we will be able to obtain at this time an encyclopaedically acceptable, dialectically neutral article on the subject."

As it happens the Micropaedia does contain a brief and rather innocuous article on civil disobedience, though on allied subjects there is an extraordinary reserve; the entries on "Freedom of Speech" and "Freedom of the Press," for example, are each one-sentence long and contain one cross-reference apiece. But this is beside the point. Equally beside the point are the merits of van den Haag's article, a scholarly and non-tendentious treatment of a complex subject, which was published both in the National Review and later as a Harper Torchbook. The real point is that the principle of "dialectical neutrality" by which van den Haag's piece was judged is invoked selectively and perversely by the editors. It is not applied to Marxist polemic, but is spuriously employed to silence a prominent conservative scholar, regardless of the merits of his contribution. It is almost as if the Editor had decided to reject van den Haag's piece unread.

Where does the blame for all this lie? Warren Preece, the editor, whose talents are glowingly described in the Foreword by Robert M. Hutchins, is the man officially in charge. Some of the flavor of Mr. Preece's operation is conveyed in a recent article by him in the Britannica's house organ, in which he jocularly reveals that shortly after a world-famous authority in linguistics had agreed to write for the encyclopedia, his chained body was fished out of an Eastern European river. When application was made on my behalf to Mr. Preece's office for the name of the central figure in so sensational an episode, his secretary said that he had forgotten the details, and that the records in the case had lamentably been destroyed.

That such a memorable incident seems to have escaped from Mr. Preece's memory and his records alike does not speak well for the tightness of his editorial ship. But given the tangled infrastructure and far-flung advisory network of the Britannica, it is hard to lay responsibility at any one office door. The matter is still further complicated by the equivocal relation between the Britannica and the University of Chicago.

Facing the title page of each volume of the Britannica is the statement that "The Encyclopedia Britannica is published with the editorial advice of the faculties of the University of Chicago; a committee of persons holding academic appointments at the Universities of Oxford, Cambridge, London, and Edinburgh; a committee at the University of Toronto; and committees drawn from members of the faculties of the University of Tokyo and the Australian National University." Under this statement, as if to make the point quite clear, appears the coat of arms of the University of Chicago.

The statement itself is worded with exquisite care: it is only by checking a list in the back of the Propaedia that one discovers that the "committee at the University of Toronto" is not composed of faculty of that university, but rather of editors of its press. There is nothing wrong, of course, with having advice from university-press editors; one wonders why the editors of the Britannica seem to be at pains to disguise the true nature of this committee.

Who in fact serves on these committees? According to the list in the *Propaedia*, there are a numer of very distinguished names among them, but there is no way of knowing just what these individuals do, or whether they have any role in setting policy. Nor, for that matter, is there any way of knowing just what is meant by "the editorial advice of the faculties of the University of Chicago," since it is obvious that those faculties do not gather to read the *Britannica* proofs. Whatever the exact nature of this advisory function, it is clear that the benefits accruing from the Chicago connection matter less than the inestimable prestige and legitimation conferred by the appearance of university sponsorship.

It must be remembered that the *Encyclopaedia Britannica* is produced, published, and distributed, not by the University of Chicago, but by a commercial enterprise called Encylopaedia Britannica, Inc. According to the Federal Trade Commission, this corporation's sales practices include recruiting salesmen with the bait of nonexistent "executive" positions, gaining entry to houses on false pretexts, and falsely claiming that the sales price represents a sharp discount. Such practices have involved Encyclopaedia Britannica, Inc. in litigation before the FTC for the past thirty years, and an FTC judge has recently once again held them unlawful and ordered the company to cease and desist from them. It is probably generally assumed—with how little foundation should be apparent—that the intellectual standards of the *Britannica* are those of the University of Chicago rather than of dance-lesson salesmen. The Chicago connection is the principal reason for this general assumption, and the connection is therefore of immense benefit to Encyclopaedia Britannica, Inc.

What the university for its part gets out of the arrangement is less clear. According to a statement printed in the 14th edition, the university receives a royalty in exchange for its editorial services, but has no control over the operation of the *Britannica*. In effect, then, the university, whether wittingly or not, allows its name, and the prestige that it confers, to serve as a kind of trademark for a commercial enterprise which consistently fails to live up to its own intellectual standards, and to the university's as well.

Robert M. Hutchins has described the editors of *Britannica 3* as pioneers. After they had established their design "the question became one of execution . . . there were no models to imitate and no horrible examples to shun." One of these deficiencies has been made good by *Britannica 3* itself: they have their horrible example now.

HOUSE OF REPRESENTATIVES—*Tuesday, February 17, 1976*

The House met at 12 o'clock noon.

The Reverend James S. Massie, Jr., the Church of the Covenant, Junction City, Kans., offered the following prayer:

Almighty God, as this body begins its function and deliberations this day, we ask that You be with the Members as they face the tasks of their office.

We ask that the Representatives be aware of whose authority they bear, and that, ultimately, we owe all allegiance to You. We ask that this body be guided in its decisions, that all in this great Nation be afforded equal justice and opportunity.

Finally, grant that those to whom government has been committed may, at this time, have the gift of wisdom and understanding, counsel, and strength that they may obey Your holy will and divine purpose to the glory and honor of Your Son, our Lord and Saviour, Jesus Christ. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Marks, one of his secretaries, who also informed the House that on February 15, 1976, the President approved and signed bills of the House of the following titles:

H.R. 508. An act to amend title 5, United States Code, to authorize civilians employed by the Department of Defense to administer oaths while conducting official investigations;

H.R. 1399. An act for the relief of Maria Del Carmen Alvarado Martinez;

H.R. 1758. An act for the relief of Terrence Jarome Caguiat;

H.R. 4046. An act for the relief of Valerie Ann Phillips, nee Chambers;

H.R. 4113. An act for the relief of Mitsue Karimata Stone;

H.R. 4939. An act for the relief of Manuel Bonotan;

H.R. 5750. An act for the relief of Chu Wol Kim;

H.R. 8451. An act for the relief of Jung Shik Yang.

H.R. 8555. An act for the relief of Angel Pader Cabal; and

H.R. 8907. An act for the relief of Yong Won Lee.

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 joint resolution of the House of the following title:

H.J. Res. 784. Joint resolution to amend the effective date of certain provisions of the Defense Production Act Amendments of 1975.

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

S. 2760. An act to amend the Indochina Migration and Refugee Assistance Act of 1975 to provide for the inclusion of refugees from Laos.

REV. JAMES S. MASSIE, JR.

(Ms. KEYS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Ms. KEYS. Mr. Speaker, it is an honor to have the Reverend James S. Massie, Jr., from Junction City in the Second District of Kansas, as the guest chaplain today in the House of Representatives.

Reverend Massie has been ordained 8 years, and he is the rector of the Episcopal Church of the Covenant in that city.

Mr. Speaker, I would like to briefly pay tribute to his conviction that interest and involvement in politics and government are the duties of a Christian. His parishioners include not only many Kansans, but people from all over the world who are stationed at Fort Riley, a historic fort, and in his outreach to them his service to humankind, tc community, to God and to country is expressed.

Mr. Speaker, his being here today for this brief participation is but a demonstration of that commitment and that understanding of his responsibility in the divine plan for the world.

I am proud to have him here today. It is a great privilege which I share with his family and his friends who are with us today.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. This is the day for the call of the Consent Calendar and also for the call of the Private Calendar. It is the day for the mandatory call.

The Chair will take requests from Members after the call of the calendars.

CONSENT CALENDAR

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

RECOGNIZING THE WASHINGTON-ROCHAMBEAU HISTORIC ROUTE

The Clerk called the concurrent resolution (H. Con. Res. 225) to recognize the Washington-Rochambeau National Historic Route.

There being no objection, the Clerk read the concurrent resolution, as follows:

H. CON. RES. 225

Whereas, the Washington-Rochambeau National Historic Route over which General Washington marched his combined French and American forces in August and September, 1781, has not been recognized by the Congress of the United States; and

Whereas, that march, simultaneously with the arrival of the French fleet off the mouth of the Chesapeake, made the victory at Yorktown, Virginia, October 19, 1781, possible; and

Whereas, that march and that victory at Yorktown in effect, ended British hopes of continuing colonial rule here, and changed the Declaration of Independence of July 4, 1776, from a magnificent and brave statement of revolting colonials, to the accepted basic charter of a new nation, free, independent, and sovereign; and

Whereas, Princeton and Brown Universities have jointly published two volumes which document the entire Washington-Rochambeau National Historic Route so adequately by reproducing maps made in 1780, 1781, 1782, and 1783 that each mile of the routes through eight of the original thirteen States can be located on present-day maps; and

Whereas, recognition of this Washington-Rochambeau National Historic Route by the Congress may well be one of the more useful and enduring educational patriotic accomplishments to come from the bicentennial of the American War for Independence, 1776–1783: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the routes identified by the Princeton and Brown University volumes, "The American Campaigns of Rochambeau's Army, 1780, 1781, 1782, 1783"; copyrighted in 1972 by Princeton University Press as the Washington-Rochambeau Route and used by the combined French and American forces of General Washington to accomplish the decisive victory that changed world history at Yorktown, Virginia, October 19, 1781, should be recognized by the Federal, State, county, and local governments of this country as "The Washington-Rochambeau National Historic Route".

With the following committee amendment:

Delete the word "National" whenever it appears in the preamble and on page 2, line 11.

The committee amendment was agreed to.

The concurrent resolution was agreed to.

The title was amended so as to read: "Concurrent resolution to recognize the Washington-Rochambeau Historic Route."

A motion to reconsider was laid on the table.

COURT LEAVE FOR FEDERAL EMPLOYEES

The Clerk called the bill (H.R. 11438) to amend title 5, United States Code, to grant court leave to Federal employees when called as witnesses in certain judicial proceedings, and for other purposes.

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

H.R. 11438

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6322(a)(2) of title 5, United States Code, relating to leave for witness service, is amended to read as follows:

"(2) other than as provided in subsection (b) of this section, as a witness on behalf of any party in connection with any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party;".

