpayer, but results in hundreds of millions of dollars in taxes being paid to the Treasury by private sources.

8. It is stated the General Accounting Office has opposed the bill. This is not correct. The GAO opposed a preceding proposal, but has not seen the contracts nor have the contracts yet been presented. There is a misunderstanding of the basis of the GAO position.

9. There have been statements to the effect that the Government will be guaranteeing to UEA a 15% return on its investment. How such a statement can be made when the contracts are not finalized and in fact not yet even public information, is indeed strange. The fact of the matter is there has been no requirement for any such guarantee and the contract will contain no such guarantee.

10. The bill is merely offering an opportunity for private enterprise to demonstrate to the Congress and the Executive Branch whether it is or is not capable of relieving a taxpayer burden.

We sincerely believe failure to support the legislation will preclude yourself of an opportunity of evaluation of what is in the best interest of your taxpaying constituency.

Very truly yours,

WILLIAM F. RAGAN.

[From the Washington Post, July 22, 1976]

THE NUCLEAR EXPORT FIGHT

(By Tom Braden)

The beleaguered Ford administration has been straining hard to push through a bill that would turn the nuclear fuel business—"the biggest ball game in town," as Sen. Howard Baker of Tennessee calls it—over to private industry. A consortium of foreign investors headed up by the oft-investigated Bechtel Corp. is waiting in the wings to reap guaranteed profits from the privatization scheme should the administration's bill—entitled the Nuclear Fuel Assurance Act—pass.

The bill is ostensibly advanced in the interests of guaranteeing that the United States can retain its dominant role in fueling nuclear reactors throughout the world. But it is apparent that we have more than enough potential in our three government-operated uranium enrichment plants and enormous stockpiles to meet these needs, at least through 1985. So what is the bill really about?

The bill is to provide "sweeteners" for the big reactor salesmen's contracts. So now when Bechtel flies into South Africa or Brazil or South Korea to sell nuclear reactors, it can offer these nations, which are struggling to achieve weapons capability, not just the hardware, but also the batteries. The coming glut in enrichment capacity will make fission reactors look all the more attractive.

The administration says its bill promotes "free enterprise" by encouraging competition within private industry. But what with all the elaborate guarantees we'll be handing out to investors—guarantees of access to government stockpiles, guarantees of a market and, finally, guarantees that we'll buy out any failing private enrichment ventures up to the tune of $8 billion—it more resembles cradle-to-grave socialism than any free-enterprise scheme.

What the bill is all about, it would appear, is that Gerald Ford is trying hard to set up a select group of Nixon-Ford administration friends with a lucrative monopoly over the enrichment market while phasing out government participation in the enrichment business.

Mr. Ford claims it is not suitable for the government to be doing a job private industry can handle. So he's pulling out the big guns to shove his proposal through—even though a study by the Congressional Budget Office shows that, once you figure in all the hidden subsidies and out-front guarantees, it will be cheaper for the Feds to hold on to the enrichment market. Mr. Ford has already twisted arms on the less-than-enthusiastic Joint Committee on Atomic Energy (JCAE), threatening to withhold desperately needed government financing for research into his privatization scheme. Rep. John Moss (D-Calif.) is one who made little secret of his contempt for the strong-arm tactics; recently he quit the committee, disgusted.

Beyond the politics and twisted economics of the Ford bill, there are some very genuine proliferation concerns. With this bill, the administration is seeking to promote mass exports of enriched uranium and nuclear hardware by private industry. And can we leave it to multinational corporations like Bechtel to look after the U.S. national interests in this business? Let's look at the record.

It was Bechtel who entered into unauthorized negotiations with the Brazilians—negotiations that were aimed at giving that country "the whole gamut" of nuclear hardware—negotiations that completely undermined State Department efforts to keep the West Germans from selling Brazil the entire nuclear fuel cycle. Bechtel built the reactor that supplied the plutonium for India's atomic blast; Bechtel has also been charged by the Justice Department for cooperating with the Arab nations in their boycott against "Jewish-influenced" firms, and Bechtel is undergoing congressional investigation for alleged falsification of safety data on the Alaska pipeline. Are these the people we want directing our nuclear export program?

There is a strong move on Capitol Hill, led by Rep. Jonathan Bingham (D-N.Y.), to shoot down Mr. Ford's scheme for these reasons and more. The biggest challenge of the bill's opponents, oddly enough, is to show that their opposition grows not out of a Nader-like skepticism of nuclear power per se but rather out of well-founded concern that the Ford giveaway scheme is a nuclear boondoggle to end all nuclear boondoggles. The way the tide was running early this week, it looks as if the JCAE may be in for its first defeat in recent memory, which all leads one to wonder whether the committee might not be secretly pulling for Bingham's side.

LEGISLATION TO AMEND ALASKA NATIVE CLAIMS SETTLEMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Speaker, I am today introducing legislation to prevent a small Alaskan village from being deprived of its rightful entitlement to land under the Alaska Native Claims Settlement Act of 1971 as a result of a legislative oversight.

Last year, Congress passed an omnibus bill amending the Settlement Act to clarify troublesome ambiguities and to resolve certain problems unforeseen in 1971. One provision addressed a complicated problem involving the Native village of Klukwan in southeastern Alaska. Under the Settlement Act, the residents of Klukwan were required to elect either to participate in the act or to opt out and retain the surface and subsurface estate of their former reservation. The reserve's only asset of significant value is a mineral lease negotiated by Chilkat Indian Village, Inc.

Assuming that the interest in the lease would pass to all of them, the Natives of Klukwan voted to retain the reserve. This assumption later proved to be incorrect; the benefits from the lease will continue to accrue only to the members of Chilkat. Although Chilkat's members are shareholders in the village corporation for Klukwan, the reverse is not true. Consequently, 155 Natives of Klukwan faced the prospect of not being able to benefit from either the lease or the Settlement Act.

Congress sought to remedy this inequitable situation in the omnibus bill by reinstating Klukwan as a participant in the Claims Act and providing for Klukwan to select land from lands originally withdrawn for its selection.

Unfortunately, Congress did not realize that the lands in the withdrawal area are either unavailable for selection or totally unsuitable for any productive use. Most of the withdrawal area has been selected by the State of Alaska, and what remains is inaccessible, snow-covered mountains with an average elevation of 5,000 feet. The purpose of the bill I am introducing today is to correct the oversight and provide suitable lands for Klukwan to select.

Under this measure, the Secretary of the Interior would be authorized and directed to withdraw 70,000 acres of land in southeastern Alaska which are of like character and quality to the lands in the Chilkat River Valley, where Klukwan is located. None of the lands withdrawn shall have been selected by or subject to an outstanding nomination for selection by any other Native corporation or be located on Admiralty Island. The Secretary would have 6 months to make his withdrawals and the village corporation would have another year to select its 23,040-acre entitlement from that land.

Prompt congressional action on this legislation is essential because no viable alternatives are left to Klukwan and time is running out for their land selection. Neither the Bureau of Land Management nor the State of Alaska has been able to provide a solution. The Department of the Interior does not have authority under existing law to permit Klukwan to select lands elsewhere and a land swap with the State is unfeasible because of the totally useless land that Klukwan

would have to bargain with. Moreover, time is a key factor because the amended act requires Klukwan to select its land by January 2, 1977.

Congress intended for all eligible Alaska Natives to share in the benefits of the land claims settlement. However, unless Congress acts on this legislation in the current session, the 253 Natives of Klukwan will be deprived of their right to select, use, and develop land which has some economic potential. This is a relatively minor matter with a simple solution, but it is of crucial importance to the people of Klukwan.

I hope the Congress and the executive branch will cooperate to expedite passage of this legislation and thereby insure that the Alaska Natives in Klukwan will receive the benefits to which they are entitled under the Settlement Act.

The bill follows:

H.R. 14850

A bill to amend the Alaska Native Claims Settlement Act to provide for the withdrawal of lands for the Village of Kulkwan, Alaska

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 16(a) of the Alaska Native Claims Settlement Act, is amended by deleting "Klukwan, Southeast."

(b) Section 16(d) of such Act is amended to read as follows:

"(d)(1) Because Congress has determined that there are no lands of suitable character available for selection by the village of Klukwan in the township that enclosed Klukwan or in the townships contiguous to or cornering on such township, the Secretary is authorized and directed to withdraw 70,000 acres of public lands, as defined in section 3 of this Act, in order that the Village Corporation for the village of Klukwan may select 23,040 acres of land. Such Corporation and the shareholders thereof shall otherwise participate fully in the benefits provided by this Act to the same extent as they would have participated had they not elected to acquire title to their former reserve as provided by section 19(b) of this Act: *Provided,* That nothing in this subsection shall affect the existing entitlement of any Regional Corporation to lands pursuant to section 14(h)(8) of this Act: *Provided further,* That the foregoing provisions of this subsection shall not become effective unless and until the Village Corporation for the village of Klukwan shall quitclaim to Chilkat Indian Village, organized under the provisions of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of May 1, 1936 (49 Stat. 1250), all its right, title, and interest in the lands of the reservation defined in and vested by the Act of September 2, 1957 (71 Stat. 596), which lands are hereby conveyed and confirmed to said Chilkat Indian Village in fee simple absolute, free of trust and all restrictions upon alienation, encumbrance, or otherwise: *Provided further,* That the United States and the Village Corporation for the village of Klukwan shall also quitclaim to said Chilkat Indian Village any right or interest they may have in and to income derived from the preservation lands defined in and vested by the act of September 2, 1957 (71 Stat. 597), after the date of enactment of this Act and prior to the date of enactment of this subsection.

"(2) The lands withdrawn by the Secretary pursuant to paragraph (1) of this subsection shall be located in the Southeastern Alaska region and shall be of similar character and comparable value to those of the Chilkat Valley surrounding the village of Klukwan. Such withdrawal shall be made within six months of the date of enactment of this subsection and the Village Corporation for the village of Klukwan shall select, within one year from the time that the withdrawal is made, and be conveyed, 23,040 acres. None of the lands withdrawn by the Secretary for selection by the Village Corporation for the village of Klukwan shall have been selected by, or be subject to an outstanding nomination for selection by, any other Native Corporation organized pursuant to this Act, or located on Admiralty Island."

UNITED STATES MUST LEAD FIGHT TO STOP INTERNATIONAL TERRORISM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. HEINZ) is recognized for 5 minutes.

Mr. HEINZ. Mr. Speaker, on July 4, while many Americans were celebrating the 200th birthday of our freedom, we learned of the successful rescue of the hostages at Entebbe Airport in Uganda.

Having resigned ourselves to the fact that Israel had no other choice but to give in to Arab terrorist demands, we listened to the details of the daring, brilliantly executed rescue of over 100 hostages by the special Israeli commando force.

As daring and successful as the Entebbe incident was, it pointed out to a rather depressing degree the apparent lack of international concern over the growing number of terrorist incidents that threaten the lives of innocent people in the name of politics.

This perverted view of the political process did not seem to greatly bother the Ugandans, who—hypocritically, it turns out—signed the Convention for the Suppression of the Unlawful Seizure of Aircraft sponsored by the United Nations in 1970.

Mr. Speaker, here in the United States we have acted in some measure against those who would condone this kind of terrorism. We have amended the Foreign Assistance Act of 1961 to cut off U.S. economic and military assistance to any country that aids or abets international terrorists.

Yet, this provision would have no affect on countries such as Uganda which receive no American assistance.

Clearly, then, something stronger is needed to make the U.S. position clear to those nations who sponsor international outlaws.

It is for this reason, that I will soon introduce a resolution urging the following: First, that section 602A of the Foreign Assistance Act dealing with prohibition of assistance to countries granting sanctuary to international terrorists be actively enforced; and second, that legislation be introduced invoking economic sanctions such as the elimination of general system of preferences and most-favored-nation status against nations aiding or abetting terrorists.

Only through strict sanctions such as these can we hope to stem the tide of those nations willingly assisting terrorists. Hopefully, other nations whose citizens are equally threatened by acts of international terrorism will take similar action.

At this time, I would also like to commend the following statement by the American Jewish Congress to my colleagues' attention. It advocates a similarly active role by our Government in dealing with air piracy complicity.

The statement follows:

WE CAN STOP AIR PIRACY—IF WE MEAN IT; A STATEMENT BY THE AMERICAN JEWISH CONGRESS

The world was uplifted by the heroic Israeli rescue mission in Uganda on the morning of July 4th. But the safety of international air passengers cannot depend on such extraordinary feats of daring. Once and for all air piracy must be stopped by international action.

It is clear that the United Nations cannot and will not act, dominated as it is by political blocs that include the prime perpetrators of terrorism. Nor can we wait for governments to produce still another meaningless international Convention. Every such treaty adopted thus far has deliberately failed to include any mandatory enforcement provisions.

AIRLINES AND AIR PILOTS CAN ACT

Foreign governments are plainly unwilling to risk political confrontation on the issue of air piracy. But airlines and airline pilots operate outside the constraints of formal diplomacy. Air France can do things that the government of France may not be able to do. Pilots and airlines can demand guarantees of air safety as they have done in the past, without being paralyzed in advance by politics. All that is needed is the will to do so.

There is one way to stop the growing threat to safety in the skies. The private civil aviation community must agree collectively to seal off from air traffic any country whose actions make it an accomplice in the crime of hijacking. The airlines must act together so that no one and no country may reap benefit from air piracy.

Until now the criminals guilty of air kidnapping and the governments that support them and provide them refuge have been allowed to go scot free. Uganda, guilty of complicity in the Air France hijacking, remains an accepted member of the world community, a voting member of the U.N. Not one step has been taken to penalize Uganda or the brutal despot who leads it.

HOW TO END HIJACKING NOW

We propose a course of action that will change this do-nothing policy, that will impose effective penalties—and that can be put into effect at once.

To stop air piracy, we call upon the International Air Transport Association and the International Federation of Airline Pilots Associations to make clear that they no longer will fly to any nation that:

(1) Refuses immediately to return a hijacked plane, its passengers or crew,

(2) Gives haven to those responsible for any hijacking, or

(3) Fails to prosecute or extradite hijack terrorists promptly.

The airlines of the world have repeatedly condemned hijacking. But nothing will happen until they act to put teeth into those declarations. They must act now.

WHAT WASHINGTON CAN DO NOW

Without waiting for the airlines and air pilots to act, our own government can move now to end violence in the air. Legislation is needed that will direct the President to suspend air service to:

(1) Any country used as a base of operations or training or as a sanctuary for terrorists,

(2) Any country that arms, aids or abets terrorist organizations, and

(3) Any country that continues to maintain air traffic with an offending state.

At the same time legislation is needed that will curtail all U.S. economic and military assistance to any nation that encourages, protects, supplies—or fails to take appropriate action against—organizations guilty of air terrorism.

SERVING NOTICE ON AIR TERRORISTS

Such a resolute and publicly announced program, combining action by the private international civil aviation community and by our own government, will not only deter the lawless acts of private persons. It will also serve notice that any country that encourages these acts by condoning them and by offering haven to the guilty will suffer serious penalty.

The brave Israelis who rescued the hostages at Entebbe gave heart to us all. Now we must devise ways to make sure that no one ever again need go to such lengths to protect the lives of innocent victims of air piracy. We must act in concert. And we must act now.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House the gentlewoman from Texas (Ms. JORDAN) is recognized for 5 minutes.

Ms. JORDAN. Mr. Speaker, on July 22, 1976, I was necessarily absent from the floor. Consequently I missed six recorded votes. Had I been present I would have voted as follows:

Roll No.	Issue	House Vote	Jordan Vote
534	Motion to override the President's veto of S. 3201, Public Works and Anti-recessionary Program.	310– 96	Yes
535	Motion to override the President's veto of H.R. 12384, Military Construction Authorization.	270–131	Yes
536	H. Res. 1284, the rule for H.R. 13777, Federal Land Policy and Management Act	393– 0	Yes
537	Amendment to H.R. 13777 seeking to give Congress review and possibly veto powers of only those land withdrawals exceeding 25,000 acres.	191–193	Yes
538	Motion to recommit H.R. 13777	128–198	No
539	Final passage of H.R. 13777	169–155	Yes

GILLIS LONG: NEEDED VOICE ON LATIN AMERICAN POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 5 minutes.

Mr. REUSS. Mr. Speaker, as chairman of the Joint Economic Committee's Subcommittee on Economic Relations with Latin America, Representative GILLIS W. LONG is providing a fresh, new voice for commonsense in our economic relations with that continent. I would like to submit for the RECORD an article from the Kansas City Times of June 19, 1976, about Representative LONG and his efforts in this direction:

NEW LATIN VOICE IN THE HOUSE

(By Virginia Prewett)

Washington—While Secretary of State Kissinger was fence-mending on his just-completed Latin American tour, a new force on Capitol Hill spurred mobilization of the most searching inquiry into U.S.-Latin American relations in decades.

The scene will be the Congress's Joint Economic Committee's subcommittee on Economic Relations with Latin America. The activator is a new subcommittee chairman, Rep. Gillis W. Long, 53, of Louisiana.

Long, a moderate Democrat who works closely with the joint committee's new chairman, Sen. Hubert Humphrey, is a distant relation to the well-known Long political family but is not a part of their dynasty.

The Senate-House Joint Economic Committee is a recognized congressional think-tank and opinion leader.

Long says he means to reactivate the dormant subcommittee on Latin America in the interest of "a vast American farming and manufacturing heartland whose commerce flows into and down the Mississippi River. It starts actually in Western Pennsylvania and includes Michigan and many Midwestern and Southern states that touch the great artery and its tributaries. Even Oklahoma is now connected by a canal." Long's large 8th District in Louisiana sprawls across the Mississippi.

He sees a roller-coaster U.S. interest in Latin America as causing many difficulties.

"We want to try to take many inconsistencies out of our Latin American policies—and to clarify ground rules in hemisphere relations," he said.

Representative Long was very anxious to accompany Secretary Kissinger on his latest Latin American swing, which peaked when Kissinger met hemisphere foreign ministers at the O.A.S. Annual General Assembly in Chile in closed sessions.

But Long was unable to get on Kissinger's plane, which carried no representation from Congress. Named as a delegate observer by House Speaker Carl Albert, Long said he began trying late on June 3, with Kissinger set to leave June 6.

Still, he notes, "this has happened in the past and on many occasions room has been made for members of Congress."

Long says he is not angry or hurt about not being allowed to go, but just wants "to work with all concerned for the resolution of critical impending issues on the U.S.-Latin American agenda."

He added thoughtfully: "Apparently the secretary preferred to take another bureaucrat along rather than a member of Congress. Perhaps this is some indication of the secretary's willingness to co-operate with Congress in the conduct of foreign policy as the Constitution spells out—and perhaps the secretary was unwilling to have Congress watching over his shoulder in Santiago."

Though only a third-termer in Congress, Long is also on the powerful House Rules Committee, which determines the timing and fate of many bills. He often quietly casts a swing vote, breaking ties. Colleagues describe him as a "New Southerner" who adds to his concern for his home district a broad national interest.

In his first term Long served on the Interstate and Foreign Commerce Committee. Named acting chairman of the Joint Economic Committee subgroup last fall, he has familiarized himself with Latin American issues and studied how European nations deal with the Third World.

Long has set two early hearings, called "listening sessions." In Washington on June 28–29 his subcommittee will hear testimony from academic, business and labor leaders as well as diplomats. On July 7–8, at hearings in New Orleans, the self-designated "Gateway to Latin America," he will call businessmen, exporters, manufacturers and farm representatives. Both hearings will deal with the broad political context of present hemisphere relations.

Later the revitalized committee will take up all the heated issues: Trade, commodity prices, transnational corporations, investment policy, the transfer of technology.

Because of his seat on the Rules Committee and background as a lawyer interested in international business and finance, plus awareness of development techniques acquired during a short stint as assistant director of OEO, Long is often consulted on such things as foreign aid and commercial policy by members of the key international relations and banking committees. His new attack on hemisphere problems will redouble the scope of this consultative role.

ACTS ADOPTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA AND TRANSMITTED TO THE SPEAKER JUNE 22 TO JULY 22, 1976

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS) is recognized for 5 minutes.

Mr. DIGGS. Mr. Speaker, the Council of the District of Columbia has adopted a number of acts since last I reported to the House in the CONGRESSIONAL RECORD of June 21, 1976.

The House Committee on the District of Columbia has in its files Council committee reports and copies of acts, if Members desire further information.

The Council acts are listed below:

ACTS ADOPTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, AND WHERE NECESSARY TRANSMITTED TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BETWEEN JUNE 22, 1976, AND JULY 22, 1976

Act 1–131. Election Act Amendments of 1976. Title I, amending the D.C. Election Act (D.C. Code, Title I, Sec. 1101 et seq.); Title II, Conflict of Interest and Disclosure (D.C. Code, Title I, Sec. 1181); Title III, Lobbying (D.C. Code, Title I, Sec. 1171); Title IV, Multilingual Election Materials; Title V, Presidential Preference Primary; Title VI, Enfranchisement of Ex-Felons; Title VII, Constituent Services and Expenditure Limitations; Title VIII, Miscellaneous Provisions (Income and Franchise Tax Act of 1947; D.C. Code, Title 47, Sec. 1567f(a) et al). Adopted by the Council on May 18, 1976. Signed by the Mayor on June 18, 1976. Transmitted to the Speaker on June 21, 1976.

Act 1–132. Aging Act Amendments. To amend the Commission on Aging Act (D.C. Law No. 1–24) regarding needs of the aged and reports and recommendations thereon and to vest appropriate authority in the Mayor and with the Office on Aging. Adopted by the Council on April 20, 1976. Signed by the Mayor on June 18, 1976. Transmitted to the Speaker on June 28, 1976.

Act 1–133. Historic Sites Subdivision

Amendment of 1976. To amend the May 16, 1967, Subdivision Regulations for the District of Columbia (Sec. 7 of Article II, Commissioner's Order No. 67–651a). Adopted by the Council on June 1, 1976. Signed by the Mayor on June 18, 1976. Transmitted to the Speaker on June 22, 1976.

Act 1–134. Prescription Drug Price Information. To permit advertising in each pharmacy of prescription drug prices for most commonly used drugs; prohibit restrictions in advertising of prices and other information; and regulate the substitution of generic equivalent drugs for brand name drugs. Adopted by the Council on May 18, 1976. Signed by the Mayor on June 16, 1976. Transmitted to the Speaker on June 23, 1976.

Act 1–135. License Fees and Charges. To provide additional revenue for the District of Columbia by increasing fees for miscellaneous business licenses; public hospital rates; fees for electrical equipment and services; occupational and professional licenses; public space permits; and corporation fees. Adopted by the Council on April 6, 1976. Signed by the Mayor on June 22, 1976. Transmitted to the Speaker on June 28, 1976.

Act 1–137. Motor Vehicle Inspections. To amend the Motor Vehicle Regulations for the District of Columbia by extending to 30 days the period in which to eliminate deficiencies in vehicles rejected at inspection. Adopted by the Council on June 15, 1976. Signed by the Mayor on July 2, 1976. Transmitted to the Speaker on July 9, 1976.

EMERGENCY AGRICULTURAL RELIEF ACT OF 1976

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 10 minutes.

Mr. KASTENMEIER. Mr. Speaker, I am today introducing the Emergency Agricultural Relief Act of 1976 in response to the most severe drought in the upper Midwest since the 1930's. While I know that it is late in the session, I am hopeful that recognition of the devastating impact of drought conditions in Wisconsin, Minnesota, North Dakota, and South Dakota will encourage speedy action on this legislation.

A substantial number of Wisconsin counties have already been declared disaster areas and it is certain that more will follow. During the worst drought on record, the 1936 drought, Wisconsin received 7.2 inches of rain from April through July. This year, the State has received only 7.91 inches. Recent temperatures in excess of 100 degrees all but destroyed any remaining hope for the corn crop.

What is particularly unusual for Wisconsin is that the three traditional major crops; corn, oats, and hay; are suffering. Generally, if one crop fails or even two, there has been one crop that produced a normal harvest. When the corn crop has failed, farmers could usually count on oats or hay. This year, however, the oat crop will be low with the first hay crop down and for many farmers, no second crop. Corn could have partially salvaged this tragic situation by providing grain and forage that dairymen need. But it now appears that the corn crop too, will fail. Farmers are already slaughtering dairy cattle which could result in reduced milk supplies later in the year. The ripple effect of this may well cause consumers to face higher prices for dairy products in the supermarket.

Hearings held earlier this year by Senator MCGOVERN highlighted present disaster programs as fragmented, uncoordinated and overlapping. Efforts will be made next year to develop permanent legislation to better deal with disasters and this bill is not designed to be permanent. It is designed to deal with the present drought situation by providing the financial assistance which is so urgently needed right now.

This bill contains three titles addressing three areas where Federal assistance is necessary.

The first title would help dairy and beef operators restore foundation livestock herds. It would provide an emergency 90 percent guaranteed loan to restore foundation herds at average 1974–75 levels of like quality and breed. Under its provisions, the Farmers Home Administration would be authorized to subsidize 50 percent of interest payments for the first 2 years with the loan term being 7 years. There is provision for an extension in cases of clear need.

Title II would aid farmers with proven grain losses. Eligibility would require a proven loss of at least one-third of normal crop return and would include all grains plus various crops of hay. These loans would be of the guarantee type as in title I but be limited to $60,000.

Title III would authorize emergency direct loans to farmers who may be forced to abandon farming unless immediate assistance is available. The maximum limit for these loans would be $30,000 and carry 1-percent interest payment over a 10-year term. The bill also provides for a $5,000 forgiveness limit should their areas receive drought designations in 2 of the next 5 years.

Mr. Speaker, I want to emphasize that this is an emergency bill with authority scheduled to expire next year. The bill is designed to address extreme financial hardship which has resulted from drought conditions. This bill will test the commitment of Congress to our farmers who are suffering now and to consumers who will suffer when the impact of reduced food supplies reaches the supermarket.

I include the text of the legislation I am introducing at this point:

H.R. 14854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Agricultural Relief Act of 1976".

TITLE I—LOAN GUARANTEES TO RESTOCK FOUNDATION HERDS

SEC. 101. (a) The Secretary of Agriculture is authorized and directed to provide financial assistance in restocking foundation livestock herds depleted as a result of natural disaster or emergency to bona fide farmers and ranchers (1) who are primarily and directly engaged in agricultural production, (2) who have substantial operations in breeding, raising, fattening, or marketing livestock (3) whose livestock operations are located in areas designated as major disaster or emergency by the President under sections 5121 to 5202 of Title 42, United States Code, or designated as an emergency by the Secretary under section 1961 of Title 7, United States Code, or the Act of September 21, 1959 (73 Stat. 574, as amended) during the calendar year 1976 and, (4) who have been forced to sell off livestock causing a reduction in normally-constituted foundation herds as a result of such major disaster or emergency conditions. In cases of corporations or partnerships, such financial assistance shall be extended only when a majority interest in such corporations or partnerships is held by stockholders or partners who themselves are primarily and directly engaged in such agricultural production. For the purposes of this Title, the term "livestock" shall mean beef cattle, dairy cattle, sheep, and coats and the off-spring, including dairy cattle raised and maintained for the primary purpose of marketing dairy products, and "normally-constituted foundation herd" shall mean the average number of livestocks in the farmer's foundation herd during the three years immediately proceeding calendar year 1976 or, if the farmer has had a livestock operation for less than those three years, during the years in which the farmer has had a livestock operation.

(b) Pursuant to this authorization and direction, the Secretary shall guarantee loans, including both principal and interest, made by any legally organized lending agency to the bona fide farmers and ranchers described in subsection (a) of this section for the purpose of financing the purchase of livestock for restoration of foundation livestock herds, which otherwise meet the purposes and conditions of this Title. As used in this Title, a guaranteed loan is one which is made, held, and serviced by a legally organized lending agency and which is guaranteed by the Secretary hereunder: *Provided,* That the term "legally organized lending agency" shall be deemed to include the Federal Financing Bank only to the extent that such Bank may hold the guaranteed portion of such loans.

(c) No contract guaranteeing any such loan shall require the Secretary to guarantee more than 90 per centum of the principal and interest on such loan.

(d) No fees or charges shall be assessed by the Secretary for any guarantee provided by him under this Title.

(e) Loans guaranteed under this Title shall bear interest at a rate to be agreed on by the lender and borrower.

(f) Loans guaranteed under this Title shall be for the period reasonably required by the needs of the borrower, taking into consideration the security the borrower has available, but not exceeding an original term of seven years. Loans may be renewed for not more than three additional years.

(g) As additional financial assistance, borrowers to whom loans are made that are guaranteed under this Title shall be reimbursed by the Secretary for one-half of the amount of payments made by the borrower during the first two years of the loan repayment period on interest accrued during such period, on submission to the Secretary of proof of such interest payments: *Provided,* That such reimbursements shall not exceed $5,000 for each guaranteed loan.

SEC. 102. As a condition to the Secretary of Agriculture contracting to guarantee a loan under this Title—

(a) The lender shall certify that—

(1) the lender is unwilling to provide credit to the loan applicant in the absence of a guarantee authorized by this Title;

(2) the loan applicant is directly and in good faith engaged in agricultural production, and has a substantial operation in breeding, raising, fattening, or marketing livestock; and

(3) the loan is for the purpose of financing the purchase of livestock, and the loan does not exceed the amount necessary to permit the restoration of the loan applicant's foundation herd to the level of his normally-constituted foundation herd.

(b) The loan applicant shall—

(1) submit data showing (i) that he sold

foundation herd livestock as a result of a major disaster or emergency occurring in 1976, (ii) that such sale reduced his foundation herd to a size smaller than his normally-constituted foundation herd, and (iii) the number of livestock by which the normally-constituted foundation herd was reduced;

(2) certify that he will be unable to obtain financing in the absence of the guarantee authorized by this Title; and

(3) certify that the loaned monies will be used to purchase only livestock of the same or comparable kind and breed that was lost from the normally-constituted foundation herd as a result of the major disaster or emergency.

(c) The Secretary shall make determinations that—

(1) the loan applicant conducted his livestock operation at the time of loss to his normally constituted foundation herd in an area that has been designated by the President under sections 5121 to 5202 of title 42, United States Code, as a major disaster or emergency or by the Secretary under section 1961 of title 7, United States Code, or the Act of September 21, 1959 (73 Stat. 574, as amended) as an emergency during calendar year 1976; and

(2) there is reasonable probability of accomplishing the objectives of this title and repayment of the loan.

SEC. 103. Loans guaranteed under this title shall be secured by collateral adequate to protect the Government's interest, as determined by the Secretary of Agriculture.

SEC. 104. Loans otherwise meeting the purposes and conditions of this title, that contain repayment arrangements by which the borrower is not required to begin repayment of principal until up to two years after the loan is made, shall be eligible for loan guarantees under this title.

SEC. 105. Loan guarantees outstanding under this Title shall not exceed $500,000,000 at any one time.

SEC. 106. (a) Subject to the provisions of section 101(c) of this title, the fund created in section 309 of the Consolidated Farm and Rural Development Act shall be used by the Secretary of Agriculture for the discharge of the obligations of the Secretary under contracts of guarantee made pursuant to this title. Such fund may also be utilized by the Secretary to pay administrative expenses of the Secretary necessary to carry out the provisions of this title.

(b) The Secretary is further authorized to utilize such fund to purchase, on such terms and conditions as he may deem appropriate, the guaranteed portion of any loan made pursuant to this title and to pay such expenses and fees incident to such purchases.

SEC. 107. Contracts of guarantee under this title shall not be included in the totals of the budget of the United States Government and shall be exempt from any general limitation imposed by statute on expenditures and net lending (budget outlays) of the United States.

SEC. 108. Any contract of guarantee executed by the Secretary of Agriculture under this title shall be an obligation supported by the full faith and credit of the United States and incontestable except for fraud or misrepresentation of which the holder had actual knowledge at the time it became a holder.

SEC. 109. The provisions of this title shall become effective on enactment of this Act and the authority to make new guarantees under this title shall terminate on June 30, 1977.

SEC. 110. (a) The provisions of section 310B(d)(6) of the Consolidated Farm and Rural Development Act shall apply to loans guaranteed under this title.

(b) Contracts of guarantee executed pursuant to the provisions of this title shall be fully assignable.

SEC. 111. The Secretary of Agriculture is authorized to issue such regulations as he determines necessary to carry out the provisions of this title. The proposed regulations shall be issued as soon as possible, but in no event later than thirty days from the date of enactment of this Act. Insofar as practicable, the Secretary shall complete action on each loan guarantee within thirty days after its receipt.

TITLE II—OPERATIONAL LOAN GUARANTEES AFTER DISASTER LOSS TO CROPS

SEC. 201. (a) The Secretary of Agriculture is authorized and directed to provide financial assistance for operational expenses in maintaining a farm, to bona fide farmers—

(1) who are primarily and directly engaged in agricultural production, (2) whose farm operations are located in areas designated as major disaster or emergency by the President under sections 5121 to 5202 of title 42, United States Code, or designated as an emergency by the Secretary under section 1961 of title 7, United States Code, or the Act of September 21, 1959 (73 Stat. 574, as amended) during calendar year 1976, and (3) who have suffered a proven loss in the production of grain and hay in 1976, amounting to at least one-third of the normal crop, as a result of such major disaster or emergency conditions. In cases of corporations or partnerships, such financial assistance shall be extended only when a majority interest in such corporations or partnerships is held by stockholders or partners who themselves are primarily and directly engaged in such agricultural production. For the purposes of this title, the term "grain" shall mean corn, wheat, rye, oats, barley, flaxseed, sorghum, soybeans, mixed grain, and any other food grains, feed grains, and oil seeds, the term "hay" shall mean grasses or legumes, or a combination thereof, that are harvested by mowing and cured to be fed as a roughage to livestock, and the term "normal crop" shall mean the average yearly crop of grain and hay produced by the farmer during the five years immediately preceding 1976, but such average shall not include yearly crops produced in a year in which the crop was affected by a major disaster or emergency condition.