SEC. 2. Section 6(b)(2) of the Act entitled "An Act to amend title 5, United States Code, to revise, clarify, and extend the provisions relating to court leave for employees of the United States and the District of Columbia", approved December 19, 1970 (2 U.S.C. 130b (b)(2)), is amended to read as follows:

"(2) other than as provided in subsection (c) of this section, as a witness on behalf of any party in connection with any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party;".

SEC. 3. (a) Subsection (g) of section 8906 of title 5, United States Code, is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "and which may be made available until expended.".

(b) Section 10 of the Retired Federal Employees Health Benefits Act of 1960 (74 Stat. 849) is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "and which may be made available until expended.".

SEC. 4. The amendments made by this Act shall take effect on October 1, 1976, or on the date of the enactment of this Act, whichever date is later.

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

HEALTH BENEFITS COVERAGE FOR CERTAIN SURVIVOR ANNUITANTS

The Clerk called the bill (H.R. 11439) to amend title 5, United States Code, to restore eligibility for health benefits coverage to certain individuals whose survivor annuities are restored.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULZE. Mr. Speaker, reserving the right to object, unless the gentleman from Texas (Mr. WHITE) can give me some actuarial facts on this, I am afraid there is a possibility of this going over 1,000 applicants. The cost figures on 1,000 are given, but if it goes over that, then it may be over our $1 million limitation. I wonder if the gentleman can give me the figures on it.

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

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

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

We received figures from the Director of the Civil Service Commission, who indicates that he estimates that those who would otherwise be eligible amount to no more than 1,300, and he estimates no more than 1,000 persons would apply for this benefit. Of course, many of these might not apply, depending upon their own situations and whether or not they are carrying other health programs.

So, Mr. Speaker, it is estimated that no more than 1,000 persons will apply.

Mr. SCHULZE. Mr. Speaker, we would very much like to have an opportunity to go over these figures, and, therefore, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CAREER STATUS FOR CERTAIN FEDERAL EMPLOYEES WITH OVERSEAS LIMITED APPOINTMENTS

The Clerk called the bill (H.R. 11462) to provide for the acquisition of career status by certain employees of the Federal Government serving under overseas limited appointments.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULZE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

AN ACT TO AMEND SECTION 5202 OF TITLE 10, UNITED STATES CODE, RELATING TO THE DETAIL, PAY, AND SUCCESSION TO DUTIES OF THE ASSISTANT COMMANDANT OF THE MARINE CORPS

The Clerk called the Senate bill (S. 2117) to amend section 5202 of title 10, United States Code, relating to the detail, pay, and succession to duties of the Assistant Commandant of the Marine Corps.

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

S. 2117

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (d) of section 5202 of title 10, United States Code, is amended by striking out the colon after the word "Senate" and all that follows down through the word "appointment".

(b) Subsection (e) of section 5202 of such title is repealed.

SEC. 2. (a) Section 1216 of title 10, United States Code, is amended—

(1) by striking out "The Secretary" in subsection (b) and inserting in lieu thereof "Except as provided in subsection (d) of this section, the Secretary"; and

(2) by adding at the end thereof the following new subsection:

"(d) The Secretary concerned may not, with respect to any member who is in pay grade O–7 or higher or is a Medical Corps officer being processed for retirement under chapter 63 or 65 of this title—

"(1) retire such member under section 1201 of this title;

"(2) place such member on the temporary disability retired list pursuant to section 1202 of this title; or

"(3) separate such member from an armed force pursuant to section 1203 of this title by reason of unfitness to perform the duties of his office, grade, rank, or rating unless the determination of the Secretary concerned with respect to unfitness is first approved by the Secretary of Defense on the recommendation of the Assistant Secretary of Defense for Health and Environment.".

(b) The amendments made by subsection (a) of this section shall apply with respect to unfitness determinations made on or after the date of the enactment of this Act by the Secretaries of the military departments concerned for purposes of sections 1201, 1202, and 1203 of title 10, United States Code.

With the following committee amendments:

On page 2, line 8, immediately following the word "officer", insert the phrase "or medical officer of the Air Force".

On page 2, line 9, strike the words "chapter 63 or 65 of this title" and insert therefor the words "any provisions of this title by reason of age or length of service".

The committee amendments were agreed to.

Mr. O'BRIEN. Mr. Speaker, I also rise in support of S. 2117.

What the House has before it today are two distinct legislative actions each of which has already been passed by this body at separate points in the past.

The Members may recall that in July of 1971 the House passed a bill allowing the Marine Corps up to four four-star general officers, but that legislation was never considered by the Senate. This bill, originating in the Senate, would allow the Marine Corps two four-star general officers. The bill allows a four-star officer, in addition to the Commandant, to serve as the Assistant Commandant of the Marine Corps, regardless of the strength of the Corps.

The other section of this bill was passed in the House last November by an overwhelming margin. As the Members will recall, that bill grew out of an exercise of the committee's oversight responsibilities and is aimed at providing a further safeguard against possible abuses in the administration of the physical disability retirement procedures.

Mr. Speaker, once again the House should act favorably on this legislation.

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

The title was amended so as to read: "To amend section 5202 of title 10, United States Code, relating to the detail, pay, and succession to duties of the Assistant Commandant of the Marine Corps and to amend title 10 of the United States Code in order to make certain disability retirement determinations by the Secretaries of the military departments subject to review by the Secretary of Defense."

A motion to reconsider was laid on the table.

PRIVATE CALENDAR

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

ALAN STURT

The Clerk called the bill (H.R. 4052) for the relief of Alan Sturt.

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

H.R. 4052

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

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

RODERIC PATRICK STAFFORD

The Clerk called the bill (H.R. 4053) for the relief of Roderic Patrick Stafford.

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

H.R. 4053

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

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

FIDEL GROSSO-PADILLA

The Clerk called the bill (H.R. 6817) for the relief of Fidel Grosso-Padilla.

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

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

There was no objection.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO CONVEY CERTAIN LANDS IN MADERA COUNTY, CALIF., TO MRS. LUCILLE JONES, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 1404) to authorize the Secretary of the Interior to convey certain lands in Madera County, Calif., to Mrs. Lucille Jones, and for other purposes.

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

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

There was no objection.

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

FAIR AND HUMANE TREATMENT FOR U.S. CITIZENS IN MEXICO

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

Mr. STARK. Mr. Speaker, I am happy to report that this morning in a meeting the Committee on International Relations unanimously accepted an amendment offered by the gentleman from Florida (Mr. FASCELL) wherein Congress urges the President to secure fair and humane treatment for U.S. citizens detained at the hands of Mexican officials. In light of my involvement with this issue for some 2 years, I am delighted the committee has now acted to instruct the President to intervene to protect American citizens in Mexico from torture, forced confessions, incommunicado detention, extortion, and various other forms of mistreatment.

I hope President Ford will act promptly to comply with this amendment.

Mr. Speaker, I want to commend the gentleman from Pennsylvania (Mr. MORGAN), the chairman of the Committee on International Relations, and all the members of that committee for taking this action at this time.

JOBLESS PAY FOR LAYOFFS

(Mr. BURKE of Massachusetts asked and was given permission to address the

House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, may I take this opportunity to include a newsstory that appeared in today's Wall Street Journal with reference to jobless pay for layoffs caused by imports. At the time of the debate on the trade bill I charged that the adjustment assistance section of the bill was a "cruel hoax" perpetrated on the unemployed American worker who lost his job because of cheap imports. Today the chickens have come home to roost. Millions of Americans have lost their jobs. Unemployment is rampant. The promises made by those who caused this loss of jobs have been broken. I include the article:

Jobless pay for layoffs caused by imports proves too elusive, unions charge.

The government boasts that about 50,000 workers were certified last year to receive new benefits created to cover job losses from import competition. But, by last month, only half of those certified were drawing checks. In Detroit, 150 Chrysler workers recently demonstrated at an unemployment office to protest months of delay in their payments. "It's an absolute bureaucratic nightmare," a UAW official says.

The Labor Department blames the delays on state-run unemployment offices, which actually pay the benefits after Washington certifies eligible workers. Those offices, already overworked, will improve their service, federal officials predict. But the AFL–CIO says the snafus make the much-touted benefits a "cruel hoax" used to lull workers about the threat of imports.

Though the program can pay workers up to $170 a week for a full year, actual payments have averaged only $46 weekly for about 20 weeks because regular unemployment benefits are deducted.

FARMERS REQUIRE ASSURANCE OF ADEQUATE MONETARY RETURNS FOR THEIR PRODUCTS

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

Mr. MAHON. Mr. Speaker, the distinguished gentleman from Massachusetts (Mr. BURKE) made reference to imports into the United States.

I would like to take a moment to make reference to exports from the United States. The farmers of the Nation are responsible for exports totaling about $22 billion a year. Without these exports this Nation's position in the world would be in jeopardy. Our balance of trade is greatly affected by agricultural exports and without them our domestic economy would be severely damaged.

Let me say that the farmer cannot continue to carry on a massive program of production and exportation unless he is able to receive cost of production for his products and enough profit to stay in business.

I have recently acquired some very interesting information in regard to the status of agriculture in the district which I have the honor to represent and at a later time I shall place some of this information in the RECORD.

KUDOS TO ABC–TV FOR COVERAGE OF 12TH OLYMPIC WINTER GAMES

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

Mr. KETCHUM. Mr. Speaker, quite often we rise on this floor to condemn the national media for one reason or another. I rise today to offer a compliment and my congratulations to ABC–TV for its spectacular coverage of the 12th Olympic winter games. I believe that they were able to bring all Americans face to face with the fine young people who competed and helped us all realize the sacrifice and dedication these great athletes give to their sport.

Surely it cost the network millions to produce, and surely—I hope—they made a great deal of money. More power to them for those wonderful hours—it was truly the only show in town.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BRADEMAS. 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. 55]

Ambro	Eilberg	Rhodes
Andrews, N.C.	Esch	Risenhoover
Ashley	Eshleman	Rodino
Aspin	Fish	Rostenkowski
Badillo	Flowers	Roybal
Barrett	Ford, Tenn.	Ryan
Bergland	Hansen	Scheuer
Blouin	Harsha	Shriver
Boggs	Hayes, Ind.	Sikes
Bolling	Hébert	Sisk
Burke, Calif.	Heinz	Stanton, James V.
Burke, Fla.	Hinshaw	Steed
Cederberg	Horton	Steiger, Ariz.
Chappell	Ichord	Stephens
Clay	McCollister	Stratton
Conlan	Mathis	Teague
Conte	Metcalfe	Udall
Conyers	Mills	Vanik
D'Amours	Murphy, N.Y.	Wilson, Bob
Dellums	Pattison, N.Y.	Young, Alaska
Diggs	Pepper	
Drinan	Pettis	
Early	Peyser	

The SPEAKER. On this rollcall 366 Members have recorded their presence by electronic device, a quorum.

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

INDIANA DUNES NATIONAL LAKESHORE ACT AMENDMENTS

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

Mr. MADDEN. Mr. Speaker, I asked for this time to remind the Members that this afternoon a bill which has been in this House for about 20 years and which we enacted about 10 years ago will be called up. It is the Indiana Dunes National Park legislation to preserve the Lake Michigan shore and sand dunes on the south shores of Lake Michigan in northern Indiana.

That bill is coming up today, and I want to commend the Committee on Interior and Insular Affairs for reporting it out by a vote of, I think, 34 to 4. I ask that the Members read, in the appendix in yesterday's CONGRESSIONAL RECORD, where the Chicago Tribune of last Sunday in a magnificent editorial, brought out the necessity for the Congress to pass this legislation.

I do hope that all the Members will read that editorial which I inserted in the appendix of yesterday's RECORD on the necessity for passing this bill and preserve for future centuries this beautiful area for recreation and enjoyment for the generations of the future.

Yesterday's RECORD is at the seat of each Member and I ask you to read the Chicago Tribune editorial endorsing favorable action on this great protection for millions of our families of our generation and centuries in the future.

INDIANA DUNES NATIONAL LAKESHORE ACTS AMENDMENTS

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

Mr. SKUBITZ. Mr. Speaker, I have just listened to the remarks by my colleague from Indiana (Mr. MADDEN) regarding the Indiana Dunes. I would like to call the attention of the Members to one thing: This bill today authorizes $53.3 million. That is 50 times more than the administration requested. It is $32 million more than the Congress allowed in 1966 when we established the Indiana Dunes Lakeshore.

Mr. Speaker, I hope that the Members listen to the debate. This bill puts the Government in the business of operating a city—Beverly Shores—fire department, streets, police, et cetera. It establishes a precedent never intended by the Congress.

AMENDING THE NATIONAL WILDLIFE REFUGE SYSTEM ADMINISTRATION ACT OF 1966

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5512) to amend the National Wildlife Refuge System Administration Act of 1966, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out lines 8 to 12, inclusive and insert: "Service. With respect to refuge lands in the State of Alaska, those programs relating to the management of resources for which any other agency of the Federal Government exercises administrative responsibility through cooperative agreement shall remain in effect, subject to the direct supervision of the United States Fish and Wildlife Service, as long as such agency agrees to exercise such responsibility."

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, will the gentleman tell us what the Senate amendment does?

Mr. LEGGETT. Mr. Speaker, H.R. 5512 passed the House on November 14, 1975, by a rollcall vote of 341 yeas to 10 nays.

Briefly explained, the bill, as it passed the House, would provide that all areas included in the national wildlife refuge system, as of January 1, 1975, as well as those areas added to the system after such date—would continue to be a part of the system, and in general could not be transferred or otherwise disposed of except pursuant to an act of Congress. In addition, the bill would require all areas within the system to be administered by the Secretary of the Interior through the U.S. Fish and Wildlife Service. However, an exception would be made with respect to those areas within the system as of January 1, 1975, that were jointly administered by the Secretary through the U.S. Fish and Wildlife Service and another Federal agency—such as the Bureau of Land Management—or a State governmental agency so as to allow such joint administration to continue.

Also, the legislation would require the Secretary, when disposing of lands acquired with funds from the migratory bird conservation fund, to collect the fair market value or the acquisition costs of such lands, whichever is greater. Present law only requires the acquisition costs to be collected, whatever that might be, even though the lands may have appreciated in value considerably since the date of acquisition.

In addition, the bill would prohibit the transfer of any lands within the system by the Secretary without the prior approval of the Migratory Bird Conservation Commission. Present law requires the Secretary to only consult with the Commission before disposing of such lands.

Mr. Speaker, the Senate—when it passed the bill—amended it in two respects: First, the language in the bill that would permit joint administration of areas within the System—such as the Kofa, Sheldon, and Russell Game Ranges—was stricken, thereby having the effect of requiring these areas to be administered by the Secretary of the Interior through the U.S. Fish and Wildlife Service, just as all other areas in the System would be administered.

Mr. Speaker, I think this is a commendable change on the part of the Senate as it would resolve a problem that has developed over the years as a result of the joint administration of these areas by the U.S. Fish and Wildlife Service and the Bureau of Land Management. The testimony at my Subcommittee's hearings on this legislation clearly indicated that dual administration has been an extremely difficult and unsatisfactory arrangement, and one which both BLM and the Fish and Wildlife Service agree should be terminated.

Mr. Speaker, in accepting this portion of the Senate amendment, I do so with the clear intent on the part of the Committee on Merchant Marine and Fisheries that these three ranges will be administered at least at the same level of funding and personnel as they have been jointly administered in the past by the U.S. Fish and Wildlife Service and the Bureau of Land Management. I am delighted to include in the record at this point a copy of a letter, and an attachment, I have received from Mr. Lynn A. Greenwalt, Director, U.S. Fish and Wildlife Service, dated February 10, 1976, which clearly spells out the intent on the part of the U.S. Fish and Wildlife Service, not only to maintain the existing level of funding and personnel, but to considerably increase such funding and staffing at these ranges. The letter and attachment follow:

FISH AND WILDLIFE SERVICE,
Washington, D.C., February 10, 1976.

Hon. ROBERT L. LEGGETT,
House of Representatives,
Washington, D.C.

DEAR MR. LEGGETT: Mr. Everett of your staff requested that we furnish you with information on the three ranges affected by H.R. 5512.

In the 1975 fiscal year activities on Kofa, Charles M. Russell and Charles Sheldon Ranges were funded jointly by the Bureau of Land Management ($151,600—9 personnel) and the U.S. Fish and Wildlife Service ($335,400—17 personnel) for a total budget of $487,000 and 26 personnel.

The Service has reviewed the program at the three ranges, and we estimate that an annual appropriation of $805,000 will be necessary to bring management of the wildlife and the range up to an acceptable level. If grazing is to be properly regulated, Charles M. Russell Range will require extensive fencing which we estimate will cost an additional $800,000 over a four year period.

If. H.R. 5512 is enacted as passed by the Senate, the Service will seek to fully fund and staff the program on the ranges at the earliest opportunity.

We have not been contacted by any of the Bureau of Land Management personnel on the three ranges concerning transfers. Should this legislation be enacted, any BLM personnel who will be affected will have an opportunity to transfer to the Service.

Sincerely yours,

LYNN A. GREENWALT,
Director.

GAME RANGES—STATUS AND FUNDING

A summary judgment was issued by the District Court which held that the Secretary of the Interior did not have the authority to transfer jurisdiction of the game ranges to the Bureau of Land Management and that such a transfer was a major Federal action as defined in the NEPA and would require preparation of an EIS.

The House, on November 14, 1975 passed an amendment (HR 5512) to the Refuge Administration Act which would, among other things, place jurisdiction on all units of the National Wildlife Refuge System under jurisdiction of Fish and Wildlife Service, except those under joint jurisdiction (the Game Ranges) as of January 1, 1975.

The Senate considered and passed a modified version of HR 5512 on February 4, 1976. The bill that passed was similar to the House version except all units of the System would be under the sole jurisdiction of the Fish and Wildlife Service. The House has not considered the Senate version as of February 9, 1976.

	Fiscal year 1975			Proposed funding level [1]
	BLM	FWS	Total	
Kofa	(2) 55,600	(3) 53,000	(5) 108,600	(7) 104,000
C. M. Russell	(6) 76,100	(10) 225,400	(16) 201,500	(25) [2] 520,000
Sheldon	(1) 19,900	(4) 57,000	(5) 76,900	(5) 145,000
Total	(9) 151,600	(17) 335,400	(26) 487,000	(37) 805,000

[1] Single agency jurisdiction.
[2] An additional 200,000 would be necessary for fencing to improve managerial capability for a period of 4 years (total cost $800,000).
NOTES:
Denotes permanent full-time positions.

Data for fiscal year 1975 was provided to Congressman Leggett's subcommittee July 2, 1975 (S. Mayer).

Data for proposed single agency jurisdiction worked up in refuges July 1, 1975. C. M. Russell data cleared with Calvert Jan. 28, 1976. Data from Sheldon discussed with Gilmore Jan. 29, 1976.

Mr. Speaker, the second change to the bill made by the Senate has to do with refuge lands in the State of Alaska. In this regard, the Senate added a provision to the bill which provides that with respect to refuge lands in Alaska, where other Federal Government agencies presently administer a portion of the refuge program pursuant to a cooperative agreement, those programs shall remain in effect under the direct supervision of the U.S. Fish and Wildlife Service, so long as such agency agrees to exercise such responsibility.

Mr. Speaker, I endorse this change in the bill also. In fact, I wholeheartedly endorse the idea of using cooperative agreements in the administration of any of these areas within the system—not only with other Federal agencies, but with State agencies as well—particularly when the expertise of these agencies can be employed to the benefit of these areas. In all such agreements, however, the Fish and Wildlife Service must have the ultimate authority to ensure that all activities authorized to be carried out on these areas are compatible with other refuge purposes and this is exactly what the Senate amendments allow for.