(b) Pursuant to this authorization and direction, the Secretary shall guarantee loans, including both principal and interest, made by any legally organized lending agency to the bona fide farmers described in subsection (a) of this section for the purpose of financing the continued operation of their farms, which otherwise meet the purposes and conditions of this title. As used in this title, a guaranteed loan is one which is made, held, and serviced by a legally organized lending agency and which is guaranteed by the Secretary hereunder: *Provided*, That the term "legally organized lending agency" shall be deemed to include the Federal Financing Bank only to the extent that such Bank may hold the guaranteed portion of such loans.

(c) No contract guaranteeing any such loan shall require the Secretary to guarantee more than 90 per centum of the principal and interest on such loans.

(d) No fees or charges shall be assessed by the Secretary for any guarantee provided by him under this title.

(e) Loans guaranteed under this title shall bear interest at a rate to be agreed on by the lender and borrower.

(f) Loans guaranteed under this title shall be for the period reasonably required by the needs of the borrower taking into consideration the securrity the borrower has available, but not exceeding an original term of seven years. Loans may be renewed for not more than three additional years.

(g) As additional financial assistance, borrowers to whom loans are made that are guaranteed under this title shall be reimbursed by the Secretary for one-half of the amounts of payments made by the borrower during the first two years of the loan repayment period on interest accrued during such period, on submission to the Secretary of proof of such interest payments: *Provided*, That such reimbursements shall not exceed $5,000 for each guaranteed loan.

SEC. 202. As a condition to the Secretary of Agriculture contracting to guarantee a loan under this title—

(a) The lender shall certify that—

(1) the lender is unwilling to provide credit to the loan applicant in the absence of a guarantee authorized by this title;

(2) the loan applicant is directly and in good faith engaged in agricultural production;

(3) the loan is for the purpose of financing the farm operation and the loan does not exceed the actual amount of proven loss to crops suffered by the loan applicant as a result of major disaster or emergency conditions occurring in 1976: *Provided*, That principal balance outstanding at any one time on loans guaranteed under this title for any borrower shall not exceed $60,000;

(4) in the case of any loan to refinance the farm operations of a loan applicant (i) the loan and refinancing are absolutely essential in order for the loan applicant to remain in business, (ii) the lending agency would not refinance such loan in the absence of a guarantee, and (iii) the lending agency is not currently refinancing similar loans to others without such guarantees.

(b) The loan applicant shall—

(1) submit data showing (i) the loss in production of grain and hay during 1976 incurred as a result of major disaster or emergency conditions occurring in 1976, and (ii) that as a result of the loss, the total crop of grain and hay that he produced in 1976 amounted to less than two-thirds of his normal crop; and

(2) certify that he will be unable to obtain financing in the absence of any guarantee authorized by this title.

(c) The Secretary shall make determinations that—

(1) the loan applicant conducted his farm operation at the time of the loss to his grain and hay crop in an area that has been designated by the President under sections 5121 to 5202 of Title 42, United States Code, as a major disaster or emergency or by the Secretary under section 1961 of Title 7, United States Code, or the Act of September 21, 1959 (73 Stat. 574, as amended) as an emergency during calendar year 1976; and

(2) there is reasonable probability of accomplishing the objective of this title and repayment of the loan.

SEC. 203. Loans guaranteed under this title shall be secured by collateral adequate to protect the Government's interest, as determined by the Secretary of Agriculture.

SEC. 204. Loan guarantees outstanding under this title shall not exceed $200,000,000 at any one time.

SEC. 205 (a) Subject to the provisions of section 201(c) of this title, the fund created in section 309 of the Consolidated Farm and Rural Development Act shall be used by the Secretary of Agriculture for the discharge of the obligations of the Secretary under contracts of guarantee made pursuant to this title. Such funds may be utilized by the Secretary to pay administrative expenses of the Secretary necessary to carry out the provisions of this title.

(b) The Secretary is further authorized to utilize such fund to purchase, on such terms and conditions as he may deem appropriate, the guaranteed portion of any loan made pursuant to this title and to pay such expenses and fees incident to such purchases.

SEC. 206. Contracts of guarantee under this title shall not be included in the total of the budget of the United States Government and shall be exempt from any general limitation

imposed by statute on expenditures and net lending (budget outlays) of the United States.

SEC. 207. Any contract of guarantee executed by the Secretary of Agriculture under this title shall be an obligation supported by the full faith and credit of the United States and incontestable except for fraud or misrepresentation of which the holder had actual knowledge at the time it became a holder.

SEC. 208. The provisions of this title shall become effective upon enactment of this Act and the authority to make new guarantees under this title shall terminate on June 30, 1977.

SEC. 209. (a) The provisions of section 310B (d) (6) of the Consolidated Farm and Rural Development Act shall apply to loans guaranteed under this title.

(b) Contracts of guarantee executed pursuant to the provisions of this title shall be fully assignable.

SEC. 210. The Secretary of Agriculture is authorized to issue such regulations as he determines necessary to carry out the provisions of this title. The proposed regulations shall be issued as soon as possible, but in no event later than thirty days from the date of enactment of this Act. Insofar as practicable the Secretary shall complete action on each loan guarantee application within thirty days after its receipt.

TITLE III—DIRECT LOANS TO FARMERS IN DISASTER AREAS

SEC. 310. (a) The Secretary of Agriculture shall make loans in any area which has been designated as a major disaster or emergency by the President under sections 5121 to 5202 of title 42, United States Code, or designated as an emergency by the Secretary under section 1961 of title 7, United States Code, or the Act of September 21, 1959 (73 Stat. 574, as amended) on two or more separate occasions since January 1, 1971, to bona fide farmers (1) who are primarily and directly engaged in agricultural production, (2) who at the time of application for a loan under this title hold equitable assets in farm real estate of less than $50,000 and other unencumbered non-real estate assets of less than $25,000, and (3) who can show to the satisfaction of the Secretary (i) that such loans are necessary to the continued existence of their agricultural units, (ii) that the borrowed funds will be fully utilized within one year after the date received, and (iii) that they have experience and resources necessary to assure a reasonable prospect for successful operation with the assistance of such loan.

(b) In cases of corporations or partnerships, loans shall be made under this title only when a majority interest in such corporations or partnerships is held by stockholders or partners who themselves are primarily and directly engaged in such agricultural production and the corporation or partnership meets the other criteria and conditions set out in subsection (a) of this section and this title.

SEC. 302. Loans may be made under this title for (1) paying costs incident to reorganizing the farming system for more profitable operation, (2) purchasing livestock, poultry, and farm equipment, (3) purchasing feed, seed, fertilizer, insecticides, and farm supplies and to meet other essential farm operating expenses, including cash rent, (4) financing land and water development, use, and conservation, (5) refinancing existing indebtedness, and (6) other farm and home needs including but not limited to family subsistence.

SEC. 303. (a) Loans made under this title shall not exceed $30,000 in amount.

(b) The Secretary of Agriculture shall make all loans under this title at a rate of interest of one per centum per annum.

(c) The period for repayment of loans under this title shall be for the time period reasonably required by the needs of the borrower, but for a period not exceeding ten years.

(d) Loans made under this title shall be made upon the full personal liability of the borrower and upon the best security available, as the Secretary may prescribe: *Provided*, That the security is adequate to assure repayment of the loan; except that if such security is not available because of the disaster, the Secretary shall accept as security such collateral as is available, a portion or all of which may have depreciated in value due to the major disasters or emergencies and which in the opinion of the Secretary, together with his confidence in the repayment ability of the loan applicant, is adequate security for the loan.

(e) In the administration of the loan program under this title, in the case of occurrence of two or more separate major disasters or emergencies as designated by the President under sections 5121 to 5202 of Title 42, United States Code, or the Secretary under section 1961 of Title 7, United States Code, or the Act of September 21, 1959 (73 Stat. 574, as amended), that directly affect a borrower's farm operation within the first five years following the making of a loan, the Secretary may cancel the principal of a loan to such borrower except that the total amount so canceled shall not exceed $5,000.

SEC. 204. (a) The Secretary of Agriculture is authorized to utilize the fund created in section 309 of the Consolidated Farm and Rural Development Act for carrying out the purposes of this title.

(b) There are authorized to be appropriated to the fund created in section 309 of the Consolidated Farm and Rural Development Act such additional sums as the Congress shall from time to time determine to be necessary to carry out the purposes of this title.

SEC. 305. The provisions of this title shall become effective upon enactment of this Act and the authority to make new loans under this title shall *terminate* on December 31, 1977.

SEC. 306. The Secretary of Agriculture is authorized to issue such regulations as he determines necessary to carry out the provisions of this title. The proposed regulations shall be issued as soon as possible, but in no event later than thirty days from the date of enactment of this Act. Insofar as practicable, the Secretary shall complete action on each loan application within thirty days of its receipt.

TWO BLACK AFRICANS FACE UNJUST DEATH SENTENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. COTTER) is recognized for 10 minutes.

Mr. COTTER. Mr. Speaker, unless world opinion can prevail upon the Government of South Africa, two young black Africans will be put to death in another tragic chapter of South Africa's repressive military occupation of Namibia.

In 1966, the United Nations withdrew South Africa's mandate over Namibia—Southwest Africa—but the white minority regime in Pretoria clung to their administration of the U.N. trust territory in defiance of the world's recognition that the people of Namibia should be granted independence.

The two condemned men, Aaron Mushimba, 29, and Hendrik Shikongo, 28, are members of SWAPO, the Southwest African People's Organization. SWAPO is recognized by the United Nations as the legitimate representative of the Namibian people.

In an obvious attempt to discredit SWAPO, the South African administration staged a political show trial earlier this year under the so-called "Terrorism Act," which the State Department has described as "repressive legislation." Even if the South African Government had the right to enforce any law in Namibia, this particular statute would be especially pernicious. It permits the indefinite detention of suspects without any specific charges brought against them and without the right to see counsel, family or clergy. If a suspect is subjected to a trial, the law presumes his guilt: the accused, not the state, has the burden of proof. Finally, the law prohibits any act that might "embarrass the administration of the affairs of the state." In other words, free speech is forbidden.

Mushimba and Shikongo were sentenced to death under this law. To say the least, the proceedings against them were irregular according to any civilized concept of law. The Government's evidence in many cases was circumstantial, vague and contradictory. Moreover, it was recently revealed that the prosecution violated the privileged relationship between the accused and their counsel. A partner of the law firm that defended Mushimba and Shikongo regularly leaked documents related to the case to the South African security police.

The state claimed that Mushimba gave a small sum of money, a radio and a vehicle to persons who allegedly advocated the overthrow of South Africa's illegal administration in Namibia. Shikongo allegedly provided transportation for three persons who were implicated in the assassination of a Namibian tribal leader. The assassins were never arrested and their guilt never proven, but in South Africa such details are unimportant.

Lutheran, Anglican, Roman Catholic, and Methodist Church leaders in Namibia have condemned the death sentences and predicted that, if carried out, the executions are "sure to cause new unrest and may lead to the spilling of blood as violence gives birth to violence." The churches have been vocal in their support for Namibian independence. The bishop of the Namibian diocese of Damaraland, the Rt. Rev. Colin Winter, was deported in 1972 because he dared to speak out against the South African Government. His assistant bishop was expelled from the country last year.

Mr. Speaker, I believe we have a responsibility to express our concern to the South African Government and to plead for a commutation of the sentences against Mushimba and Shikongo. I urge my colleagues to join me by cosigning the following letter to the South African State President, N. Diederichs.

I would like to express my thanks to two Lutheran pastors from my district, Burton Strand and David Rinas, who first brought this matter to my attention.

Hon. N. DIEDERICHS,
Residence of the State President,
Pretoria, South Africa.

DEAR MR. PRESIDENT: We, the following members of the United States Congress, respectfully urge you to commute the death sentences against two citizens of Southwest Africa, Aaron Mushimba and Hendrik Shikongo.

Neither Mr. Mushimba nor Mr. Shikongo were accused of direct involvement in ter-

rorist activity. If they are put to death, it will be difficult for world opinion to avoid the conclusion that the lives of these two men were sacrificed in an attempt to discredit the national aspirations of the people of Southwest Africa.

For the sake of humanity and justice, we ask you to investigate their case, now under appeal before the chief justice, and reduce their sentences to a lesser penalty.

Please be assured that we will continue to watch the fate of these men with great interest.

cc: R. F. Botha, South African ambassador to the United States, B. J. Voerster, prime minister of South Africa, J. T. Kruger, South African minister of justice, Sean MacBride, U.N. Commissioner for Namibia.

I also would like to insert a statement released May 14 by Sean MacBride, the United Nations Commissioner for Namibia:

STATEMENT BY SEAN MACBRIDE

The occupation of Namibia by South Africa is illegal under international law. It follows that the purported trial and the sentences imposed by a South African court illegally sitting in Swakopmund in Namibia to try charges brought under the South African Terrorism Act against four Namibian citizens is null, void and illegal.

If the death sentences imposed on Mr. Aaron Mushimba and on Mr. Hendrik Shikonga are carried out, all those directly involved in the executions will be guilty of murder. Those indirectly involved will be guilty of conspiracy to murder. It is well that those involved should clearly understand that they are involved in a criminal enterprise.

The trial itself was staged as a political trial of SWAPO, which is recognized both by the Organization of African Unity and the United Nations as the representatives of the people of Namibia. The purpose of this illegal trial was to try to establish, by innuendoes and by association, that those accused had committed certain acts. The South African Terrorist Act itself is a clear violation of the principles of the Universal Declaration of Human Rights and of the United Nations Convention on Human Rights. This so-called law is truly an act intended to terrorize the people of Namibia and to deter them from asserting their just claim for the liberation of Namibia.

It is desirable that the international community should react firmly and urgently against this further act of aggression and provocation by South African authorities in Namibia. Last year, they were publicly flogging alleged SWAPO sympathizers, now they propose to execute them.

It is of some significance that, while the prime minister of South Africa says that he makes no claim to an inch of Namibian soil and that he is anxious to support a peaceful transfer of power to the people of Namibia, he orders political trials of Namibians by South African courts operating illegally in Namibia. His actions in these matters demonstate the extent of the terror strategems to which he is prepared to resort to defeat the decisions of the United Nations and of the world community.

LUIS MUNOZ MARIN AND GOV. HERNÁNDEZ-COLÓN SPEAK ON 24TH ANNIVERSARY OF COMMONWEALTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Puerto Rico (Mr. BENITEZ) is recognized for 15 minutes.

Mr. BENITEZ. Mr. Speaker, yesterday, July 25, was the 24th anniversary of the founding of Commonwealth status for Puerto Rico. It was and is to this day an imaginative and unfinished venture jointly undertaken by the people of Puerto Rico and the Congress of the United States. The occasion was celebrated in Puerto Rico, in the words of Gov. Hernández-Colón, "with the same enthusiasm and faith that 3 weeks ago we celebrated the 200th anniversary of the founding of the United States of America. For keeping in mind the difference in geographic scale, history and power, Commonwealth Day in Puerto Rico reflects likewise opening new vistas of freedom, self identity and interdependence."

It does so in a world desperately in need of new political structures, approaches and initiatives that may render possible the preservation of eternal values in the face of continuous change.

The present format of Commonwealth needs revision, reformulation and improvement. Ever since 1962 procedures and goals for such modifications have been outlined by Puerto Rican leadership. Such procedures and goals were further identified through congressional and legislative action in 1964 when a joint United States-Puerto Rico Status Commission was appointed. Two years later that Commission recommended a plebiscite on alternatives. In 1967 the people of Puerto Rico held the recommended plebiscite. The improvement of Commonwealth was freely and overwhelmingly endorsed by the electorate over the alternatives of statehood or independence. To this day the majority of Puerto Rico continues to support such improvements.

In September of 1973 a joint commission of 14 members appointed by the President of the United States and the Governor of Puerto Rico was named and charged to formalize the plebiscite recommendations in a legislative proposal. After 2 years of studies, deliberations and hearings, on October 1975 the Joint Commission recommended to the President of the United States and to the Governor of Puerto Rico a proposed new compact of permanent union between Puerto Rico and the United States. That proposal is now before the Subcommittee on Interior and Insular Affairs. As yet there has not been any report from the White House.

The exceptional delay involved in this whole process has created understandable exasperation and bewilderment in Puerto Rico. It has prompted the minorities opposed to Commonwealth to intensify their minority claims. It has even led some advocates of Commonwealth improvements to deride the moroseness of the process and to blame Commonwealth status itself on that account.

This protracted retardation of readjustments and improvements is harmful to Puerto Rico and to the United States. These unfortunate realities give special importance and timeliness to the message on Commonwealth delivered yesterday by the greatest Puerto Rican political figure of this century, don Luis Muñoz Marín. Because of the confusion referred to above, our 78 year old retired, still convalescent leader and founder of Commonwealth, felt it necessary to break his prolonged silence to restate briefly the basic facts pertaining to Commonwealth. Muñoz Marín defended Commonwealth once again underscoring the difference between the reality of Commonwealth and the discontentment with the delays in the implementation of its improvements. I am honored to include in the RECORD the English officials translation of the Muñoz Marín Commonwealth message.