Mr. Speaker, a question has arisen concerning the grazing policy of the U.S. Fish and Wildlife Service on these three

ranges—the Kofa, Sheldon, and Russell ranges. I would like to include in the RECORD at this point a statement—along with a statement concerning the leases on such ranges—I have received from the U.S. Fish and Wildlife Service which clearly indicates the policy of the Service with respect to grazing on these areas. The documents follow:

GRAZING POLICY ON U.S. FISH AND WILDLIFE SERVICE LANDS

Administration of the grazing program on the Kofa, Charles M. Russell, and Charles Sheldon Game Ranges by the Fish and Wildlife Service will not result in the instantaneous termination of existing grazing privileges on these areas. Rather, the Service will honor valid existing grazing licenses that were issued by BLM under the Taylor Grazing Act until their natural expiration. When these licenses expire, the Service will then reexamine them to determine if continued grazing is compatible with wildlife needs and service objectives. Grazing will be permitted in conformance with the Service's policy on grazing dated May 9, 1975, and pursuant to the National Wildlife Refuge System Administration Act of 1966.

Under the Service policy, grazing activities may be permitted on refuges (i.e., game ranges) as follows:

On a primary basis when these activities enhance, support and contribute to established wildlife management objectives.

On a secondary basis when these activities wisely utilize a renewable natural resource and do not conflict with established wildlife management objectives.

Number and duration of grazing licenses on game ranges

Charles M. Russell:	
Licenses issued annually	77
Licenses issued under an allotment management plan (licenses issued for a 4 year grazing cycle—All will expire within next 3 years)	13
Total licenses	90
Charles Sheldon: Licenses issued annually	10
Kofa: Licenses issued annually (active licenses, 2)	4

Finally, Mr. Speaker, there has been concern expressed by some of my colleagues over the proposed transfer of a number of refuges by the Secretary of the Interior to other Federal agencies or departments or State agencies, as the case may be. For example, it is my understanding that the Secretary is presently negotiating with the Commonwealth of Puerto Rico to transfer certain areas of the refuge system, in particular the island of Culebrita, to Puerto Rico. Naturally, Mr. Speaker, any such transfer that has not already taken place would not be permitted under this legislation, except by a subsequent act of Congress. In this regard, I would like at this time to assure all interested parties that the passage of this legislation in no way prejudices the consideration by the Committee on Merchant Marine and Fisheries of the merits of this proposed transfer or any other transfer in the making and that, as chairman of the Subcommittee on Fisheries and Wildlife Conservation and the Environment, I pledge now to give my colleagues speedy hearings on any such legislative proposals that may be forwarded to the committee for consideration.

Mr. Speaker, I urge the prompt passage of H.R. 5512.

Mr. ROUSSELOT. Mr. Speaker, further reserving the right to object, is the gentleman telling us that he is satisfied that the Senate amendment puts the responsibility in one place?

Mr. LEGGETT. If the gentleman will yield, the Senate amendment does put the responsibility in one place. It requires all units of the System to be administered by the Secretary of the Interior through the U.S. Fish and Wildlife Service. And, in addition, there was a second amendment relating to the State of Alaska. The House bill was rather silent on that point. There were a number of cooperative agreements in effect with respect to Alaskan refuges, and the Stevens amendment to the bill very specifically sets forth that all of those cooperative agreements between various Federal agencies would continue in effect subject to the direct supervision of the U.S. Fish and Wildlife Service so long as such agency agrees to exercise such responsibility. I believe we have a bill that is flexible and it is coordinated and it is as good as we can do for now.

Mr. ROUSSELOT. I thank the gentleman.

Mr. Speaker, further reserving the right to object, I yield to my colleague, the gentleman from New Jersey (Mr. FORSYTHE).

Mr. FORSYTHE. I thank the gentleman for yielding.

Mr. Speaker, I urge that the House accept the Senate amendment to H.R. 5512. In my view the amendment properly focuses on the difficulties which have surrounded joint management of the Kofa, Sheldon, and Russell Ranges.

The 1969 report of the Special Advisory Board on Wildlife Management concluded that—

> No refuge in split jurisdiction * * * was properly managed. Every unit of the National Wildlife Refuge System should, if possible, be incorporated into the jurisdiction of the (Fish and Wildlife Service).

Since 1969 other reports reached similar conclusions. The problem that has been found with joint management is that differences in public laws governing the Fish and Wildlife Service and BLM and the differences in the philosophies of natural resource management have led to irreconcilable conflicts which impede effective refuge management. The result is that the public in whose name these natural resources are managed has not received the full benefit of the resource nor has the resource been adequately protected.

If joint management is an ineffective mechanism for the protection of wildlife resources, the question becomes which agency should be charged with single management responsibility. Clearly, the Fish and Wildlife Service, which has as its sole mission the protection of wildlife values, is better suited to this task than is BLM whose varied missions such as mining, logging, livestock grazing, and fossil fuel development often conflict with wildlife management.

In light of these facts, I believe we should accept the amended language of H.R. 5512 and, thus, insure that the Fish and Wildlife Service assume complete management responsibility for all elements of the National Wildlife Refuge System.

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

Mr. DINGELL. Mr. Speaker, I stand to express my support for passage of H.R. 5512.

Briefly the bill requires that all areas within the National Wildlife Refuge System be administered by the Secretary of the Interior through the U.S. Fish and Wildlife Service. The legislation also requires the Secretary when disposing of lands acquired with funds from the migratory bird conservation fund to collect the fair market value or the acquisition costs of such lands, whichever is greater. The bill also prohibits the transfer of any lands within the System without prior approval of the Migratory Bird Conservation Commission.

The Senate passed an amended bill requiring that joint administration of areas within the System, specifically the Charles M. Russell National Wildlife Range, the Charles Sheldon National Wildlife Range, and the Kofa National Wildlife Range, be stricken, thereby requiring administration of these areas by the Secretary through the U.S. Fish and Wildlife Service consistent with the administration of other areas in the System.

In accepting this portion of the Senate amendment, I do so with the clear intent that I will seek to assure that these three ranges be administered at least at the same level of funding and personnel as they have been jointly administered in the past by the U.S. Fish and Wildlife Service and the Bureau of Land Management. I am delighted to agree with the remarks by Mr. LEGGETT and I am in agreement with the remarks received from Mr. Lynn A. Greenwalt, Director, U.S. Fish and Wildlife Service, not only to maintain the existing level of funding and personnel but also to increase such funding and staffing for these ranges. This is important to bring management of the wildlife and the range up to an acceptable level. In addition, I support the additional funding required by the Service for extensive fencing of the Russell Range over the next 4-year period in order to properly regulate grazing.

Mr. Speaker, I will continue to make every effort to insure that the Service is properly funded to manage these three ranges.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

FEBRUARY 16, 1976.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 1:35 p.m. on Monday, February 16, 1976, and said to contain a message from the President wherein he transmits a draft bill entitled "Federal Election Campaign Act Amendments of 1976."

With kind regards, I am

Sincerely,

EDMUND L. HENSHAW, Jr.,
Clerk, House of Representatives.
By W. RAYMOND COLLEY,
Deputy Clerk.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1976—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-371)

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

To the Congress of the United States:

In only 2 weeks time, unless there is affirmative action by the Congress, the Federal Election Commission will be stripped of most of its powers.

We must not allow that to happen. The American people can and should expect that our elections in this Bicentennial Year, as well as other years, will be free of abuse. And they know that the Federal Election Commission is the single most effective unit for meeting that challenge.

The Commission has become the chief instrument for achieving clean Federal elections in 1976. If it becomes an empty shell, public confidence in our political process will be further eroded and the door will be opened to possible abuses in the coming elections. There would be no one to interpret, advise or provide needed certainty to the candidates with regard to the complexities of the Federal election law. If we maintain the Commission, we can rebuild and restore the public faith that is esential for a democracy.

The fate of the Commission has been called into question, of course, by the decision of the Supreme Court on January 30. The Court ruled that the Commission was improperly constituted. The Congress gave the Commission executive powers but then, in violation of the Constitution, the Congress reserved to itself the authority to appoint four of the six members of the Commission. The Court said that this defect could be cured by having all members of the Commission nominated by the President upon the advice and consent of the Senate. Under the Court's ruling, the Commission was given a 30-day lease on life so that the defect might be corrected.

I fully recognize that other aspects of the Court's decision and that, indeed, the original law itself have created valid concerns among Members of Congress. I share many of those concerns, and I share in a desire to reform and improve upon the current law. For instance, one section of the law provides for a one-House veto of Commission regulations, a requirement that is unconstitutional as applied to regulations of an agency performing executive functions. I am willing to defer legislative resolution of this problem, just as I hope the Members of Congress will defer adjustment of other provisions in the interest of the prompt action which is now essential.

It is clear that the 30-day period provided by the Court to reconstitute the Commission is not sufficient to undertake a comprehensive review and reform of the campaign laws. And most assuredly, this 30-day period must not become a convenient excuse to make ineffective the campaign reforms that are already on the books and have been upheld by the Court. There is a growing danger that opponents of campaign reform will exploit this opportunity for the wrong purposes. This cannot be tolerated; there must be no retreat from our commitment to clean elections.

Therefore, I am today submitting remedial legislation to the Congress for immediate action. This legislation incorporates two recommendations that I discussed with the bipartisan leaders of the Congress shortly after the Court issued its opinion.

First, I propose that the Federal Election Commission be reconstituted so that all of its six members are nominated by the President and confirmed by the Senate. This action must be taken before the February 29 deadline.

Second, to ensure that a full-scale review and reform of the election laws are ultimately undertaken, I propose that we limit through the 1976 elections the application of those laws administered by the Commission. When the elections have been completed and all of us have a better understanding of the problems in our current statutes, I will submit to the Congress a new, comprehensive election reform bill to apply to future elections. I also pledge that I will work with the Congress to enact a new law that will meet many of the objections of the current system.

I know there is widespread disagreement within the Congress on what reforms should be undertaken. That controversy is healthy; it bespeaks of a vigorous interest in our political system. But we must not allow our divergent views to disrupt the approaching elections. Our most important task now is to ensure the continued life of the Federal Election Commission, and I urge the Congress to work with me in achieving that goal.

GERALD R. FORD.

THE WHITE HOUSE, *February 16, 1976.*

ANNUAL REPORT BY SECRETARY OF TRANSPORTATION ON OPERATIONS AND ACTIVITIES OF THE ALASKA RAILROAD — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I transmit herewith the annual report by the Secretary of Transportation on the operations and activities of the Alaska Railroad, as required by the Alaska Railroad Act of March 12, 1914.

GERALD R. FORD.

THE WHITE HOUSE, *February 17, 1976.*

ANNUAL REPORT OF OFFICE OF ALIEN PROPERTY, DEPARTMENT OF JUSTICE, FISCAL YEAR 1974—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I herewith transmit the annual report of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1974, in accordance with section 6 of the Trading with the Enemy Act.

GERALD R. FORD.

THE WHITE HOUSE, *February 17, 1976.*

ANNOUNCEMENT BY THE SPEAKER

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

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

EXTENSION OF LIBRARY SERVICES AND CONSTRUCTION ACT

Mr. BRADEMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11233) to amend the Library Services and Construction Act to extend the authorizations of appropriations contained in such act, and for other purposes.

The Clerk read as follows:

H.R. 11233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section

4(a)(1) of the Library Services and Construction Act (20 U.S.C. 351b(a)(1)), hereinafter in this Act referred to as the "Act", is amended by striking out "and" immediately after "1975," and by inserting immediately before the period at the end thereof the following: ", such sums as may be necessary for the period beginning July 1, 1976, and ending September 30, 1976, $100,000,000 for the fiscal year ending September 30, 1977, $110,000,000 for the fiscal year ending September 30, 1978, $130,000,000 for the fiscal year ending September 30, 1979, and such sums as may be necessary for the fiscal years ending September 30, 1980, and September 30, 1981".

(b) Section 4(a)(2) of the Act (20 U.S.C. 351b(a)(2)) is amended by striking out "and" immediately after "1975," and by inserting immediately before the period at the end thereof the following: ", and such sums as may be necessary for the period beginning July 1, 1976, and ending September 30, 1976, and for the fiscal years ending September 30, 1977, September 30, 1978, September 30, 1979, September 30, 1980, and September 30, 1981".

(c) Section 4(a)(3) of the Act (20 U.S.C. 351b(a)(3)) is amended by striking out "and" immediately after "1975," and by inserting immediately before the period at the end thereof the following: ", such sums as may be necessary for the period beginning July 1, 1976, and ending September 30, 1976, $10,000,000 for the fiscal year ending September 30, 1977, $15,000,000 for the fiscal year ending September 30, 1978, $20,000,000 for the fiscal year ending September 30, 1979, and such sums as may be necessary for the fiscal years ending September 30, 1980, and September 30, 1981".

(d) Section 4(a)(4) of the Act (20 U.S.C. 351b(a)(4)) is amended by striking out "and" immediately after "1975," and by inserting immediately before the period at the end thereof the following: ", the period beginning July 1, 1976, and ending September 30, 1976, and the fiscal years ending September 30, 1977, September 30, 1978, September 30, 1979, September 30, 1980, and September 30 1981".

SEC. 2. (a) The Act (20 U.S.C. 351 et seq.) is amended by inserting immediately after section 7 the following new section:

"ADMINISTRATIVE COSTS

"SEC. 8. The amount expended by any State, from an allotment received under this Act for any fiscal year, for administrative costs in connection with any program or activity carried out by such State under this Act shall be matched by such State from funds other than Federal funds.".

(b) Section 102(b) of the Act (20 U.S.C. 353(b)) is amended by inserting immediately after "Subject to" the following: "the provisions of section 8 and".

The SPEAKER. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, the bill H.R. 11233 extends the Library Services and Construction Act for 5 additional years, that is, through fiscal year 1981.

Mr. Speaker, few programs of Federal assistance have won such widespread support as has the Library Services and Construction Act.

Since the Federal Government began to assist public libraries, in fiscal year 1957, under the then Library Services Act and, subsequently, the Library Services and Construction Act, the United States has gone a long way toward achieving the objective of providing modern library services for the people of our country.

The stimulation of Federal funds has helped strengthen library services at the local level as well as encouraging more effective leadership on the part of State library agencies in providing library services.

The bill under consideration would continue this important support for an activity that is indispensible to a genuinely civilized society.

Let me, Mr. Speaker, describe briefly the purpose of the bill under consideration.

Title I of the Library Services and Construction Act provides funds for the acquisition of books, materials, and equipment as well as paying salaries and operating expenses.

Under title I, States also receive funds to extend library services to those whose access to them is limited, such as the poor, the handicapped and people who live in remote areas.

This title also supplies support for metropolitan public libraries which function as regional or national resource centers.

In addition, the title strengthens the capacity of State library agencies to provide library services.

H.R. 11233 authorizes title I expenditures of $100 million, $110 million, and $130 million for fiscal years 1977, 1978, and 1979, respectively.

The bill authorizes such sums as may be necessary for fiscal years 1980 and 1981.

Title II of the Library Services and Construction Act provides grants to the States for public library construction of and alteration and remodeling.

The bill under consideration recommends such sums as may be necessary for this title of the act.

I am well aware, Mr. Speaker, that this title of the act has not been funded in recent years but the committee notes that a substantial backlog of public library construction projects has developed and considers the continuation of this provision of the act, therefore, to be necessary.

I now will say a word about title III of the act, also extended by H.R. 11233, and which encourages cooperation and coordination among libraries of all types.

Such cooperation is made possible by grants to the States for the planning, establishment, and maintenance of cooperative networks of libraries at the local, regional, or interstate level.

Only yesterday, while visiting the University of Evansville in my own State of Indiana, I learned of the great progress being made toward such statewide cooperation by the establishment of an interlibrary network in Indiana.

These networks are intended to provide for coordination of the resources of school, public, academic, and special libraries and information centers.

H.R. 11233 provides authorizations for title III of $10 million, $15 million, and $20 million, respectively, for each of the next 3 fiscal years while authorizing such sums as may be necessary for fiscal years 1980 and 1981.

Let me now, Mr. Speaker, speak of title IV of the Library Services and Construction Act, under which grants are authorized to the States for the provision of library services to the elderly.

Title IV has not yet been funded but the committee, aware from the testimony that there is a genuine need for a program that is targeted on providing library services to older Americans, has extended this provision of the act, authorizing such sums as Congress may deem necessary.

There is, Mr. Speaker, a particular modification in the Library Services and Construction Act made by H.R. 11233 of which I want to say a word. I refer to that language in the bill which requires that the administrative moneys expended by the States in carrying out programs under the act must be matched by the States from other than Federal funds.

The General Accounting Office has advised Congress that all States retain large percentages of title I funds at the State level for administration and support services or for statewide projects.

The committee believes that, with respect to the administrative expenses of the States in carrying out programs under the act, the prohibition against the use of Federal funds for matching purposes will encourage greater use of State funds for this purpose. State legislatures will in turn be encouraged to increase their own activities in overseeing the operations of State library agencies.

The committee was reluctant to impose a limit on all States that might work a hardship on some. However, it does expect the Federal administrators of the act to monitor State practices and to advise the committee if corrective legislation seems to be necessary. Administrative expenses in excess of 10 percent of program costs would appear to be unwarranted.

Mr. Speaker, on December 16, 1975, the Subcommittee on Select Education unanimously recommended the extension of the Library Services and Construction Act as reflected in H.R. 11233. The bill was thereafter reported to the House by voice vote of the Committee on Education and Labor on January 28.

Mr. Speaker, at this point I would like to thank all of the members of the Committee on Education and Labor for their support of this bill. In particular, I would like to thank the distinguished chairman of the Education and Labor Committee (Mr. PERKINS) and the distinguished ranking minority member (Mr. QUIE) for their help in bringing this measure before you today.

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

Mr. BRADEMAS. I yield to the distinguished chairman of the committee, the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, H.R. 11233 provides for the needed extension of programs carried on under the Library

Services and Construction Act—the direct descendant of the Library Services Act we enacted in 1956. That original legislation was approved with strong support on both sides of the aisle, and bipartisan cooperation has been the watchword since that time, in consideration of legislation to amend and extend public library legislation.

In 1960, when we extended the act for 4 years, the political platforms of our great political parties contained planks and pledges dealing with the needs for libraries and library services. That was the first time both parties had gone on record in this manner.

Mr. Speaker, I want to take opportunity initially to compliment the distinguished chairman of our Select Subcommittee on Education for the timeliness and substance of this legislation. A 5-year extension of the act as is proposed will continue these public library programs on a stable basis.

I also wish to compliment the ranking minority member of the committee (Mr. QUIE) and members of the committee on both sides of the aisle for their work and support of H.R. 11233. As I have indicated, the original public library legislation in 1956 received bipartisan support and I am pleased that today the bill we are considering has the same support.

The original Library Services Act was limited to rural areas of the Nation and it did not authorize assistance for library facilities. The Committee on Education and Labor has been most attentive to this legislation through the years and to the needs to which it is addressed. Accordingly, a series of amendments have been enacted to broaden, improve, and extend the original act. The act was expanded to reach all areas of the country and funds were authorized to provide desperately needed assistance for the construction of public library facilities. In 1966 we expanded the act to authorize services for the physically handicapped, to enable the States to provide library services in State institutions, and to foster many forms of cooperation among libraries. The act was last amended in 1970, and the present law will expire on June 30 of this year.

To give a specific example of how this program works, in my own State of Kentucky, LSCA title III funds have been used to establish the Kentucky cooperative library information project—Kenclip. The program links the libraries within the State with each other, so that an individual with a need for special information has only to turn to his own local library. If his local library does not have the needed information, it will turn to one of the larger libraries in the region, which will, if need be, turn to yet a larger library until the specific item is located and made available to the patron who requested it.

Not so long ago, a heavy equipment operator in my congressional district needed some information on repairing a piece of equipment. The gentleman placed his request at the local public library, which did not have the information he needed. The use of regional and State bibliographic tools developed with assistance from LSCA title III enabled the local library to locate the information from Morehead State University Library, a participating library in the statewide Kenclip network.

Individuals from all walks of life make similar requests for information every day at local public libraries in every congressional district. Title III of LSCA has enabled all States to begin planning for the better coordination of their libraries, but much more remains to be done.