LUIS MUÑOZ MARÍN'S MESSAGE ON THE 24TH ANNIVERSARY OF THE COMMONWEALTH OF PUERTO RICO—JULY 25, 1976

The ultimate goal of Commonwealth status is the maximum autonomy which in time must be achieved by Puerto Rico in its permanent union with the United States.

The proposed new compact with its discussion in Congress are only part of our effort to that purpose, but Commonwealth even in its present form and as it has existed since 1952 is the only solution which allows for survival and for progress in social and economic justice and for the preservation of Puerto Rico's identity and culture.

Since its creation Commonwealth has been the means for great and unquestionable progress for Puerto Rico and for each and every Puerto Rican.

Both statehood and independence are honorable alternatives in theory nevertheless neither is applicable to the particular situation of Puerto Rico and of its people. Statehood among other reasons because it implies a denial of fiscal autonomy and independence among other reasons because it seriously curtails free trade with the United States.

Commonwealth is great in its reality of survival and of unquestionable economic advancement and as the homeland of all Puerto Ricans.

COST OF REGULATION

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, the problems of overregulation by Government agencies are mounting year by year. Harassed businessmen and industrialists find regulation more and more difficult to cope with and to conform to. Members of Congress and the administration repeatedly refer to the problem. Beyond this, little, if anything, is done. The problem is one that will not go away. It will only worsen unless a determined effort is made at the levels where relief is possible.

Laws are enacted with express goals: to improve working conditions, to benefit railroads or railroad workers, to assist home buyers, or any one of hundreds of objectives. When a law goes into effect, it is accompanied by regulations on procedure. These are developed by the agency or department which has jurisdiction over the new law. This is not a one-time process. Government agencies have a way of constantly devising new and added regulations.

Frequently overregulation of business by Government inhibits the main objectives of a law from being reached, and is often counterproductive. The excess of regulations in OSHA is a prime example.

To meet this excess, 75,000 full-time regulators are employed at an annual cost to taxpayers of $3 billion, a cost increase over the past 2 years of 48 percent.

Agencies such as OSHA, ICC, and auto

safety also cost the consumer billions of dollars annually due to increased costs of production. These added costs often outweigh the benefits of regulation, as illustrated with the auto safety interlock systems that many consumers pay to have removed. The result can be multiple costs and no benefit.

Regulations can also reduce the flow of new and better products to the market. The abundance of unnecessary restrictions, paperwork, and detailed requirements force resources to be allocated away from more productive use, such as research on improvements and safety training.

Another danger is that regulations can serve as a barrier to the entry of new firms to a market, thus eliminating competition. Established businesses can be quite supportive of the agencies in this respect.

For other reasons, large corporations sometimes oppose deregulation. Regulatory agencies for specific industries such as the ICC, the FPC, et cetera, may become captives of the industry they are to regulate by appearing to protect the interests of the industry rather than the consumer.

On the other hand, regulatory agencies that cut across all businesses such as OSHA, EPA, CPSC, et cetera, have become captives of public interest groups. Though the value of such agencies may be recognized, they become counterproductive when they neglect the high costs and delays their regulations impose on the consumer.

Well-intentioned regulations often have other adverse effects on the consumer. The last minimum wage increase displaced 300,000 teenagers from the job market, and the Davis-Bacon Act obviously has increased the price of housing.

The limits of agency power can be used in questionable ways. Corporations have been known to pay protection money to avoid being regulated out of business by agencies. This type of activity needs to be investigated.

Congress should reform the regulatory system. Bills have already been proposed to review all regulatory agencies, and to require that benefits of regulations exceed their costs. The prospects for passage are not considered bright. This is unfortunate. The committees of Congress have a way of protecting the agencies they create.

It has been suggested that the OMB and the GAO set up guidelines for cost-benefit analysis. Budgets of agencies whose benefits exceed cost could properly be increased, and those agencies whose costs exceed benefits should be decreased.

To improve the effects of regulation, market incentives should be provided to assist compliance. In the area of pollution control, this could be in the form of discharge permits and effluent fees.

Overregulation is clearly detrimental. There is only limited hope for sensible deregulation. A balanced system of costs and benefits will be easier to obtain; but a sad fact remains. There is little effective work in progress, either in Congress or the administration, to eliminate overregulation.

A BILL TO CONVEY REAL PROPERTY FOR CEMETERY PURPOSES

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, on Monday, July 19, I introduced H.R. 14728 to direct the Secretary of the Interior to convey certain real property of the United States to the city of Niceville, Fla., for use as a cemetery. The property located at Eglin Air Force Base containing 48.59 acres, more or less, was originally a small portion of the Choctawhatchee National Forest. The property is no longer required for military purposes.

The city of Niceville, Fla., is largely surrounded by the Eglin Air Force Base Reservation. The city is in desperate need of land for a cemetery to be operated on a nonprofit basis. The land not in the reservation simply is not available. Every effort has been made to have minimal amounts of land deeded to the city of Niceville by the appropriate Government agency, but to date these efforts have not been successful. Therefore, it appears legislation is the only solution to this problem.

My bill provides for the Secretary of Interior to convey without consideration to the city of Niceville, Fla., the real property described for so long as such real property is used by the city as a cemetery on a nonprofit basis. If the real property conveyed is used other than as a cemetery on a nonprofit basis, title to such real property shall revert to the United States or be compensated for under rules normally accompanying the disposition of surplus Government property.

PROGRESS REPORT ON ANIMAL WELFARE LEGISLATION

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, I would like to take this opportunity to share with my colleagues two of my recent weekly radio broadcasts on the topic of animal welfare. The manner in which a country treats its animals is one test of a nation's character. I commend Congress for the legislation thus far enacted which would encourage more humane treatment of animals. The messages which I am now inserting in the RECORD outline the progress that we have made in animal welfare legislation and indicate those areas where yet more work must be done.

RADIO BROADCAST

(Week of July 19, 1976)

Hello again, this is Jim Hanley talking to you from our Nation's Capitol.

Over the past several months I have received large amounts of mail relating to the subject of animal welfare and the humane treatment of animals. That a country as civilized as ours has often allowed its animal population to be treated brutally should be considered a shame and scandal which requires immediate remedy. I thank you for the petitions and letters I have received relating to the use of animals in research, steel jaw traps, conditions in zoos, and transport of animals. It is reassuring to know that Central New Yorkers support reasonable measures for animal safety and welfare.

Both today and in my radio message next week I would like to speak about some of the legislation currently before Congress, and some recently enacted into law, which deal with the issue of animal welfare.

A bill similar to one which I cosponsored was recently signed into law by President Ford. Entitled the "Animal Welfare Act Amendments of 1976," the legislation increases the protection afforded animals in transit and also attempts to curb animal fights.

Specifically, the bill requires that presently exempt airlines and trucking companies, intermediate handlers, and certain additional dealers be included under regulations ensuring the humane treatment of animals shipped in interstate commerce. The bill also requires the Secretary of Agriculture to establish standards designed to protect all animals against disease, injury, and death while being transported. At present there are inadequate standards for such requirements as ventilation, temperature, food and water. In order to protect the health of both animals and humans, the new law requires that certain animals be examined by an accredited veterinarian to insure that they are free of infection, disease, or physical abnormalities. Finally, the bill makes it a crime to knowingly sponsor an animal fight in which animals are moved in interstate commerce or to use the mails to promote animal fighting ventures. While it is a matter for states and localities to decide on the legality of animal fights, I feel that the Federal Government should use the means at its disposal to discourage such fights.

The conditions found in some of our Nation's zoos are often appalling, yet many of you are fearful of expanding public support for such facilities, as this might turn zoos into research facilities, subjecting the animals to suffering in the name of scientific research. I have held conversations with the sponsors of legislation which would expand the public financing of zoos and aquariums. I have been assured that such fears are based on misinformation. None of the provisions of the proposed legislation would in any way change the purpose of zoos from that of a recreational and educational facility to that of a research laboratory. I strongly support legislation that would ensure that zoos maintain minimum standards for the care of animals and that would provide technical and financial assistance for that purpose.

The issues I have been speaking about today may seem trivial to some listeners.

I must differ, however, and reaffirm my commitment to act in promotion of the welfare of those that are not in a position to protect themselves. Our Nation's large animal population falls in this position of unavoidable helplessness and thereby deserves the attention of even the busiest of legislators. I hope and pray our society will never reach the point where we refuse to devote our time and resources to the protection of a great natural resource, our animal population.

Until next week at this time, this is Jim Hanley saying goodbye from Washington.

RADIO BROADCAST

(Week of July 26, 1976)

Hello once again. This is Jim Hanley speaking from our Nation's Capitol.

Last week at this time I spoke to you about some of the progress that has been made here in Congress towards improving the treatment afforded animals. I discussed improvement of conditions in zoos, better animal transportation, and the curtailment of animal fights. The issues I'd like to discuss this week are substantially more controversial thus your feedback would be most useful and appreciated.

Many who write me are outraged by the unnecessary suffering inflicted upon animals used in both civilian and military research. Scientists can and do use computer simulations and studies using tissue cultures. However, the role of animals in biomedical research cannot yet be completely eliminated. The general position of the research community and of regulatory agencies is that the alternative methods of research are not yet suitable for obtaining all necessary data. Therefore, sensible guidelines and controls are desperately needed. Often experiments are repeated unnecessarily or more animals than required for scientific objectivity are sometimes used. I am cosponsoring legislation which will establish an eleven-member commission to do research and to determine if animals are being subjected to inhumane treatment and pain in laboratories, as well as on farms, in zoos, or in other situations.

The Commission's findings would be reported to the President and to Congress. I feel that there are so many charges and countercharges concerning animal treatment in these various situations that an impartial study group should investigate.

A prime example of a subject the Commission should look into is the controversy surrounding steel jaw traps. I have received much mail from those of you who would like to see such traps outlawed because of the pain they cause trapped animals and because of the hazard they pose to ainmals for whom the traps were not intended. Other letters I receive point out that the steel jaw trap is inexpensive, efficient, reliable, and that its continued use is necessary for predator control, population control, and the livelihood of fur trappers. Hearings have been held on a number of bills relating to the prohibition of steel jaw traps, but no legislative action is expected soon. I personally would favor taking no action until an impartial investigation can be made by a commission such as the one that would be established under my proposal.

Recent estimates that as many as ten thousand dogs and cats are born every hour in the United States demonstrate that the pet population has reached epidemic proportions. The National League of Cities has called dog and cat over-population a threat to health as well as an assault on urban esthetics, a pollutant, and a safety hazard. The magnitude of the problems seems beyond easy remedy but one proposal calls for Federal Government loans for the establishment and construction of municipal low-cost, nonprofit clinics for the spaying and neutering of dogs and cats. My inclination would be to support such a program if it did not involve the creation of a new government boondoggle. However, I would appreciate hearing your viewpoints and am open to any suggestions as to how to deal with this problem.

I thank you for your attention these past two weeks while I discussed animal welfare. As a pet owner and a lover of nature, I find this an interesting aspect of my responsibilities in Congress. While perhaps the manner in which we treat our animals is not an overriding concern of every citizen, it is nevertheless an indication of our Nation's greatness that in urban Washington, D.C. there is time to ponder upon all of God's creatures.

Until this same time next week, this is Jim Hanley saying goodbye from Washington.

REFORM MEASURES URGED TO RESTORE LOW COST, EFFICIENT POSTAL SERVICE

(Mr. ICHORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ICHORD. Mr. Speaker, I am extremely pleased that the House of Representatives recently adopted a resolution urging the U.S. Postal Service to effect a 1-year moratorium on any further service reductions, including the closing of small post offices and even more pleased that the Postal Service has now agreed to indefinitely postpone any further post office closings.

In a similar vein, the Missouri House of Representatives has passed House Resolution 112 which calls for the restoration of the Postal Service as a Government agency. The State representatives also urged Congress to prevent the Postal Service from closing small post offices. As my fellow colleagues know, the cutbacks in rural mail delivery have put undue hardships on those who now have to travel much further for postal services. I hope that Congress will follow the views expressed in Missouri House Resolution 112 and enact stronger reform measures that will restore postal service in this Nation to the low cost, efficient, and effective operation it once was.

The Missouri House resolution follows:

HOUSE RESOLUTION NO. 112

Whereas, the members of the Missouri House of Representatives have learned with great disfavor that the United States Postal Department has plans to close small post offices throughout Missouri and the nation; and

Whereas, it is essential and a constitutional duty that adequate postal service be provided to all citizens of this great nation; and

Whereas, the United States Postal Service plan to close small post offices across Missouri is unjustified and unfair discrimination to citizens who have chosen to live in rural areas of the state; and

Whereas, many senior citizens reside in these areas where the United States Postal Service has proposed post office closings, and it is proper and fitting that the members of the Missouri House of Representatives raise violent objection to this unfair and discriminatory practice that is being suggested to cover up the gross cost inefficiency that exists in the present system;

Now, therefore, be it resolved that the members of the Missouri House of Representatives, Seventhy-eighth General Assembly, Second Regular Session, respectfully request the members of the United States Congress to prevent the United States Postal System from closing post offices that are providing essential services to residents in small and rural communities in Missouri and throughout the nation, and respectfully request the Congress of the United States to consider putting the postal service back under direct congressional control; and

Be it further resolved that the Chief Clerk of the House of Representatives be instructed to send properly inscribed copies of this resolution to Missouri's Congresisonal delegation.

COKE OVEN SAFETY STANDARDS AND WAGE PROTECTION

(Mr. GAYDOS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GAYDOS. Mr. Speaker, presently OSHA is engaged in a very challenging task to promulgate an occupational health standard to protect steelworkers who work on coke ovens. According to Dr. William Lloyd's authoritative study entitled "Lung Cancer Mortality in Allegheny County Coke Plant Workers," employees who work in coke plants are twice as likely to die from lung cancer as employees who work in other areas of steel mills. Employees who work topside on the coke ovens have a sevenfold risk of dying from lung cancer as compared with persons working in other parts of the mill.

A key element of the contemplated standard relates to a medical surveillance program wherein overexposed workers will be removed from the injurious emissions. However, in order that such a medical examination program be effective, the workers must voluntarily agree to be examined. Because the examination could result in removal from the place of exposure and reassignment to another job with a lower pay rate, the need is clearly evident for including wage rate retention in the standard in order to make the examination provisions meaningful.

The steelworkers' presentation on this issue during the rulemaking procedure is, indeed, worthy of study by this body since it indicates another ramification of what is required in order to achieve a comprehensive system of workplace safeguards. The Congress has granted OSHA sufficient latitude to develop occupational health standards which include the right of wage rate retention—a right which is basic if the standard is to achieve its objective.

I insert herewith section VIII, "Removal From the Job Without Penalty," of the United Steelworkers of America's posthearing brief on standard for coke oven emissions.

POSTHEARING BRIEF OF UNITED STEELWORKERS OF AMERICA, AFL–CIO ON STANDARD FOR COKE OVEN EMISSIONS, JUNE 16, 1976

VIII. REMOVAL FROM THE JOB WITHOUT PENALTY

A. Introduction

A very important issue is going to be decided by the Federal Government in these hearings. The Secretary of Labor is going to determine whether or not the steel industry will be allowed—indeed, even required—to punish the disabled victims whom the Occupational Safty and Health Act was meant to protect for having the unmitigated gall to contract lung cancer or other disabling injuries.

OSHA may feel this is unduly strong language. But that is precisely the effect of the Proposed Standard. OSHA's proposal requires employers to remove from coke oven jobs those employees whose health is materially impaired, while OSHA closes its eyes to the devastating employment consequences to the workers so removed. This evasion of responsibility is based on the pronouncement that the impact of removal is a "labor relations" matter—as though removal from the job itself is not a labor relations matter.[107]

Joseph Odorcich put it quite well when he testified during the Inflationary Impact Hearings:

"But even if we assume that small producers will be at a competitive disadvantage, who is there to sympathize with the small children of coke oven workers whose fathers will soon come home telling them that they are being removed from their jobs because OSHA is mandating their removal.

"OSHA, you see, wants only healthy specimens to work on the ovens. Once those healthy specimens are infected, they too must be relegated to the industrial junk heap. When we raise the subject of rate retention, a matter which each of the impartial members of the Advisory Committee voted in

Footnotes at end of article.

favor of, OSHA personnel responded in a variety of ways.

"First, they tell us that rate retention is beyond OSHA's authority. Next, they concede that such a provision would be legal but protest about the practical difficulty of administering it.

"Lately, we get the impression that restrained amusement has taken over—amusement at the thought that we are still seriously urging this proposition. It galls us that the subject of inflationary impact could be given consideration in a hearing virtually set aside to that one subject, when rate retention which would help to encourage greater resort to medical examination is so lightly dismissed.

"OSHA must rid itself of the conservative thinking which leads to the kind of phoney excuses which we have been receiving on rate retention. If that kind of phoney conservative thinking had prevailed during the 1930's we would not have a National Labor Relations Act, or a Social Security Law" (Tr. 4240–4241).

We have been led to believe in the past that OSHA intended to give the matter of rate retention serious consideration in connection with the promulgation of a final coke oven regulation especially since it was anticipated that a more thorough record would be developed on this issue in the coke oven hearings than had been developed in previous hearings. That thorough record has now been developed as we will demonstrate below, and we would respectfully suggest that OSHA have the courage to face up to the issue in connection with this Standard or drop all pretense that removal without penalty is a possibility in some other standard.

We shall set forth below the legal justification for providing removal from the job without loss of earnings. We will then review briefly the fluffy company objections and discuss the Advisory Committee's proposal. Finally, we will suggest that the "can't do" experts have some very serious policy issues to face up to before they decide against removal without penalty.

B. Legal support for removal without penalty

There are a number of sound reasons which support the authority of the Secretary of Labor to insure that workers removed from jobs because of their health suffer no loss of earnings. The principal one which this Union has advanced most frequently is its relation to the medical surveillance program.[108]

Among the Secretary's powers are his authority "to prescribe the type and frequency of medical examinations and other tests which shall be made available, by the employer or at his cost, to employees exposed to such hazards in order to most effectively determine whether the health of such employees is adversely affected by such exposure" (Section 6(b)7). The need to include an effective medical surveillance program in health standards is self-evident. Industry is not legally obligated by the Occupational Safety and Health Act to pre-test chemicals before introducing them into the work place.[109] Thus, employees inevitably risk becoming the innocent victims of non-detection or belated detection of adverse health effects. The sooner that it can be definitely established that an employee's health is in jeopardy from over-exposure to a particular toxic substance, the sooner his employer and society can take meaningful action to arrest the health problem of the particular employee and apply that knowledge to others similarly situated.[110]

However, this important objective of using medical examinations for preventive purposes is frustrated if employees do not take the medical examinations which are offered. Section 6(b)7 of the Occupational Safety and Health Act allows the Secretary to "prescribe the type and frequency of medical examinations or other tests which shall be made available" to employees. It does not empower the Secretary to require employees to take the examinations. The Secretary's proposed regulation recognizes this for it uses the "make available" language.[111]

Thus, one of the objectives of the Act which the Secretary seeks to encourage is the taking of regular medical examinations because of the preventive value associated with such axioms. But the proposed standard will discourage rather than encourage the taking of medical examinations because workers will fear loss of job or earnings. This is not assertion or speculation. It is a fact and there is ample support for it in the record.

Al Lawson of Colorado Fuel & Iron, where medical examinations are voluntary and are not taken on company time, testified as follows:

"Mr. ENGLISH. Are there any reasons other than the fact that it would be on their own time that they don't take those examinations?

"Mr. LAWSON. Because they would be afraid of losing their job or a demotion and loss of earnings so they won't go down there.

"Mr. ENGLISH. Are there, in fact, situations where people have been transferred to lower jobs and lost earnings as a result of conditions which are discovered?

"Mr. LAWSON. Not too much through examination because you don't have that many taking the examinations but through other industrial injuries and illnesses that we do have. We do know for a fact that people won't because there were some individuals that were given examinations and paid for by the union.

"One of these individuals was not working on the battery, however, but in the coal handling, that the union was advised that he should consider employment somewhere else and because of the fact that he would have a loss in earnings and a demotion in seniority if he went somewhere else he is still working in the coal handling products right now." (Tr. 3380-3381).

Indeed, at the present time, there are employees on many of the coke oven batteries who know that they suffer from job related diseases, but will not seek help from company medical staff because they fear that they will lose their jobs or lose earnings. The following exchange with Warren McKenney, a grievance representative from Republic Steel's Warren plant, is illustrative:

"Mr. ENGLISH. Warren, do you have examples at your plant of people whose health gets so bad that they come to you and say they would like to get off the battery, they would like to work someplace else?

Mr. MCKENNEY. Yes, I have. Since I am the committeeman over there in the coke plant, I have known of occasions where men have come to me and have requested working on the battery was hazardous to their health. The only thing that I could possibly suggest to them is to get a slip from their doctor saying that they could no longer work in this type of area. A number of them did.

"Whenever this occurred, these men would report back to the General Foreman and he would in turn tell them, well, this is the only type of work we have for you and your best bet is to report to the Employment Office. In turn, the Employment Manager, especially now that working conditions are bad, economic conditions, he would tell them we have nothing else for you and would place them on layoff.

"Mr. ENGLISH. Do employees simply not raise the issue because of that fact? Do they simply work on the battery even though their health is bad?

"Mr. MCKENNEY. There is one thing about the younger people, they are a different type of animal than the average World War II vet. If he finds out something is going to be injurious to him, he will take his chances on leaving that area and trying to find other work, whether he has responsibilities or not, which may be a good idea.

"Mr. ENGLISH. What about a man who does have a family?

"Mr. MCKENNEY. That is another question. A man with a family in the age group of 35 or 40, he takes another outlook. He will not say well, if you cannot do anything for me, I will try to stick it out, he will say, if you cannot do anything for me, I will try to stick it out until I retire. This is his position, this is what he will try to do." (Tr. 3230–3231.)

Even at Inland Steel, where a system for placement of sick employees in other parts of the mill exists, many employees will simply not go to the medical clinic for examinations when they know there is something wrong with them because of the fear of loss of earnings.

"Mr. ENGLISH. Bobby, do you have any situations where employees come to you and say, 'I am pretty sick. It is kind of hard to take it up here anymore. What is the possibility of my getting a job someplace else in the plant?'

"Mr. TOMPKINS. By me being a grievor to the coke plant, I run across quite a few of those kind of cases.

"Mr. ENGLISH. What usually happens in those situations?

"Mr. TOMPKINS. Most of the time, I go and have a talk with the general foreman. I tell him this man's condition so he tells me the guy has to be cleared through the clinic.

"When I go back and tell the man he has to be cleared through the clinic, he just says forget it because he does not want to lose his job.

"Mr. ENGLISH. What about situations where he does go to the clinic? Are there situations where you can get the fellow off the battery and into a job someplace else?

"Mr. TOMPKINS. We have a pretty good system at plant two coke plant. Most of the time if a guy cannot perform his duties on the oven the supervision finds a place for him around the washroom.

"Mr. ENGLISH. What rate of pay would he be making around the washroom?

"Mr. TOMPKINS. That is a laborer job. That is class two.

"Mr. ENGLISH. What are your job classes for larrycar, pusher, and that kind of job?

"Mr. TOMPKINS. If the guy comes off the larrycar, he is making class 11. If he goes back to labor gang in the washroom, that is class two. That is a nine class difference. If he is on the quencher car, he is class 12. If he goes back to the washroom, that is a ten class job difference.

"If he is on the pusher, it is class 13 and if he goes back to the washroom then he loses 11 classes plus his incentive." (Tr.3015–3017).

Finally, the industry's expert medical witness frankly agreed:

"Mr. ENGLISH. You, of course, were a member of the advisory committee.

"Dr. HALEN. Yes.

"Mr. ENGLISH. On April 7, 1975 which I think was one of the last days that the advisory committee met, it took up the subject of rate retention and seniority protection and tied it into the medical examinations.

"You made this statement on April 7th. I would like to read it to you and ask you if it is still your opinion:

" 'Dr. Bingham, in relation to what you said, I think we have to realize that employees will resist taking medical examinations unless there is some kind of provision for their job security.'

"Do you still hold to that view?

"Dr. HALEN. Yes. There is a point before and after.

"Mr. ENGLISH. There is an awful lot before and after.

"Dr. HALEN. But I think it is very realistic. *If I were an employee, I would resist.* It is a selling job. You have to weigh one risk

Footnotes at end of article.

against the other." (Emphasis supplied) (Tr. 1850–1851).

Thus employees fear that if they voluntarily take medical examinations and something is found to be wrong with them, they may be forced off the battery and there may not be a position for them in the plant.[112] Even if they can find a job in the plant, it will be a lower paying job. Hence, the Secretary's proposal runs counter to the objective of the Act in that it would discourage employees from taking medical examinations. It would heighten their fears because it requires employers to remove disabled employees.[113] The only rational way of furthering the medical examination purpose of the Act is to promote nearly universal, voluntary submission to regular company-supplied examinations by making it clear to the employees covered by the Standard that they need not fear loss of a job or loss of earnings.[114]

C. Company objections

The companies, in their pre-hearing comments, have raised various objections which we shall deal with below.

1. Rate Retention Is a "Labor Relations" Matter

The so-called Minority Report states the objection this way:

"[W]e think the Committee's proposal unreasonably intrudes on labor-management relations. If employees are to be given the kind of seniority and compensation protection envisioned by this recommendation, it should come about through collective bargaining, not as part of an occupational health standard." (Ex. 4, p. 28).

This superficial statement carries no substantive punch in terms of legal rationale. Many agencies become involved in matters which are labor relations matters. For example, the various Civil Rights agencies become deeply embroiled in disputes which are labor relations disputes. The New Pension Reform Act deals in areas which are covered extensively by collective bargaining agreements. The Department of Labor itself administers the Veterans Preference Act and thereby becomes involved in seniority and pay disputes, not to mention the Department's activities in the Fair Labor Standards area.

More importantly, however, nearly every aspect of safety and health is, by virtue of the broad scope of collective bargaining, established by the National Labor Relations Act, a matter appropriate for labor relations. For example, the safety and health clause contained in the current agreement between U.S. Steel Corporation and the United Steelworkers of America covering production and maintenance employees in the Company's four steel divisions[115] contains numerous provisions from which it could be argued that the entire Occupational Safety and Health Act deals with labor relations matters.

Thus, paragraph 14.1 of the agreement provides in part that "[t]he Company shall make reasonable provisions for the safety and health of its employees at the plants during the hours of their employment. The Company, the Union and the employees recognize their obligations and/or rights under existing Federal and State laws with respect to safety and health matters."

Paragraph 14.3 provides in part that where the Company uses toxic materials "it shall inform the affected employees what hazards, if any, are involved and what precaution shall be taken to insure the safety and health of the employees."

Paragraph 14.4 grants the Union certain rights to request air sampling and noise testing.

Paragraph 14.5 of the safety and health clause deals with "protective devices, wearing apparel and equipment."

Paragraph 14.6 gives employees the right to refuse work under conditions which they believe are unsafe or unhealthy and provides for compensation if they are right.

The safety and health clause also establishes joint Safety and Health Committees with broad investigatory powers.

Paragraph 14.12.1 requires newly hired employees to be given safety training.

Paragraph 14.14 allows the International Union to conduct plant inspections under certain conditions.

These provisions obviously have counterparts in the Occupational Safety and Health Act and in regulations promulgated by the Secretary of Labor. In addition, the parties, in their last negotiations, entered into a Memorandum of Understanding on safety and health matters which provides for a Research Program to investigate in part the safety and health of coke oven workers. Epidemiological and other scientific studies can result from this memorandum. Under the Minority Report rationale, one would have to conclude that NIOSH may not operate at all since it, too, would be involved in "labor relations" matters.

The Clairton Agreement, which has been the subject of discussion in these proceedings, sets forth detailed provisions with respect to adequate staffing, engineering controls and work practices. It is a "labor relations" agreement. Yet, the companies would not dare argue that the Secretary is precluded from adopting a specification standard on this basis. Indeed, U.S. Steel supports a specification standard and the industry members of the Advisory Committee proposed one in their so-called Minority Report.

Finally, Republic Steel admitted during the hearings that matters such as adequate shower facilities and lunchrooms were local issues between the Union and the Company and were matters over which the Union could strike (Tr. 4867–8). OSHA will certainly not decline to regulate in this area on the basis that "labor relations" are involved.

Thus, the mere fact that rate retention is a subject of collective bargaining does not in any way detract from the concurrent authority of the Secretary in this area.

2. Coverage by various benefit provisions

A number of companies have indicated that the Secretary should not be too concerned about rate retention since various contractual protections exist for employees removed from the job. Listed as possibilities are pensions, workmen's compensation, supplemental unemployment benefits and an earnings protection program (AISI Pre-Hearing Brief, p. 32). The companies apparently concede that none of these provisions provides full protection. Indeed, in a sense, it is outrageous for AISI to make such an argument since a number of their member companies have invested so heavily in attorney's fees to fight workmen's compensation cases. If the AISI's statement is meant as a joint commitment on the part of the steel companies that the earnings protection program applies in these situations, it will certainly be news to the many coke oven workers who are, as the record indicates, now being paid at job class 2 and not at some percentage of a higher rate.

None of these programs, valuable as they are, detracts from the fact that removal from the job involves loss of earnings or loss of a job entirely and none of it detracts from the testimony of the Union witnesses quoted above to the effect that employees fear this loss and accordingly are reluctant to take medical examinations.

3. Disincentive To Remove Employees From the job

The "disincentive" argument is interesting. We recognize that employers would prefer not to remove employees from the workplace if it will cost them money.[116] On the other side of the ledger, we suspect that employers will try to remove employees they do not like if they feel they can get away with it by using the proposed mandatory removal section as a shield.

It is for these reasons that the Coke Oven Advisory Committee suggested that both the decision to remove an employee and the decision not to remove an employee be subject to review in certain limited situations. Essentially the method of review is through the selection of an independent physician by the company and employee physicians.

The peculiar circumstances of the steel industry bargaining relationship with the Steelworkers makes such an approach totally appropriate.

The Steel Companies and the Steelworkers have long had a practice of resolving various types of medical disputes through the intervention of a neutral physician.[117] The use of such neutral physicians cancels out any disincentive to remove the employee. If the Company fails to remove an employee who should be removed, the neutral physician will accomplish the removal.

D. Advisory Committee Recommendation

The Advisory Committee gave this matter very careful consideration and advanced a fairly sophisticated proposal which we will briefly describe. The provisions is entitled "Miscellaneous Provisions Dealing With Medical Surveillance" and it requires every employer to make a determination, on the basis of its physician's written opinion, whether the employee's health "or functional capacity would be materially impaired by continued exposure to coke oven emissions." Thus far, the proposal is essentially the same as the proposed Standard. At this point, however, the deviations begin.

Under the Advisory Committee's recommendation, in order to protect against arbitrary employer decisions on this subject, a written opinion from the physician is required which must include a summary of all relevant tests that were relied upon by the physician and specific reasons supporting the determination. The employee and the employee's physician is supplied with a copy. The employee may challenge the company's written opinion if his own physician disagrees and says so in writing. The employee needs the written opinion of a physician to effect a challenge. The challenge of the employee's physician may be to the finding of material impairment of health or to the finding of no material impairment of health. In either event, if disagreement between the two physicians persists, they shall jointly select a third neutral physician whose decision shall be binding on the company and the employee. In the event the result is removal of the employee from the job, provision is made that such removal shall not result in loss of earning or seniority status.

There are a number of advantages to this approach. First, it provides for dispute settlement through a mechanism familiar to the company and the union.[118] Second, it should eliminate most of the enforcement difficulties OSHA would otherwise be faced with without such a dispute settlement mechanism. Note, for example, that even under the proposed Standard, there would presumably be access to OSHA by employees who felt that they were arbitrarily removed from the job by virtue of the OSHA Regulation. Third, and most important, such a procedure would encourage full employee participation and cooperation in the medical examination program.[119]

Given these advantages and given the sophisticated nature of the relationship between the parties and the extensive record developed on the subject, it is difficult to understand why OSHA does not promulgate such a provision. If OSHA feels that such a provision is unlawful, it should say so clearly and unequivocally so that the matter may be tested in court. It should not rely upon hazy concepts of "discretion." The observations of Dr. Bingham during the Secretary's hearing are particularly apt:

"Mr. ENGLISH. Thank you, Dr. Bingham.

"Another proposal or recommendation of

Footnote at end of article.

the Advisory Committee dealt with the question of the treatment of employees who's health would be impaired by the continued working on the coke oven battery.

"The Advisory Committee made a recommendation that such individuals be removed with no loss of earnings or seniority.

"I wonder if you might indicate your present views on that subject. I believe you voted in favor of it.

"Dr. BINGHAM. I think this has really very large ramifications in terms of the whole Occupational Safety and Health Act.

"My own view is, and it is my own view, but I believe it was shared by many people on the Advisory Committee, the spirit of the Occupational Safety and Health Act is to truly protect the health of the worker.

"I have been indoctrinated with the point of view that it is impossible to have a comprehensive health program in an industry without providing for physical examinations and surveillance of the workers.

"If a worker is afraid to take a physical examination, if he is afraid to find out that something is wrong with him, then the purpose of the Act is negated.

"I have heard it said that there is a question about the legality of this. *If there is a legal question I think we should put something like this on the books and have it tested in court.* If we have to go back and make the Act specific, we should do so.

"It is to me an impossible situation for a worker to be afraid to take a physical examination because he is going to lose the job that he uses to feed his family. It is unbelievable." (Tr. 1092–3) (emphasis added).

E. Summary of part VIII

President Abel observed in his statement which was submitted on December 15, 1975:

"But even if we clean up coke ovens very quickly, we will still be left with living martyrs to the industrial process. Many of these martyrs are still working on coke oven batteries and should not be there. Their already impaired health is further injured every day they work in jobs which expose them to more coke oven emissions. OSHA should protect them by providing for their removal from the coke oven jobs with rate retention" (Tr. 2662–3).