We now have a 20-year record of limited Federal assistance to libraries under this act with a solid record of benefits derived from this stimulation of Federal grants matched in State and local tax effort. And this has occurred without a hint of Federal control or stifling of intellectual freedom. There has been no compulsion or coercion of the Nation's 30,000 libraries. Indeed, this act has expanded freedom, not curtailed it. Some 17 million Americans have gained access to library services for the first time, and and another 90 million men, women, and children have benefited from better public libraries.

Mr. Speaker, a moment ago I mentioned some of the accomplishments which occurred under this act in Kentucky. Much of this success has been due to the admirable and untiring efforts of State and local librarians. For so many years our State was guided in library matters by a good friend and very able individual—Margaret Willis. Her influence is still being felt. The reins are now in the hands of State Librarian Charles F. Hinds—and he is doing an equally fine job. I want to compliment all librarians across the State, including those in public libraries, and in college and school libraries.

The bill before us today is a simple extension and authorization of appropriations for the coming 5 years. It authorizes such sums as may be necessary to continue all programs through the transitional quarter. It authorizes a total of $340 million for title I, Library Services, for the 1977, 1978, and 1979 fiscal years, and it authorizes a total of $45 million for title III, Interlibrary Cooperation, for the same 3 fiscal years. For title II of the act, Public Library Construction, and title IV, Older Readers Services, the bill would authorize such sums as may be necessary.

For Library Services under title I and Interlibrary Cooperation under title III of the act, the committee bill would authorize such sums as necessary for fiscal years 1980 and 1981. We are hopeful that in due time we will have before us the recommendations of the White House Conference on Library and Information Services. Members will recall that the bill we enacted to authorize this conference, which was signed by President Ford on December 31, 1974 (Public Law 93-568), requires that the conference be held not later than 1978. The findings and recommendations of the White House Conference, and especially of the State conferences that will precede it, will provide us with an up-to-date evaluation from the grassroots of the needs of public libraries.

We do not need a White House Conference to tell us that those needs are great and growing. The cost of books, magazine subscriptions, and everything else that a library must obtain for its users has been rising rapidly. Postal fees are upward bound, and so is the cost of fuel and everything else needed to keep a library's doors open to the public. Some of the greatest libraries in the land are reducing their staff, limiting their purchases of new publications, curtailing their hours, and tragically even considering closing some of their facilities.

These are hard times, yes, and belts must be tightened. But it is unthinkable that we would retreat in our support of public libraries in a country where they were invented, any more than we would think of closing the doors of our schools. Both play their part in educating our people for self-government and for useful, productive, rewarding lives in freedom and dignity. Our libraries and our schools and colleges are the very bedrock on which our democracy and our productivity and progress as a nation are founded.

I want to emphasize that we have no practical alternative to the Library Services and Construction Act. At one time, general revenue sharing was presented as the answer, or one answer, to the financial problems of public libraries. It is true that the State and Local Fiscal Assistance Act does authorize use of Federal funds provided under the act for library construction and support. Although libraries are among the priority expenditure categories at the local level, they have not gained much thereby. Less than a modicum of aid—only 1 percent of the total—has been allocated to libraries, and witnesses before the Committee testified that in many cases Federal funds were merely substituted for money that would have been available under their regular budgets.

We have required the Office of Education to arrange for independent evaluation studies of the operation of the Library Services and Construction Act. Under contract to the Office, the Systems Development Corporation reported in 1973 that:

> LSCA funds have been a critical factor in projects for special clienteles, and they have provided the bulk of the funds used for innovative projects: without LSCA (or a real substitute) there would be little or no innovation—in short, a rather static, even moribund public library in the U.S.

That is from one of the official evaluation reports to the administration. The General Accounting Office has also reviewed the programs under the act before us today. The Comptroller General recommended that some limitation be placed on the use of funds by the States for administrative expenses and accordingly the bill requires that Federal funds allocated for administrative costs be matched by non-Federal funds. This will assure that for the most part Federal funds will be used for the extension and improvement of public library services in parts of the State where they do not

exist or where they are less than adequate.

I want to point out that funds provided under this act are matched—in fact, this money is more than matched—by State and local dollars. Under titles I and II, in no case can the Federal share be more than two-thirds of the total project cost, nor less than one-third. Under title III, there is no matching formula, but matching is required because Federal funds do not cover all the costs. So this is a sound, prudent bill from a fiscal standpoint.

H.R. 11233 will continue the authorization of assistance for construction, remodeling or modernization of library facilities, as the committee has been advised that some 750 construction projects located in every State are on the drawing board almost ready for contracting. Matching funds are in hand at the State and local levels, and sponsors are waiting only for the necessary Federal share. At the close of my remarks, I will insert in the RECORD a list of some of Kentucky's pending LSCA construction projects to show the continuing need for this program.

The Library Services and Construction Act is vital legislation whose beneficial effects are visible in every State and every congressional district. Our public libraries are under the watchful eye of independent boards of trustees, people from all walks of life, and I doubt that any Member has not received some communication or even visitation from respected, knowledgeable local people asking that the act be extended and supported. Let us respond affirmatively to their pleas.

Mr. Speaker, I urge overwhelming approval of the bill. At this point, Mr. Speaker, I insert the chart showing planned library construction projects in Kentucky:

LIBRARY CONSTRUCTION PROJECTS IN KENTUCKY READY FOR IMPLEMENTATION WHEN FEDERAL SHARE AVAILABLE

Name of library	Type of project	Square feet	Estimate cost			
			LSCA II	State	Local	Other
I.						
Ashland Public Library (Boyd County) (potential project cost $900,000)	New	11,785	$350,721	$100,000	$215,680	$250,000
Henderson County Public Library (Henderson, Ky.) (potential project cost $900,000)	New	14,412	249,987	250,000	153,217	0
II.						
Allen County Public Library (Scottsville, Ky.)	New	6,000	186,000	0	114,000	0
Fayette County Public Library Branch (Lexington, Ky.)	New	7,500	232,500	0	142,500	0
Hopkins County Public Library (Madisonville, Ky.)	New	15,266	473,270	0	290,070	0
Lee County Public Library (Beattyville, Ky.)	New	4,500	139,500	0	45,000	4,500
III.						
Bourbon County Public Library (Paris, Ky.)	R. & A.	[1] 6,823	186,000	0	114,000	0
Graves County Public Library (Mayfield, Ky.)	New	12,375	383,643	0	235,137	0
Henry County Public Library (Eminence, Ky.)	R. & A.	6,000	186,000	0	114,000	0
Knox County Public Library (Barbourville, Ky.)	R. & A.	9,475	293,743	0	94,756	85,280
McCreary County Public Library (Whitley City, Ky.)	New	6,000	186,000	0	60,000	54,000
IV.						
Boyle County Public Library (Danville, Ky.)	R. & A.	5,000	155,000	0	95,000	0
Carroll County Public Library (Carrollton, Ky.)	R. & A.	2,500	77,500	0	47,500	0
Greenup County Public Library, South Shore Branch (South Shore, Ky.)	New	3,000	93,000	0	30,000	27,000
Harlan County Public Library (Harlan, Ky.)	R. & A.	2,500	77,500	0	25,000	22,500
Knott County Public Library (Hindman, Ky.)	New	4,200	130,200	0	42,000	37,800
Hardin County Public Library, North Hardin Branch (Radcliff, Ky.)	New	3,500	108,500	0	66,500	4
Pike County Public Library (Pikeville, Ky.)	New	12,211	378,560	0	122,116	109,900
Shelby County Public Library (Shelbyville, Ky.)	R. & A.	2,500	77,500	0	47,500	0
Taylor County Public Library (Campbellsville, Ky.)	R. & A.	2,500	77,500	0	47,500	0

[1] Renovation to make complete facility usable.

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

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

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

Could the gentleman tell me how much construction actually was completed under this bill last year?

Mr. BRADEMAS. None.

Mr. ROUSSELOT. Is there any anticipated in the future?

Mr. BRADEMAS. The committee hopes very much that there will be money appropriated for construction in the future, in that, as the report indicates, there exists a substantial backlog of public library construction projects.

Late last year, the committee was advised that about 750 such construction projects were planned, with matching funds already allocated, but that the several sponsors of the projects were awaiting the provision for Federal contributions in order to begin these projects.

I hope very much, therefore, that the authorization contained in the bill for construction will be continued.

Mr. ROUSSELOT. The reason I ask is that we have heard a great deal about the importance of construction of worthy public projects. I just wonder why, since construction money has been authorized, we have not actually used it where a need could be shown to exist.

Mr. BRADEMAS. I think the gentleman's point is a very well taken one. It is my own hope, may I say to the gentleman from California (Mr. ROUSSELOT), that even as the House has just voted on a local public works construction bill for needed public works projects, I hope, in view of the very high continuing level of unemployment in the country, that greater attention will be given to the funding of title II of the Library Services and Construction Act. Quite obviously, there is a continuing and substantial need for library facilities in the country and at the same time, title II appropriations can be helpful in providing needed jobs in the construction industry.

Mr. ROUSSELOT. Does the gentleman know where most of these backlog construction projects of which he speaks are located or do we have any information as to that?

Mr. BRADEMAS. I do not have any information immediately before me, but I will be glad to supply it for the benefit of the gentleman from California. I can assure him, however, that there is a significant demand for these projects throughout the United States.

Mr. ROUSSELOT. It just seems strange to me to be calling this an extension of library services and construction when we do not have any construction actually going on.

Mr. BRADEMAS. I agree with the point the gentleman is making. In that respect, I share his concern that not enough moneys have been devoted to library construction. I might point out that the administration has, despite the need for such construction, requested no money for construction.

I would hope that our colloquy here will provide some incentives to the provision of such money.

Mr. ROUSSELOT. I would appreciate it if the gentleman will insert at this point in the RECORD the list of those areas where there is a backlog.

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that I be permitted to insert the information to which the gentleman from California (Mr. ROUSSELOT) refers.

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

There was no objection.

The material referred to follows:

SURVEY OF STATE LIBRARY AGENCIES ON LIBRARY CONSTRUCTION: PRELIMINARY REPORT

The states report that approximately 226 library construction projects could be started by July 1, 1975 (column 1); an additional 224 projects could be underway by January 1, 1976 (column 2); 293 more could start by July 1, 1976 (column 3) if LSCA II is funded in FY 1975. An additional 766 projects are needed over the next 2–3 years (column 4).

	July 1, 1975	Jan. 1, 1976	July 1, 1976	1976–78
Total number of projects	226	224	293	766
Alabama	2			3
Alaska	12	2	5	30

	July 1, 1975	Jan. 1, 1976	July 1, 1976	1976–78
Arizona			2	5
Arkansas		3	2	
California	24	20		
Colorado	1	8	7	36
Connecticut	5	7	16	35
Delaware				
Florida	6	7	6	41
Georgia	2	3	7	27
Hawaii				
Idaho	12	10	5	8
Illinois	1		30	25
Indiana	3	2	5	20
Iowa	15	14	34	
Kansas	1			5
Kentucky	2	4	5	9
Louisiana	9			36
Maine	4	1	1	15
Maryland	2	2	2	11
Massachusetts	1	1	4	60
Michigan	11	16		35
Minnesota	2	5	7	16
Mississippi	22	17	16	42
Missouri	1	2	2	10
Montana		6		
Nebraska	3			12
Nevada	1	1		3
New Hampshire	3		7	15
New Jersey	2	6	20	
New Mexico	1	1	7	25
New York	7	20	23	
North Carolina	4	4	1	15
North Dakota				5
Ohio				
Oklahoma	3	4	5	4
Oregon	3	4	5	5
Pennsylvania	4	4	5	12
Rhode Island	4	2	5	16
South Carolina			1	3
South Dakota	1	2	2	15
Tennessee			1	8
Texas	18	27	15	39
Utah	9		3	22
Vermont	3	3	1	15
Virginia	3	4	4	7
Washington	6	4	13	36
West Virginia	3	3	3	25
Wisconsin	6	3	12	11
Wyoming	4	2	4	4

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

Mr. Speaker, I rise in support of H.R. 11233, a bill to amend and extend the Library Services and Construction Act through 1981.

This is the only program which the Federal Government has which supports the public libraries of this Nation. In the last 2 fiscal years, the appropriation for these programs has been about $52 million. That is a small amount of money for the Federal Government to spend in support of the 8,000 public libraries in this Nation.

Newspaper stories across the land have highlighted the importance of libraries in times of high unemployment. Even in more normal times, the library often serves as the community center as well as a source of reference material, pleasure reading, records, and films.

The New York Times recently reported that the costs of inflation have had a particularly severe impact on libraries, largely because the publishing industry has been hit with large increases in the costs of paper, labor, and postage. The average periodical subscription now costs a library $19.94 per year. A single copy of a book—$14.09.

I share with many of my colleagues a concern over the increased costs of government. More often than not these problems first arise in the form of authorization figures which are far beyond what is actually achievable. In LSCA we have responded to these concerns by actually cutting authorizations back. For example, authorizations for the four titles of the act for fiscal year 1976 totaled $252 million. For fiscal year 1977 we have reduced authorizations to $110 million for titles I and III and simply provided for such sums for titles II and IV.

The only substantive amendment made to the current law provides that any funds retained by the State for administration must be matched on a dollar-for-dollar basis by a State appropriation for administration. This amendment will serve to reduce the percentage of funds being used by the State for administration while at the same time providing a mechanism for the State library agency to be accountable to the State legislature for its stewardship of Federal funds.

I wish to make clear that the matching funds for administration must come from State sources. It cannot come from local library funds or from other Federal funds, such as general revenue sharing.

I might also note that this bill was introduced with wide bipartisan sponsorship and was reported by the subcommittee and full committee without a single opposition vote.

In summary, I believe that the Library Services and Construction Act has been a positive factor in the growth of the Nation's public libraries. I urge support of the bill.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise to express my strong support for passage of H.R. 11233, the extension of the Library Services and Construction Act.

There can be no question that library services are a vital part of our Nation's total educational and social program. The original bill, rural in its orientation, has been expanded through the years as recognition of the need to provide modern library services to every American has become more evident.

This bill, through title I, provides assistance for the acquisition of books, materials, and equipment, and provides grants to extend library services to those whose access to such services is limited.

Title II authorizes grants for the construction of new buildings, acquisition, and expansion and remodeling of existing sites.

Title III provides grants for the States for planning and maintenance of library networks throughout the State, and title IV, which has never been funded, authorizes grants for the provision of library services for the elderly, including the payment of salaries for elderly persons who wish to work in libraries, and transportation to those without ready access to library services.

This is a comprehensive legislative package and while each title is vital to the program, I cannot stress too heavily the impact that titles II and IV have on the State of Arkansas.

At the present time, five libraries in Arkansas are awaiting construction—five communities have met the matching fund requirements, but can do nothing until this program is approved. Further, on a per capita basis Arkansas now has the second largest population of elderly in the country and the numbers are rising steadily. I cannot begin to tell you the great benefits that the provisions of title IV would bring to the thousands of elderly in Arkansas alone. Inclusion of this title in the bill is a boon to these people, and eventual funding of the title is vitally important.

Every Federal dollar spent on library services is matched by the States and localities, and the stimulation of Federal funds into this program has vastly strengthened State library agencies responsible for providing leadership in library development throughout the country. Where an economically disadvantaged community may never have been able to establish its own library independently, this program enables them to determine their basic needs, and obtain the necessary help to proceed.

The Education and Labor Committee tells us that under this program, 17 million people have been provided public library services for the first time, and another 90 million Americans have received much improved library services. What this means is that almost one-half of our population has received direct benefit under this act. Of all the Federal programs in existence today, how many can claim such a high rate of return for the taxpayer?

How do we place a dollar amount on the benefits this program provides to an inquiring young mind, when his prior limited horizons have been expanded to take in all the past, present, and future of this ever-changing world?

How do we equate in dollars the joy that library services bring to the sick, the handicapped, the institutionalized, and the elderly, when their lives are enhanced by a book, a magazine, or a newspaper?

Certainly, access to books, to reference sources, and periodicals can serve as the turning point in the lives of millions of Americans and the ultimate good that comes from such services cannot be ignored.

The ability to read, and ready access to reading sources, is a key to tomorrow and we cannot fail to respond to this need.

I have consistently supported library service programs and I strongly urge continued support for this program by the Congress today.

Mr. KOCH. Mr. Speaker, a most important bill is being voted on today, H.R. 11233, the extension of the Library Services and Construction Act. The Federal role in assisting public libraries began with aid to rural libraries under the Library Services Act of 1956. Since then some 17 million Americans have received library service for the first time and another 90 million have benefited from improved service. The Federal Government helps support libraries through various programs administered by several agencies, however the largest portion of support comes from title I of the Library Services and Construction Act of 1964—LSCA. Funding for public libraries, however, has been plagued by the following problems: Inadequate, untimely, unstable funding at every governmental level impeding a viable intergovernmental partnership and local planning; a lack of mutually reinforcing funding formulas; a Federal authorization—appropriations gap; and a backlog caused by previous impoundments.

But, even with a level of Federal support well under 10 percent of the operating expenditure of public libraries, the most severe critics would agree that the program had a significant impact on activating complementary support programs in many States. In reports to the National Commission on Libraries and Information Science, System Development Corporation made the following statements:

LSCA funds have been a critical factor in projects for special clienteles and they have provided the bulk of the funds being used for innovative projects; without LSCA (or a real substitute) there would be little innovation—in short, a rather static, even moribund public library in the U.S.

It is our (System Development Corporation's) belief that continued Federal intervention is necessary. Local governments, local communities and individual states, acting independently, cannot supply the coordination, direction, and support that is required to exploit the potential of the public library for providing information and education services during the coming decade. (The Public Library and Federal Policy, Final Report, April 1973.)

In 1973 the administration recommended the elimination of the Federal grant programs for libraries and suggested revenue sharing as an alternative. I for one strongly disagree with the administration that the Library Services and Constrution Act has outlived its usefulness. Though libraries have been included as one of the eight priority items for general revenue sharing, of the $9.5 billion of these funds spent during the first 2½ years of the program—January 1972–June 1974—public libraries received only 1 percent of the funds available to local governments. The American Library Association noted in a March 1975 paper that only 14 percent of the Nation's public libraries had received general revenue sharing funds. The vast majority have not been touched.

In general, revenue sharing funds have not spurred innovation or the extension of library services. Instead there is a growing tendency to use these funds to replace State or local funds previously provided for library support. This leaves local public libraries with the need to increase budget requests due to State and Federal cutbacks. The problem is especially severe in urban areas because of the gap between needs and resources. The preponderance of testimony before the National Commission on Libraries and Information Science indicates that revenue sharing does not work well for libraries because it forces them to compete for funds with higher priority local agencies. Regional library networks have particular difficulty in attracting funds under these circumstances. Local authorities in many instances have informed libraries that the funds that are provided under general revenue sharing are "one time only."

Representatives of the executive branch have repeatedly denied before congressional committees that general revenue sharing was not intended as a replacement for categorical grants. However, impoundments and proposed rescissions have been defended in part on the grounds that revenue sharing funds can be used in place of categorical aid. I am distressed by the position of the Office of Education which favors the proposed phase out of the Library Services and Construction Act, while citing the assistance provided by general revenue sharing.

Beyond the political battles over categorical versus block grants, there is a broad set of reasons for continuing substantial Federal funding of public libraries. The National Commission on Libraries and Information Science holds that the total library and information resource in this country is a national resource that should be developed, organized, and made available to the maximum degree possible. The benefits extended beyond the individual and the community. In addition, all people have a right to realistic access. The American Library Association estimates that 20 million Americans are without access to public library services.

A workable program to provide access requires close intergovernmental and interjurisdictional cooperation that can be fostered only by Federal initiative. Substantial and direct Federal financing is appropriate to provide national services, to meet interstate disparities, and to assist in upgrading a service to a desired level and support of local services. Aid to special groups is another legitimate national concern. Also, increasingly public libraries are being seen as valuable adjuncts and alternatives to formal public education because of their research, informational, and recreational functions. Public libraries supplement and complement other Federal programs, too, such as books for the adult blind.