OSHA is faced with a very important decision in this area. In effect, it must fish or cut bait—issue the type of Regulation proposed by the Advisory Committee or admit to itself and the labor management community which watches its actions that has no intention of ever acting on this area.

If it declines to follow the Advisory Committee approach, OSHA must realize that in so doing, it is writing off any chance for a meaningful medical surveillance program. In the Steel Industry, coke workers are sophisticated and they communicate well with each other. The word will spread quickly: "Don't take the OSHA medical exam. You may lose your job." Regardless of the "selling job" which is attempted (Tr. 1851), workers will know that the consequences of their taking the medical examination may be loss of their job or loss of earnings. Many of them, undoubtedly those who need the medical examination the most, will decide that it is more important to support their families than take care of their health.

Moreover, OSHA must recognize the full impact of such a proposal from a moral point of view. As Dr. Lloyd observed, "I am terribly concerned about this particular problem. I do not think we have gained for the workers if we go in and say, 'there is a cancer hazard here and we are going to protect you and put you out of work.' I do not think we have done anything for him."[120]

This Regulation is being written in the context of an election campaign. One of the themes of many of the candidates which has caught fire is a concern that the government in Washington has lost touch with the people and that government regulations are burdensome and counter-productive. "Middle America" is not concerned about alleged over-regulation of industry. Middle Americans are concerned that new regulations will affect their jobs. Regulations such as this one "protect the worker" by adversely affecting his paycheck.

Instead of punishing sick workers, OSHA should effectuate one of the purposes of the Act—encouraging medical exams—by insuring that workers will not be penalized for taking such exams.

FOOTNOTES

[107] Even the Council on Wage and Price Stability is not this callous. In answer to a question with respect to its suggestion that all employees be removed after five years, the Council indicated that it felt that rate retention or a buyout bonus of some kind would be needed (Tr. 4531).

[108] Indeed, the Advisory Committee's recommendation for rate retention was included in the Medical Surveillance portion of that Committee's recommendation.

[109] "It is estimated that every 20 minutes a new and potentially toxic chemical is introduced into industry. New processes and new sources of industry present occupational health problems of unprecedented complexity." (Senator Williams during November 16, 1970 debate on Occupational Safety & Health Act.) See also statement of Assistant Secretary of Labor, Corn, before the House Subcommittee on Government Operations on Toxic Substances, May 12, 1975.

[110] Indeed, as we discuss in Part IX below, the Secretary is urged to include sputum cytology and urinary cytology in the medical surveillance section because of the early detection advantages they afford in relation to more conventional but belated detection devices such as x-rays.

[111] Even if the Secretary had the power to mandate medical examinations, employees forced to take them against their will and fearful that their job status might be jeopardized are likely to be uncooperative in the examination process. This lack of cooperation could take various forms, including attempts to supply sputum and urine samples of other persons.

[112] It may be argued that the Secretary need not go to these lengths to encourage the taking of medical examinations because some companies "mandate" such examinations today. There are numerous responses to such a rationale. First, there is no evidence that all companies do. Indeed it is interesting that no company in its objections to removal without penalty has asserted that it has a legal right to require such periodic examinations. Further, to the extent that such a program is "mandatory," there is no indication that disciplinary action has ever occurred if an employee refused to take the exam. Rather, what exists is a feeling on the part of some workers that the exams must be taken. OSHA must recognize, however, that if it mandates removal from the job and does not protect against loss of earnings, this Union, at all levels, will do everything within its power to make sure that its members are advised of the potential consequences of taking such examination. While we believe strongly that employees should take medical examinations because of the early detection value they offer, we also believe we must insure that our members make such decisions on the basis of all of the facts.

[113] The fact that OSHA requires those employees who refuse to take the medical examination to sign a statement indicating that they have been informed of the purpose and scope of the medical examination will not encourage any further utilization of the medical examination program. Such statements will not have any effect in deflecting the intense kinds of fear described by the Union witnesses above. On the other hand, if the statement informs the employee that he will not lose earnings as a result of taking the exam, fewer workers will sign the refusal statement and more will take the exam.

[114] We shall pass over any detailed discussion of other legal bases for the Secretary's authority to establish removal without penalty. We will simply list a few of them.

First, if the Secretary has, as he asserts he has, the authority to mandate an employee's removal from a particular job, by parity of reasoning, he must have the authority to protect that employee from any adverse employment effects resulting from the removal he mandated.

Second, employees have the right, pursuant to Section 6(b)7 to take the medical examinations made available to them pursuant to the Secretary's exercise of his authority under that section. Any removal of an employee from a job because of his exercise of that right with a resultant loss of job or earnings is itself discrimination pursuant to Section 11(c)(1) of the Act.

[115] Ex. 61–A, Sec. 14. The language in the U.S. Steel Agreement is similar to the language contained in the other agreements with the other steel companies who are, of course, the other major coke producers.

[116] The "disincentive" argument is an implicit recognition that company physicians who are required to make the critical evaluations of every employee's health under the proposed Regulation will be susceptible to pressure from their employer. In light of this pressure, it seems difficult to justify granting company physicians broad discretion on what medical examinations should be utilized. (See discussion in Part IX below.)

[117] See, for example, Dr. Halen's comment in the Advisory Committee proceedings on May 21, 1975 that it exists in steel in the pension area, as well as discussion between Dr. Halen and Director Odorcich at the same session (Advisory Committee Transcript, May 21, 1975, p. 323–4). On a more general scale, every student of labor law knows that the importance of the arbitral process in labor relations was clearly established by the Supreme Court in a series of three cases called the "Steelworkers Trilogy." *Steelworkers v. American Manufacturing Co.*, 363 U.S. 564 (1960); *Steelworkers v. Enterprise Wheel & Car*, 363 U.S. 593 (1960); *Steelworkers v. Warrior & Gulf Navigation Co.*, 363 U.S. 574 (1960).

[118] See footnote 117 above. The same dispute settlement would be available to an employee who is not represented by a union or who is represented by a union other than the Steelworkers. The other principal union representing coke oven employees, the Oil, Chemical and Atomic Workers, has already voiced its support for the Advisory Committee approach on this subject (Tr. 613–5).

[119] The Advisory Committee approach would not entail any significant cost to the companies. It is, of course, impossible to tell precisely how many coke oven employees would be immediately affected by it. Presumably, that number would be greater in the first few years and would lessen thereafter. As the companies have noted, there are benefit systems which exist and currently provide partial protection in this area. Indeed, one such program is contained in the Consent Decree entered into between federal civil rights agencies, the Union and the Steel Industry, *United States v. Allegheny-Ludlum Indus., Inc.*, 8 FEP Cases 198 (N.D. Ala., 1974). Under the Consent Decree, job opportunities have been broadened and all employees, black and white, male and female, enjoy some measure of rate retention upon transfer from one seniority unit to another. Finally, it should be noted that coke plants are normally associated with large steel mills and accordingly job openings should be more frequent than they might be in some plants covered by OSHA regulations.

[120] Proceedingof Advisory Committee, May 21, 1975, p. 328.

AUTO EMISSION TEST CORRECTED

(Mr. DINGELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DINGELL. Mr. Speaker, California Governor Brown has contacted Members of the House with a paper that is both misleading and erroneous regarding automobile emission tests recently conducted in his State on a prototype car.

At this point in the RECORD, I submit my response on the matter which I have shared with my colleagues. It is important the record on those emission tests be set straight prior to action on the pending Clean Air Act Amendments of 1976, H.R. 10498.

The Dingell response follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 23, 1976.

AUTO EMISSIONS

DEAR COLLEAGUE: I am sure that each of you has received a letter from Governor Jerry Brown of California touting the 1977 four-cylinder test Volvo which allegedly met Federal statutory standards with its three-way catalyst emission control system. Based on some very erroneous conclusions from one set of vehicle tests, Governor Brown would have us vote into law even more stringent standards than are currently in the House bill.

As you know, Representative Jim Broyhill and myself will be offering an amendment to the Clean Air Act Amendment, H.R. 10498, which balances the needs of fuel economy and cost to the consumer with the continued improvement in air quality resulting from replacement of older, dirtier cars. *There is nothing in the Volvo test development which compels any change in our Dingell-Broyhill (Train) auto emission control amendment.*

The arguments advanced by Governor Brown in his July 6th letter are contradicted by the data itself. For example:

1. *The four-cylinder Volvo could not have passed the EPA's Federal test requirements for the 1978 statutory standards.* The final numbers levels of NOx on the durability car, for instance, did not fall within the limits of 0.4 gpm, grams per mile). The car went 0.4 NOx gpm on five of the 5,000 mile tests required of a durability car. The NOx number reported in Governor Brown's letter is a calculation extrapolated from cars measured at only 4,000 miles. In addition, the durability car went above 3.4 gpm CO on the Federal statutory level on at least five occasions, according to Volvo test lab data.

2. *The fuel economy gain of 10 percent that the Governor claims was achieved by Volvo, is exaggerated in its inference.* Actually, such gain was in comparison to a 1976 Volvo without a catalyst of any kind. The addition of an oxygen catalyst in 1975 and 1976 brought even more dramatic fuel economies to domestic cars. Volvo's 22 miles per gallon noted by the Governor (actually, according to the California Air Resources Board "fact sheet," only 21.6 mpg) in 1977 is exceeded by a number of comparable domestic 1976 automobiles. *Volvo's gain was simply a catchup to where they could have been a year earlier.*

3. The CARB conclusion that rhodium supplies are adequate is based on using catalyst compositions quite different from that in the Volvo catalyst. CARB is banking on meeting the durability requirements with much lighter loadings of rhodium. The basic fact in the case is that three-way catalyst durability at this time seems to be a function of the loading of rhodium, i.e., heavier loadings give adequate durability. Rhodium supplies are very limited. One of the two principal rhodium suppliers had told CARB that it would be capable of supplying rhodium for heavier loadings during the initial stages of its use, "but thereafter the ratio will have to revert to the mine ration." Mine ratio of rhodium to platinum is approximately 1 to 18; the Volvo catalyst loading is in the range of 1 to 5, or almost four times heavier.

4. While development work in the industry, both foreign and domestic, goes forward on carburetors, the test Volvo which meets the 1977 California standards uses fuel injection, an admitted expensive and highly sophisticated system. It is in fact a system that many automakers have not added to their engine fleets due to the extremely high cost which would have to be borne by the consumers. It also is a system upon which there has been only limited field testing and is not technically ready or practicable for mass production at this time. Also, contrary to the CARB "fact sheet," it *flies in the face of reason* to assume at this time that expensive hardware will not be required to make three-way catalyst systems work. The Volvo's base price alone is $6,500.

I am concerned at the misleading information contained in the CARB "fact sheet." The comparison of a four-cylinder Volvo with an "average" car in Governor Brown's CARB "fact sheet," is obviously intended only to be misleading. A comparison with four-cylinder cars would have shown how specious is the fuel economy comparison.

The "fact sheet" assumes a number of engineering developments which, while being actively pursued by both foreign and domestic manufacturers, have yet to be proven. Legislation based on engineering-by-hypothesis involves great risk of unemployment and economic dislocation whenever the hypothesis fails.

In sum, Governor Brown's arguments are not persuasive. I am attaching a July, 1976 article from *Ward's Auto World*, "Volvo California Coup Put Into Context" by Douglas Williams, which does much to illuminate the issue. I think you will find it interesting reading.

Once again, in closing, let me urge your support for the balanced environmental, energy conservation and consumer oriented Dingell-Broyhill (Train) amendment which will be offered on the House Floor probably within the next week or so.

Sincerely yours,

JOHN D. DINGELL,
Member of Congress.

Enclosures.

[From Ward's Auto World, July 1976]

VOLVO'S CALIFORNIA COUP PUT INTO CONTEXT

(Quinn wanted to use us as a political tool to pressure Congress on Federal standards.)

(By Douglas Williams)

For four days in June, the California Air Resources Board (CARB) grabbed the world's attention by announcing that a 1977 Volvo had come through California's rigid emission testing practically free of air pollution.

The thrust of the message, timed for delivery on the Saturday that began Memorial Day weekend and on the eve of new Congressional hearings in Washington covering the controversial 1978 federal emission standards, was this: A foreign automaker apparently had snatched the lead and accomplished what U.S. automakers had said was impossible.

The implication was that if Volvo, a strangely reluctant participant in the California affair, could do it, why not everyone else?

The official word, broadcast and published widely over the weekend, was that Volvo had made a "startling new breakthrough" in reducing emissions to meet California's 1977 standards. Simultaneously the Swedish automaker had cut emissions to below the '78 federal levels—those coming under full-dress review in Washington the following week—and for good measure the system raised fuel economy by 10%.

In a flaming blaze of rhetoric, CARB Chairman A. Thomas Quinn termed the Volvo advance "the most significant breakthrough ever achieved" in cleaning up automotive emissions.

Was his timing a bold attempt to influence Washington? Volvo thinks so. "Quinn wanted to use us as a political tool to pressure Congress from easing off on the federal standards," says a Volvo spokesman. "We don't align ourselves with Mr. Quinn at all." Indeed, Volvo continues to side with the rest of the industry in seeking less stringent 1978 federal standards "until adequate scientific data has been compiled."

That's because Volvo, while obviously delighted with its California gold-strike, fully knows that its accomplishment loses some of its luster when it's put into logical perspective—an exercise Mr. Quinn chose to ignore.

In a style reminiscent of Ralph Nader's, weekend broadsides of the late 1960s. Mr. Quinn nevertheless got his publicity mileage. By the following . . . a yeteran backer of stringent emissions standards, was saying that "if Volvo can do it now (for California's 1977 standards), Detroit should be able to do it by then (1978 federal standards)."

When the dust settled later in the week, Volvo's breakthrough began to look less and less startling, and the implications of its technology less and less immediately meaningful to U.S. automakers. Here's why:

Only one engine—a 4-cylinder powerplant in the Volvo 240 series—met California's '77 standards. In contrast, "we have dozens of engine and transmission combinations to worry about," says Howard P. Freers, chief powertrain and chassis engineer at Ford Motor Co.

The Volvo engine that scored the breakthrough is equipped with "constant fuel injection," an expensive apparatus that can be blended into higher priced, low-income (10,000-a-year sales) cars such as the $6,300–$7,500 range of Volvo 240 cars in question, but would add dearly to, say, a $3,000 Ford Pinto—from $300 to $400.

Key to the Volvo system is a three-way catalytic converter designed by Engelhard Industries Inc. in which the platinum and paladium used to speed chemical change in carbon monoxide (CO) and hydrocarbons (HC) are supplemented with rhodium to do the same things for oxides of nitrogen (NOx). Combined with a "black box" and an oxygen sensor at the manifold to regulate the air/fuel mixture in the fuel injection system, the device in 50,000 miles of testing kept the 4-cylinder Volvo emissions down to .2 grams per mile (gpm) HC, 2.8 gpm CO and .17 gpm NOx—all well within the '77 California and '78 federal standards. But here's the catch: rhodium, a by-product of platinum, is rare. Ford's Mr. Freers estimates the platinum/rhodium ratio "in nature" is 19-to-1; in extracting rhodium for refining, that ratio drops to 3-to-1 or 5-to-1, he calculates. General Motors Corp. says there are not enough known rhodium reserves to produce one year's supply for GM cars if GM were to switch to rhodium catalysts. And another Detroit source emphasizes that even if all automakers adopted fuel injection systems, it would take several years to meet the demand.

The California 50,000-mile test uses average emissions over the full run. Thus, at times the engine can spew out pollutants above the average levels and that's exactly what happened in several instances during the California tests, Volvo confirms. Federal law doesn't permit averaging, allowable emissions aren't to exceed the standards at any time over 50,000 miles.

Finally, the Volvo system requires chang-

ing the oxygen sensor in the exhaust system every 15,000 miles at a cost approximating $20. Detroit's automakers are reluctant to put that burden on car owners, just as they've so cautiously—and rather responsibly—avoided asking for an owner maintenance change of the converter at 25,000 miles. The reasoning is that few motorists are likely to be happy about laying out dollars for maintenance that demonstrably does nothing to make the car run better.

Thus Volvo's achievement—and Detroit admits it is indeed significant—loses something when all of the qualifiers are put into context.

The three-way converters have been talked about in the auto industry for at least five years. Added to the low level of production Volvo is planning, the hardware—while producing admittedly striking emissions numbers—looks more like a logical next step than a "startling breakthrough."

The Quinn announcement even took the EPA by surprise, not the least of which was a statement by the Californian that the federal agency was suppressing its testing data.

Eric O. Stork, EPA deputy administrator and top auto regulator, says Mr. Quinn's charge that the EPA was holding back information about the Volvo engine is "unadulterated garbage . . . unadulterated hogwash.

"I respond with some degree of outrage. I never have and never will suppress data," he says.

"Prior to public announcement of (the new model) such information is a trade secret," Mr. Stork says. "We are not free to reveal Volvo's plans. In this case it was a pretty open secret," he adds.

Further, there are some questions about possible hydrogen cyanide emissions from the three-way catalyst. The EPA wanted to be sure there were not any health problems connected with such unregulated pollutants before accepting the engine.

Mr. Stork says EPA has "argued all along the (three-way catalytic) converter has significant potential. Volvo's achievement is not unexpected. We are delighted. Nevertheless, industry-wide adoption cannot be accomplished in the next couple of years."

Asked about the relationship between the EPA and CARB, Mr. Stork observes: "I think basically we have a good collegial relationship with the CARB insofar as technical matters go. But it's quite clear that the EPA operates in a different political and sociological atmosphere." CARB is "not constrained" by the federal administrative procedures act—a very formal and deliberate rule-making process, he says. While Mr. Stork is "not intimately familiar" with the laws concerning the CARB, it's clear the California agency has "far greater legal freedom than the EPA has."

As the facts behind the CARB pronouncement became increasingly visible, the original announcement looked substantially overblown indeed.

Perhaps the best way to consider the affair is this: a shining example of government/automotive/air pollution decision-making as drama.

Central actor in the play is Tom Quinn, the 32-year-old son of a former Los Angeles deputy mayor, one time news reporter, and campaign manager for Jerry Brown in his successful runs for secretary of the state and governor of California.

Named to head CARB in January 1975, Mr. Quinn is almost an exact opposite of the man he replaced: Dr. A. J. Haagen-Smit. While Mr. Quinn is abrasive, hard-charging and willing to bend facts for political hay—consider the case in point—Dr. Haagen-Smit, in his middle 70s, is witty, polite, and takes a self-effacing stance.

Dr. Haagen-Smit was, and remains, a technical expert—he was the man who first tagged the auto for its role in photochemical smog more than two decades back—while Mr. Quinn has a minimal technical background.

But in the words of one auto executive: "Our engineers don't try to kid him."

Apparently Mr. Quinn has no qualms about kidding the public, however.

[From the San Diego Union, May 9, 1976]

CAR DEALERS HEAR PROGRESS REPORT—CALIFORNIA WINNING BATTLE ON AUTO SMOG, OFFICIAL SAYS

(By Dick Applegate)

We are winning the battle against automotive-caused air pollution but the trend is not in the right direction with respect to stationary sources, according to Tom Quinn, California's Air Resources Board chairman.

Speaking to new car dealers at the recent spring business conference of the Motor Car Dealers Association of Southern California (MCDASC) in Palm Desert, Quinn called it an outrage that the Southern California Air Pollution Control District has failed to enforce certain air pollution regulations against oil companies, adding, "while San Diego enforces its air pollution laws, the air pollution control district in Los Angeles doesn't bother.

"The total pollution load in the Los Angeles Basin in 1980 will be close to what it is now," he said, "with cars contributing to about half. We expect that by 1985, autos will be about 30–40 per cent of the problem."

Cars now cause only 32 per cent of the smog in the San Diego area, according to a report from the San Diego Air Quality Planning Team.

Last year, Quinn was a great concern to car dealers who worried about how his decisions would affect car sales. This year, the MCDASC endorsed him. Their president, Theodore Robins, Jr., told his fellow dealers, "We are now able to take a more positive approach. We have a product that not only are we selling today, but in this coming year . . . a much better car in the area of fuel economy and a much cleaner car air-wise."

John Cooper, recent past president, said that the ARB did not back off its avowed intent to maintain higher standards than the rest of the country for 1977, but "what was achieved was a successful compromise by a change in testing procedures and by working harmoniously with the manufacturers to assist them in meeting the standards on an average car basis.

"It took a lot of know-how on Tom Quinn's—and the ARB staff's—part, to satisfy their own charter for clean air in California and at the same time, meet the economic realities as the situation dictated."

The United Auto Workers also endorsed Quinn. Virgil Collins, UAW representative for eight western states, said, "We'd like to state categorically that Mr. Quinn and the ARB have been able to arrive at a satisfactory solution that all of us can live with."

Quinn, soft-spoken and quick to smile, announced a goal that the state and its ARB share with the dealers, manufacturers, and United Auto Workers, "and that is to have more cars sold. There's no doubt that if people go out and buy new cars, we are going to go a long way towards cleaning up the air in California and get those old clunkers off the road. I think we have all learned that retrofitting programs are not effective."

He added that the 1977 cars will be substantially cleaner than the 1976 models, saying, "We're going to be achieving cleaner cars and they'll also be the best cars sold in California, with drivability and fuel economy. Fuel economy on a weight-to-weight basis, will be better than precontrolled cars, so it indicates the manufacturers are substantially improving their systems and are coming out with first-rate vehicles."

Quinn ackowledged that the cost of emission control equipment for the '77 California models will mean, for some auto manufacturers, price increases averaging around $50. However, General Motors says their cost will only increase approximately $5.

Regarding the fuel economy disparity between California cars and those in the other 49 states, Quinn admitted that there is close to a 10 per cent penalty in this state, but added that next year, that penalty will be less than half of what it is now.

"Our tests from all manufacturers indicate a fuel economy disparity of about 3 per cent (for 1977 cars) so the gap is narrowing," said Quinn. "The 1977 California cars will have fuel economy better than the 1976 federal cars despite substantially tougher standards in California."

General Motors has disputed that statement. Gary Dickinson, GM's assistant director of automotive emission control, told us that their '77 models will average a 12 per cent penalty in fuel economy over their 1977 cars sold in the other 49 states.

"We have achieved about a two to three miles per gallon gain in our '77 models because they are 'down-sized' cars," Dickinson said. "We would have had a 10 per cent gain, federally, in fuel economy due to weight reductions, but 5 per cent of that was lost due to tighter federal controls on oxides of nitrogen (NOX)."

Asked if it was in California car owners' best interest to go from a 94 to a 97 percent control of emissions, with the attendant increase in the use of fuel in this state compared to the 49 states, Quinn replied, "There is no single step you can pick in the air-pollution field that's going to clean up air pollution in the L.A. Basin and parts of the Bay area."

"If you want to get rid of smog, there are several things you have to do: (1) You have to take all cars off the road (2) Shut down all of your power generation, (3) Shut down all the oil refineries. But nobody in sound mind is going to advocate any of these steps. So what you're looking at is a lot of small individual steps and we have to compare one step against the other to decide which to take.

"We use the standard measure of cost effectiveness based on the cost-per-pound-control. We compare, for example, action we might take in regard to a stationary source and determine how much it will cost to control one pound of hydrocarbons, one pound of NOX, compared to vehicle strategy. On that basis, the 1977 standards will cost us between 70 to 77 cents-a-pound-control (hydrocarbons plus NOX)."

"Most of the other control strategies we've had in the past cost substantially more than that. 1974 standards cost well over $1.50 per-pound-control, and the '75 standards about $1.75 per-pound-control. 1977 standards are more cost effective than any we've had for a long time . . . more so than any major program we have left.

"The fact is, we're going to have half as many hydrocarbons from '77 cars as from '76 cars. That's certainly going to make a major difference in terms of L.A. smog.

COULD HAVE WAITED?

"Could we have waited to 1978? That's always a question of judgment. It was our judgment that technology was available to make the cars cleaner in 1977 at very minimal cost with a minor fuel penalty, if any, and with better drivability and fuel efficiency than 1976 cars. Test results now are showing that judgment to be correct."

PERSONAL EXPLANATION

(Mr. MIKVA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIKVA. Mr. Speaker, I was absent from the floor of the House for a short time on Thursday, July 22, 1976, while I was attending a meeting. As a result, I was not present for the vote on

rollcall 536, the rule providing for consideration of H.R. 13777, the Federal Land Policy and Management Act of 1976. Had I been present, I would have voted "aye" on rollcall 536.

Due to a delay in my scheduled flight from Chicago this morning, I was not present for the vote on the Smith substitute to H.R. 7743, the Pennsylvania Avenue Development Act and the vote on final passage of the bill. Had I been present, I would have voted "nay" on the Smith substitute and "yea" on final passage.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PEPPER (at the request of Mr. O'NEILL), for today, on account of illness in the family.

Mr. HELSTOSKI (at the request of Mr. O'NEILL), for an indefinite period, on account of official business.

Mr. JEFFORDS (at the request of Mr. RHODES), for today from 12 o'clock noon to 4 p.m., on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HYDE), to revise and extend their remarks, and to include extraneous matter:)

Mrs. HECKLER of Massachusetts, for 5 minutes, today.

Mr. YOUNG of Alaska, for 5 minutes, today.

Mr. HEINZ, for 5 minutes, today.

(The following Members (at the request of Mr. SIMON) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Ms. JORDAN, for 5 minutes, today.

Mr. REUSS, for 5 minutes, today.

Mr. DIGGS, for 5 minutes, today.

Mr. KASTENMEIER, for 10 minutes, today.

Mr. COTTER, for 10 minutes, today.

Mr. VANIK, for 10 minutes, today.

Mr. BENITEZ, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GAYDOS, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,001.

Mr. DINGELL, to extend his remarks in the RECORD notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $644.

Mr. RONCALIO, and to include extraneous matter, on H.R. 7743 in the Committee of the Whole today.

(The following Members (at the request of Mr. HYDE) and to include extraneous matter:)

Mr. MCCLOSKEY.

Mr. SARASIN.

Mr. ARCHER in two instances.

Mr. FINDLEY in three instances.

Mr. DU PONT.

Mr. LAGOMARSINO.

Mr. YOUNG of Alaska.

Mr. COLLINS of Texas in two instances.

Mr. TALCOTT.

Mr. DERWINSKI in two instances.

Mr. MICHEL in four instances.

Mr. BELL.

(The following Members (at the request of Mr. SIMON) and to include extraneous material:)

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in three instances.

Mr. DRINAN in three instances.

Mr. BOWEN.

Mr. NEAL.

Mr. GAYDOS.

Mr. TEAGUE in two instances.

Mr. DIGGS.

Mr. SYMINGTON.

Mr. DINGELL in three instances.

Mr. EILBERG.

Mr. BONKER.

Mr. MAGUIRE in two instances.

Mr. EVINS of Tennessee in five instances.

Mr. ROGERS in five instances.

Mr. RANGEL.

Mr. MCDONALD in four instances.

Mr. FITHIAN.

Mr. WEAVER.

Mr. HARRIS.

Mr. SIMON.

Mr. EDGAR.

Mr. LEGGETT in two instances.

Mr. MOAKLEY.

Mr. CONYERS.

Mr. BINGHAM in 10 instances.

Mr. WAXMAN.

Mr. VANIK.

Mr. FAUNTROY in five instances.

Mr. PHILLIP BURTON in five instances.

Mr. NOLAN.

Mr. LEHMAN.

Mr. O'NEILL in two instances.

Mr. DOWNEY of New York.

Mr. DODD.

Mr. MURPHY of Illinois.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 495. An act to establish certain Federal agencies, effect certain reorganizations of the Federal Government, and to implement certain reforms in the operation of the Federal Government recommended by the Senate Select Committee on Presidential Campaign Activities, and for other purposes, to the Committee on the Judiciary, Rules and Official Conduct.

S. 3369. An act to amend the Small Business Act to increase the authorization for certain small business loan programs; to the Committee on Small Business.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMPSON, from the Committee on House Administration, reported that that committee did on July 22, 1976 present to the President, for his approval, bills of the House of the following title:

H.R. 11504. An act to amend section 502 of the Merchant Marine Act, 1936;

H.R. 13308. An act to amend the Federal Aviation Act of 1958 to extend the authority of the Secretary of Transportation with respect to war risk insurance; and

H.R. 14331. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1977, and for other purposes.

ADJOURNMENT

Mr. SIMON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 27, 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:

3684. A letter from the Assistant Secretary of the Interior, transmitting a report on the preliminary investigation of the causes and extent of damage to the foundations of historic structures at the San Juan National Historic Site, Puerto Rico, pursuant to section 403 of Public Law 93-477; to the Committee on Interior and Insular Affairs.

3685. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket Nos. 102 and 345, *Papago Tribe of Arizona, Plaintiff* v. *The United States of America, Defendant*, pursuant to section 21 of the Indian Claims Commission Act; to the Committee on Interior and Insular Affairs.

3686. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a copy of Presidential Determination No. TQ-1, finding that it is in the national interest of the United States to sell up to $5 million of agricultural commodities to Portugal under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, pursuant to section 103(d)(3) of the act; to the Committee on International Relations.

3687. A letter from the Assistant Secretary of State for Congressional Relations, transmitting reports on political contributions made by Ambassadors-designate Stephen Low and Ignacio E. Lozano, Jr., and their families, pursuant to section 6 of Public Law 93-126; to the Committee on International Relations.

3688. 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.

3689. A letter from the Chairman, Federal Power Commission, transmitting a copy of a map entitled "Major Extra High Voltage Transmission Lines, December 31, 1975"; to the Committee on Interstate and Foreign Commerce.

3690. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204 (d) of the Immigration and Nationality Act, as amended [8 U.S.C. 1154(d)]; to the Committee on the Judiciary.

3691. A letter from the Deputy Assistant Secretary of the Army (Civil Works), transmitting the annual report covering calendar

year 1975 on the status of cooperation agreements for water resource projects, pursuant to section 221(e) of Public Law 91–611; to the Committee on Public Works and Transportation.

3692. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July 1975 to April 1976, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Small Business.

RECEIVED FROM THE COMPTROLLER GENERAL

3693. A letter from the Comptroller General of the United States, transmitting a report on the Department of Labor's preparation and approval of comprehensive manpower plans under title I of the Comprehensive Employment and Training Act of 1973; jointly, to the Committees on Government Operations, and Education and Labor.

3694. A letter from the Comptroller General of the United States, transmitting a report on improvements needed to insure that Consumer Product Safety Commission safety requirements are followed and enforced; jointly, to the Committees on Government Operations, and Interstate and Foreign Commerce.

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 July 22, 1976 the following report was filed on July 23, 1976.*]

Mr. FLYNT: Committee on Standards of Official Conduct. House Resolution 1421. A resolution relative to the investigation of a complaint against Representative ROBERT L. F. SIKES (Rept. No. 94–1364). Referred to the House Calendar.

[*Pursuant to the order of the House on July 22, 1976, the following report was filed on July 23, 1976.*]

Mr. FOLEY: Committee on Agriculture. H.R. 14566. A bill to enable freestone peach growers to finance a nationally coordinated research and education program to improve their competitive position and expand their markets for peaches (Rept. No. 94–1365). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted July 26, 1976*]

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 14071. A bill to regulate interstate commerce with respect to parimutuel wagering on horseracing, to maintain the stability of the horseracing industry, and for other purposes; with an amendment (Rept. No. 94–1366). Referred to the Committee of the Whole House on the State of the Union.

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. BLOUIN (for himself, Mr. BENNETT, Mr. HARRIS, Mr. JENRETTE, Mr. WIRTH, and Mr. FITHIAN):

H.R. 14842. A bill to provide for the regular review of certain Federal agencies and for the abolition of such agencies after such review unless Congress specifically provides for their continued existence; to the Committee on Government Operations.

By Mr. DON H. CLAUSEN:

H.R. 14843. A bill to authorize appropriations for purposes of making certain grants under the Indian Elementary and Secondary Assistance Act, the Elementary and Secondary Education Act of 1965 and the Adult Education Act; to the Committee on Education and Labor.

By Mr. ULLMAN:

H.R. 14844. A bill to revise the estate and gift tax laws of the United States; to the Committee on Ways and Means.

By Mr. EVINS of Tennessee (for himself, Mr. CONTE, Mr. BAFALIS, Mr. BEVILL, Mr. CEDERBERG, Mr. COCHRAN, Mr. COLLINS of Texas, Mr. CONLAN, Mr. DEVINE, Mr. DUNCAN of Tennessee, Mr. GUYER, Mr. JOHNSON of Pennsylvania, Mr. JOHNSON of Colorado, Mr. KEMP, Mr. MILLER of Ohio, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. MOTTL, Mr. NOLAN, Mr. SEIBERLING, Mr. STEPHENS, Mr. THONE, Mr. TRAXLER, Mr. WALSH, and Mr. CHARLES WILSON of Texas) (by request):

H.R. 14845. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

By Mr. ICHORD:

H.R. 14846. A bill to authorize certain construction at military installations and for other purposes; to the Committee on Armed Services.

By Mr. NIX (for himself and Mr. COUGHLIN):

H.R. 14847. A bill to provide for the issuance of a commemorative postage stamp in honor of Dr. Martin Luther King, Jr.; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H.R. 14848. A bill to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 5 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury; to the Committee on Banking, Currency and Housing.

By Mr. THOMPSON:

H.R. 14849. A bill to require an employer which assumes the ownership or operation of a business to honor the terms and conditions of a collective bargaining contract; to the Committee on Education and Labor.

By Mr. YOUNG of Alaska:

H.R. 14850. A bill to amend the Alaska Native Claims Settlement Act to provide for the withdrawal of lands for the Village of Klukwan, Alaska; to the Committee on Interior and Insular Affairs.

By Mr. BELL (for himself and Mr. LITTON):

H.R. 14851. A bill to authorize the Secretary of the Treasury to reimburse State and local law enforcement agencies for assistance provided at the request of the U.S. Secret Service; to the Committee on the Judiciary.

By Mr. CARNEY:

H.R. 14852. A bill to amend title 5, United States Code, to provide that any Federal employee retiring with accrued sick leave shall be entitled to elect to receive payment for such leave (in lieu of having such leave used in determining his retirement annuity); to the Committee on Post Office and Civil Service.

By Mr. ECKHARDT:

H.R. 14853. A bill to study certain lands for suitability for preservation as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. KASTENMEIER (for himself and Mr. OBEY):

H.R. 14854. A bill to provide emergency loans and loan guarantees to farmers adversely affected by major disaster or emergency conditions occuring in 1976, and for other purposes; to the Committee on Agriculture.

By Mr. KEMP:

H.R. 14855. A bill to amend the Internal Revenue Code of 1954 to require the Internal Revenue Service to audit all income tax returns made by Members of Congress; to the Committee on Ways and Means.

By Mr. KEMP (for himself and Mr. HYDE):

H.R. 14856. A bill to prescribe the conditions with respect to affirmative action programs required of Federal grantees and contractors in complying with nondiscrimination programs, to prescribe the necessary requirements for a finding of discrimination in certain actions brought on the basis of discrimination in employment and to prescribe reasonable limits on the collection of data relating to race, color, religion, sex, or national origin, and for other purposes; jointly to the Committees on the Judiciary, and Education and Labor.

By Ms. KEYS:

H.R. 14857. A bill to exempt from Federal income taxation certain nonprofit corporations all of whose members are tax-exempt credit unions; to the Committee on Ways and Means.

By Mr. LEHMAN:

H.R. 14858. A bill to provide grants for preschool educational programs for migratory children; to the Committee on Education and Labor.

By Mr. MOAKLEY (for himself and Mr. LITTON):

H.R. 14859. A bill to establish within the Energy Research and Development Administration a program of Federal grants to assist States in carrying out solar energy community utility programs; to the Committee on Banking, Currency and Housing.

By Mr. MOLLOHAN (for himself, Mr. HALL of Illinois, and Mr. PATTERSON of California):

H.R. 14860. 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. STEIGER of Wisconsin (for himself, and Mr. GINN):

H.R. 14861. A bill to provide for certain payments to be made to local governments by the Secretary of the Interior based upon the amount of certain public lands within the boundaries of the locality; jointly, to the Committees on Interior and Insular Affairs, and Merchant Marine and Fisheries.

By Mrs. SULLIVAN (for herself, Mr. BIAGGI, Mr. DU PONT, Mr. DOWNING of Virginia, Mr. MURPHY of New York, Mr. JONES of North Carolina, Mr. STUDDS, Mr. DE LUGO, Mr. EILBERG, Mr. AUCOIN, Mr. PATTERSON of California, Mr. OBERSTAR, Mr. YOUNG of Alaska, Mr. BAUMAN, Mr. EMERY, and Mr. RUPPE):

H.R. 14862. A bill to provide a comprehensive system of liability and compensation for oil spill damage and removal costs, and for other purposes; jointly to the Committees on Merchant Marine and Fisheries, and Public Works and Transportation.

By Mr. ASPIN:

H.J. Res. 1032. A resolution to authorize and request the President to issue a proclamation designating the week of October 17, 1976, as "National Credit Union Week"; to the Committee on Post Office and Civil Service.

By Mr. NEDZI:

H. Con. Res. 688. A resolution authorizing printing of the folder "The United States Capitol" as a House Document; to the Committee on House Administration.

By Mr. KETCHUM (for himself, Mr. ARCHER, Mr. BONKER, Mr. BROWN of California, Mr. BUCHANAN, Ms. CHISHOLM, Mr. COLLINS of Texas, Mr. COTTER, Mr. EMERY, Mr. FASCELL, Mr. FLOWERS, Mr. FRENZEL, Mr. FREY, Mr.

GUDE, Mr. HAGEDORN, Mr. HELSTOSKI, Mr. HICKS, Mr. HYDE, Mr. JOHNSON of California, Mr. KASTEN, Mr. KEMP, Mr. MARTIN, Mr. MCCLOSKEY, Mr. MCCOLLISTER, and Mr. MCKINNEY):

H. Res. 1422. A resolution to amend rule XXII of the Rules of the House of Representatives to remove the limitation on the number of Members who may introduce jointly any bill, memorial, or resolution; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

435. By the SPEAKER: A memorial of the Assembly of the State of New York, relative to Fort Wadsworth, Staten Island, N.Y.; to the Committee on Interior and Insular Affairs.

436. Also, a memorial of the Assembly of the State of New York, relative to water pollution along the shore of Long Island; to the Committee on Public Works and Transportation.

437. Also, a memorial of the Assembly of the State of New York, relative to imports of clothing items; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOUIN:

H.R. 14863. A bill for the relief of Raymond W. Quillin; to the Committee on the Judiciary.

By Mr. BROOKS:

H.R. 14864. A bill to authorize Senior Master Sergeant James S. Augeri, U.S. Air Force, retired, to accept employment with the Government of Saudi Arabia; to the Committee on International Relations.

By Mr. SHRIVER:

H.R. 14865. A bill for the relief of Raymond C. Owens; 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:

525. By Mr. OTTINGER: Petition of members of the General Foods Employees Credit Union, White Plains, N.Y., relative to the Credit Union Financial Institutions Act Amendments of 1975; to the Committee on Banking, Currency and Housing.

526. By the SPEAKER: Petition of the Jamaican Overseas Council, Inc., Brooklyn, N.Y., relative to communism in Jamaica; to the Committee on International Relations.

527. Also, petition of Robert Y. Barnett, Joliet, Ill., relative to redress of grievances; to the Committee on the Judiciary.

528. Also, petition of Robert A. Clogher, Englewood, N.J., relative to commemorating the signing of the Declaration of Independence; to the Committee on Post Office and Civil Service.

529. Also, petition of Robert B. Watson, Ashland, Ky., relative to investigations of the assassinations of Dr. Martin Luther King, Jr., and President John F. Kennedy; to the Committee on Rules.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 11656

By Mr. HORTON:

(Amendment to the Judiciary Committee amendment.)

Page 3, strike lines 3 through 9 and insert:

"(2) the term 'meeting' means a gathering to jointly conduct or dispose of agency business by two or more, but at least the number of individual agency members required to take action on behalf of the agency, but does not include gatherings required or permitted by subsection (d); and"

Page 3, line 17, strike the period and add: ", *Provided, however,* That this subsection shall not apply to any agency that is responsible for the formulation and implementation of national monetary policy or the regulation of financial institutions except to the extent that meetings of such agency result in the joint conduct or disposition of matters set forth in the following provisions of law: The Truth in Lending Act (82 Stat. 146, 15 U.S.C. 1601 et seq.), as amended; the Fair Credit Reporting Act (84 Stat. 1127, 15 U.S.C. 1681–1681t); the Fair Credit Billing Act (88 Stat. 1511, 15 U.S.C. 1666–1666j); the Equal Credit Opportunity Act (88 Stat. 1521, 15 U.S.C. 1691–1691e), as amended; the Magnuson-Moss Warranty-Federal Trade Commission Improvement Act (88 Stat. 2193, 15 U.S.C. 41 et seq.); the Home Mortgage Disclosure Act of 1975 (89 Stat. 1124, 12 U.S.C. 2801 et seq.); the Consumer Leasing Act of 1976 (90 Stat. 257, 15 U.S.C. 1667–1667e); the Fair Housing Act (82 Stat. 81, 42 U.S.C. 3601 et seq.)."

On page 9, line 23 through page 11, line 2, strike subsection (f)(1) and insert the following:

"(f)(1) For every meeting closed pursuant to paragraphs (1) through (10) of subsection (c), the General Counsel or chief legal officer of the agency shall publicly certify that, in his opinion, the meeting may be closed to the public and shall state the relevant exemptive provision. A copy of such certification, together with a statement from the presiding officer of the meeting setting forth the date, time and place of the meeting, the persons present, the generic subject matter of the discussion at the meeting, and the actions taken, shall be incorporated into minutes retained by the agency."

On page 13, lines 2 and 3, strike "a transcript or electronic recording" and insert "the minutes".

On page 13, line 10, strike "transcript or electronic recording" and insert "minutes".

On page 15, lines 1 and 2, strike "transcripts or electronic recordings" and insert "minutes".

On page 15, lines 4 and 5, strike "transcripts and electronic recordings" and insert "minutes".

On page 15, line 13, strike "transcripts or electronic recordings" and insert 'minutes".

On page 10, line 3, strike "paragraph" and insert "paragraphs 9(A) or" preceding "(10)".

H.R. 13550

By Mr. LEVITAS:

Page 137, line 1, insert "(1)" immediately before "The", and insert immediately below line 6, the following:

"(2) Any rule or regulation prescribed under paragraph (1) may by resolution of either House of Congress be disapproved, in whole or in part, if such resolution of disapproval is adopted not later than the end of the first period of 60 calendar days when Congress is in session (whether or not continuous) which period begins on the date such rule or regulation is finally adopted by the Secretary adopting same. The Secretary adopting such rule or regulation shall transmit such rule or regulation to each House of Congress immediately upon its final adoption. Upon adoption of such a resolution of disapproval by either House of Congress, such rule or regulation, or part thereof, as the case may be, shall cease to be in effect.

"(3) Congressional inaction on or rejection of a resolution of disapproval shall not be deemed an expression of approval of such rule."

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 July 22, 1976, page 23551:

H.R. 14521. June 23, 1976. Judiciary. Amends the Speedy Trial Act of 1974 to exclude specified authorized periods of delay from computation of the time limits for commencement of criminal trials.

H.R. 14522. June 23, 1976. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to establish a National Diabetes Advisory Board to insure the implementation of a long range plan to combat diabetes. Authorizes the Secretary to make grants to scientists who have shown productivity in diabetes research for the purpose of continuing such research. Authorizes, under the Public Health Service Act, the appropriation of specified sums for the purposes of making grants to centers for research and training in diabetic related disorders.

H.R. 14523. June 23, 1976. Education and Labor. Provides, under the Occupational Safety and Health Act of 1970, that whenever an employer's failure to comply with any provision of that Act or any State requirement relating to industrial safety causes or contributes to an accident resulting in bodily injury, no provision of any workers' compensation law or similar statute shall be construed to bar an action at law for contribution, indemnification, or other relief against the employer by a person alleged liable for such injury.

H.R. 14524. June 23, 1976. Interior and Insular Affairs. Designates speciel lands in the following national forests as components of the National Wilderness Preservation System: (1) Umatilla National Forest, Washington and Oregon; (2) Inyo and Sequoia National Forests, California; (3) Coronado National Forest, Arizona; (4) Tongass National Forest, New Mexico; (5) Wasatch and Uinta National Forests, Utah; (6) Cibola National Forest, New Mexico; (7) Los Padres National Forest, California; (8) Mendocino National Forest, California; (9) Angeles and San Bernardino National Forests, California; (10) Willamette National Forest, Oregon.

Directs the Secretary of Agriculture to review the suitability of designating as wilderness other specified National Forest System lands.

H.R. 14525. June 23, 1976. Judiciary. Permits the transportation, mailing, and broadcasting of advertising, information, and materials concerning lotteries conducted by a nonprofit organization and authorized by State law.

H.R. 14526. June 23, 1976. Judiciary. Repeals provisions of present law which allow a person to bring a suit in the name of the United States against a person who is liable to the United States for making false claims for payment against the United States.

H.R. 14527. June 23, 1976. Judiciary. Prohibits certain petroleum companies engaged in the production, transportation, refining, or marketing of petroleum assets from controlling any interest in another aspect of the petroleum industry. Directs the Federal Trade Commission to require divestment of ownership interests by affected companies.

Establishes a Temporary Petroleum Indus-

try Divestiture Court to hear cases arising under this Act.

H.R. 14528. June 23, 1976. Ways and Means. Amends the Internal Revenue Code to allow a taxpayer to exclude from gross income any amounts paid by his employer to cover moving expenses which would ordinarily be deductible.

Stipulates that no deduction shall be allowed for any item related to moving expenses to the extent that the taxpayer receives reimbursement for such item from his employer and excludes such reimbursement from gross income.

Removes the dollar limitations on the moving expenses deduction.

H.R. 14529. June 23, 1976. Education and Labor. Authorizes appropriations to the Navajo Community College for construction costs and for operation and maintenance of the college.

H.R. 14530. June 23, 1976. Interior and Insular Affairs. Designates specified lands in the Mark Twain National Forest, Missouri, as a component of the National Wilderness Preservation System. Directs the Secretary of Agriculture to review the suitability of other specified lands in such national forest for preservation as wilderness.

H.R. 14531. June 23, 1976. Interstate and Foreeign Commerce. Repeals the regulation promulgated by the Federal Trade Commission which subjects purchasers of notes of consumers to defenses such consumers have against the seller of goods or services to whom such consumer issued such note, and prohibits holder in due course protection for such purchasers. Prohibits the Commission from repromulgating such a rule in the future.

H.R. 14532. June 23, 1976. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 14533. June 23, 1976. Judiciary. Declares certain individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 14534. June 24, 1976. Banking, Currency and Housing. Amends the National Housing Act to authorize the Government National Mortgage Association to make monthly housing investment interest differential payments to lenders in order to stimulate housing purchases.

H.R. 14535. June 24, 1976. Judiciary. Sets immigration quotas for Eastern Hemisphere and Western Hemisphere countries. Sets quotas and priorities for aliens from foreign states and dependents areas. Permits aliens seeking jobs in the United States in the teaching profession, the sciences, or the arts to enter the United States if they are as qualified as Americans seeking such jobs or have exceptional ability in the sciences or the arts.

Exempts certain Cuban aliens presently residing in the United States from immigration quotas.

H.R. 14536. June 24, 1976. Currency and Housing. Amends the Housing Act of 1949 to provide that States, territories, and district and local political subdivisions may tax property subject to liens held by the Federal Government and specified property held by the Secretary of Agriculture pursuant to the farm housing program in the same manner and to the same extent that other property is taxed.

H.R. 14537. June 24, 1976. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunciations industry rendering services in interstate and foreign commerce. Reaffirms the authority of the States to regulate the 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. 14538. June 24, 1976. Ways and Means. Entitles women and children to have payment made for specified maternal and child health care services. Establishes within the Department of Health, Education, and Welfare a Maternal and Child Health Care Board. Establishes an Advisory National Maternal and Child Health Care Council.

Creates in the United States Treasury a Maternal and Child Health Care Trust Fund. Amends the Internal Revenue Code of 1954 to impose maternal and child health care taxes on employers, employees, and self-employed individuals. Appropriates the revenue from such taxes to such Fund.

H.R. 14539. June 24, 1976. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to establish a National Commission on Digestive Diseases. Requires the Commission to develop a long-range plan for the use of national resources to deal with digestive diseases.

Directs the Secrearty to establish a Coordinating Committee for Digestive Diseases to improve coordination among Federal agencies in the research, training, control, and treatment of digestive diseases.

H.R. 14540. June 24, 1976. Ways and Means. Amends the Supplemental Security Income program of the Social Security Act to provide that cost-of-living increases in annuity, pension, retirement, disability, or other employment-related benefits being paid to an individual under a public program, occurring after such individual's initial entitlement to such benefits, shall not be included in such individual's income in determining his or her eligibility for supplemental security income benefits.

SENATE—*Monday, July 26, 1976*

The Senate meet at 10 a.m. and was called to order by Hon. JOHN GLENN, a Senator from the State of Ohio.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Shew me Thy ways, O Lord; teach me Thy paths.

Lead me in Thy truth and teach me: for Thou art the God of my salvation; on Thee do I wait all the day.—Psalms 25: 4, 5.

Eternal Father take this new week of endeavor into Thine own hands. Remove from us all that obstructs discerning and doing Thy will. Direct our energies. Instruct our minds. Clarify our thinking. Sustain our wills. Grant us grace to live and work as Jesus of Nazareth, "the-Man-for-others," who came not to be ministered unto but to minister and give His life for many.

We pray in His name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 26, 1976.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JOHN GLENN, a Senator from the State of Ohio, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. GLENN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, July 23, 1976, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar for unobjected-to measures be waived under rule VIII.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committees on Aeronautical and Space Sciences and Labor and Public Welfare be authorized to hold a joint hearing on a nomination today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. That the Subcommittee on Water Resources of the Committee on Public Works be permitted to meet today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. That the Subcommittee on Water Pollution of the Committee on Public Works be permitted to hold oversight hearings on July 27 and 28.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. That the Committee on Banking, Housing and Urban Affairs be authorized to meet on a nomination today and to hold oversight hearings on July 27, 28, 29, and 30.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. And that the Subcommittee on Labor of the Committee on Labor and Public Welfare be authorized to meet on July 27 and 28 to consider black lung legislation.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. GRIFFIN. Mr. President, at the request of another Senator I respectfully object.

The ACTING PRESIDENT pro tempore. Objection is heard.