At a minimum there is a strong Federal role in providing funds for research and development of innovative projects, expansion of data gathering, and technical assistance. An expansion of interlibrary cooperative programs to help ailing urban centers to make available their specialized library resources should be integral to any national program. Coordination of existing Federal programs should also be included.

The 93d Congress authorized a White House Conference on Library and Information Services to take place no later than 1978. Though planning has already begun on the conference and the local and State meetings that will precede it, a January 26 letter from Alan Kranowitz, Assistant to the Director of OMB for Congressional Relations, to Congressman JOHN BRADEMAS took the following position:

After careful deliberations the Administration has decided it will not convene a White House conference, but will rely on the National Commission on Libraries and Information Science to develop and recommend plans for library information policy.

Though the Commission is most capable, it has neither the staff nor the funds to develop a grassroots national plan. The reasoning behind the administration's lack of action is reportedly that such a conference would be inflationary, if only by raising expectations.

I consider this conference an important step in reassessing Federal assistance to public libraries. I would expect that a better understanding of library needs and resources would result from the conference process as well as strengthened public support for library programs. I call for the administration to rethink and reverse its apparent decision on the conference. Meanwhile, the continuation of a Federal commitment to public libraries through categorical aid under existing titles is essential, with special emphasis on title III to maintain the movement toward cooperative projects.

Mr. BIAGGI. Mr. Speaker, I rise to give my enthusiastic support for H.R. 11233, the Library Services and Construction Act of 1976. I am proud to be among the original cosponsors of this legislation and its passage will represent an important national commitment to insuring access for all Americans, to the wealth of knowledge contained in our library system.

This legislation would extend the present Library Services and Construction Act, first passed in 1956 and amended in 1964, for 5 years. In the past 20 years, an estimated 107 million Americans have been provided new and improved library services. A major improvement in the act was made in the 1964 amendments when, for the first time, urban libraries were included under the coverage of the legislation. As a result, innovative projects have been funded, improving library and information services to residents of disadvantaged neighborhoods.

In addition, funds under title II, Library construction grants, have resulted in the construction of over 2,000 new public libraries. Furthermore, funds under the act have been provided to establish better cooperative networks between libraries, thus allowing the resources of public college and university libraries to be used to benefit all Americans.

The bill today seeks to extend and expand this most worthwhile, and proven legislation. Besides extending the act through 1981, the bill would increase funding for all of the existing titles of the act, and provides funding for other titles of the bill which have not been previously funded. One such title is title IV, which will provide State grants for improving library services for the elderly, including the purchase of special library materials, funds for salaries of older persons wishing to work in libraries, in-home visits to the elderly by library personnel, and transportation to allow the elderly better access to library facilities.

I am particuarly enthused about this provision of the legislation. Today, when we are trying to provide meaningful activities for our senior citizens, this bill represents a very positive step in this direction. The alternative facing senior citizens today who do not have such activities is loneliness and institutionalization.

I wish to point out that this legislation provides funds under title I which can help prevent the closing of libraries in areas where fiscal problems prevail. Such a situation has occurred, and continues to exist, in the city of New York. The threat of closing libraries has caused great concern in communities throughout the city. It is hoped that the funds

under title I, as well as matching state funds, will be available in sufficient quantity to prevent the closing of even one library.

Mr. Speaker, the United States has always been in the forefront of providing its citizens with educational opportunities. Our school systems remain the best in the world and in recent years, thanks to the Library Services and Construction Act, our libraries, too, are unmatched in quality.

Today, we are seeking to expand on these achievements through extending this important legislation. With over 100 million Americans benefiting from this act today, its record of accomplishment speaks for itself. I call on my colleagues to continue this important commitment to maintaining a free and viable public librray system.

Mr. PEYSER. Mr. Speaker, I urge adoption of H.R. 11233. This bill is of profound importance to the people of New York State as it is vital to the people of every other State. The Library Services and Construction Act promotes sound and sensible programs that light the lamps of learning and keep them lit. As my colleagues have pointed out, the funds available under this act are matched by State and local funds. There has been $2.50 in State or local money provided for every Federal dollar for library construction, for example. There is no foisting of this program on local people and local agencies; obviously they need and want and value and support this program.

The Federal assistance is vital for our urban libraries. In my own State about 45 percent of the funds provided under title I of the act have been allocated to our five major metropolitan areas. Most if not all of the libraries in the State benefit, too, through the cooperative networks that are spurred by the Library Services and Construction Act. Our network of interlibrary cooperation in New York State is paralleled by those in Illinois, Wisconsin, Minnesota, and Washington. I am told there are interstate groups for library cooperation in New England, in the Southwest, the Midwest, and the Southeast.

About one-third of the Nation's libraries are joined in these cooperative projects which unite public libraries with school libraries and college and university libraries to provide better service to the public. Obviously, there is scope for still further improvement and greater linkages. Economies must be effected, too, where these are possible. The number of titles issued by American publishers nearly doubled between 1960 and 1965 alone, while the average price of a library book rose by 15 percent between 1973 and 1974 alone. Our libraries are hard-pressed to meet the needs of their users of all ages.

Some have been forced by budget cuts to reduce their purchases, curtail their hours of service, reduce their staffs. Less than a half-million handicapped people now have access to the talking books and other specialized materials and services they require, while millions of others wait for their libraries to receive the resources they must have to provide such assistance. We cannot turn our backs on those who are out of the mainstream of our society.

This law has enabled many libraries to pioneer, to reach out to these without access to the stimulation and self-improvement afforded by libraries. Books-by-mail service is proving effective. It has been extended to some of our correctional institutions in New York State, and building on that, paperback books have been placed in cellblock libraries where inmates are trained to perform library duties. These are among the practical, constructive contributions of this program. We want to make more progress possible.

This is prudent legislation, farsighted legislation, providing a foundation for further progress. It is my hope and that of many of my colleagues that the State preconference and the national White House Conference on Library and Information Services we have authorized for 1978 (Public Law 93–568) will permit people in all walks of life to cast their votes and exert their influence for the continued sound development of their local libraries.

These are not elitist, ivory tower institutions we aid through this legislation. The library's doors are open to all—from the preschool child who comes for a storytelling hour to the businessman or technician who comes for technical data to the students of all ages to the elderly who come to continue as a part of the community. All are welcome, and a vote for the Library Services and Construction Act is a vote for all. Mr. Speaker, I urge adoption of the bill.

Mr. CONTE. Mr. Speaker, I rise in support of the bill to extend the Library Services and Construction Act through fiscal year 1981.

I entered the Congress more than 17 years ago when the predecessor of this legislation, Library Services Act of 1956, was still in its formative stages. Later, in 1964 the program was amended to provide construction funds as well. Since those early years, library facilities have reached 17 million Americans for the first time. More than 90 million Americans have since enjoyed more improved and expansive facilities.

Under the title III construction provision 177 million Federal dollars have been matched by more than $457 million in State and local matching funds. It is clear from the extensive participation by the States and local communities that these library extension services are of a high priority—and they should be.

The services that are provided under this act deserve mention. They are designed to assist the States to:

First. Develop and improve public library service in geographical areas and to groups of persons without such service or with inadequate service;

Second. Provide library services for patients and inmates of State-supported institutions, physically handicapped people, and disadvantaged persons in low-income areas, both urban and rural;

Third. Strengthen metropolitan public libraries which function is regional or national resource centers; and

Fourth. Strengthen the capacity of the State library agency to meet the library and information needs of all the people.

Finally, I should like to mention a section of this bill which I consider to be very important. Title IV provides grants for Older Readers Services. These grants enable the States to provide numerous library programs and services for the elderly. Some of the important ones are:

Providing for purchase of special library materials.

Providing salaries for the elderly who are employed by various library programs.

Providing funds to enable library personnel to visit the elderly and "bring the library" to their homes.

Provide transportation to and from the libraries for senior citizens.

I believe these programs are a most important aspect of this legislation and give them my sincere support.

It is with a great degree of consistency and concern for the future of our Nation's library programs that I stand in support of H.R. 11233 in the same manner as I have for its predecessors throughout my tenure in the House of Representatives.

I should like to conclude with a most appropriate quote by Ralph Waldo Emerson:

> In the highest civilization, the book is still the highest delight. He who has once known its satisfactions is provided with a resource against calamity.

I urge my colleagues to support this legislation.

Mr. FORD of Michigan. Mr. Speaker, I rise in support of H.R. 11233, a bill to amend the Library Services and Construction Act and extend it through fiscal year 1981.

The purpose of LSCA is to assist the States in the extension and improvement of public libraries so that all Americans have access to an adequate public library. This act provides for the extension and improvement of public library services in areas of the States which are without such services or in which such services are inadequate; the construction of public libraries; the improvement of library services for physically handicapped, institutionalized, disadvantaged, and elderly persons and people with limited English-speaking ability; the strengthening of State library administrative agencies; the promoting of interlibrary cooperation among all types of libraries; and the strengthening of metropolitan libraries which serve as regional or national resource centers.

Mr. Speaker, public libraries, like so many other public institutions, have suffered severely from the economic crisis which has plagued this country for the past several years, and at the same time demands on libraries are increasing dramatically—as the New York Times article which follows will illustrate. The extension of the LSCA will not necessarily improve the financial conditions of our libraries, but hopefully it will make it a little easier for them to weather the storm.

By extending the LSCA today we will be voting to continue a tradition of providing limited, but badly needed Federal assistance to libraries which began in

1957. Since then, it is estimated that approximately 17 million people have gained access to public library services for the first time, and another 90 million citizens have benefited from greatly improved services.

I would also like to emphasize to my colleagues that this is a matching grant program—which means that every Federal dollar spent under this program is matched by State and local funds. Since 1965, under title II, the construction grant program—the $177 million spent in Federal funds has been matched by $457 million in State and local funds—a ratio of $1 in Federal funds to $2.58 in State and local.

Mr. Speaker, earlier I referred to an article which recently appeared in the New York Times. This article illustrates quite well the situation our public libraries face today—severe budget restraints and greater demands. It points out that there is a dramatic increase in library activity in all age groups—ranging from children who are showing a renewed interest in reading, to unemployed workers who are turning to libraries in hopes of learning how and where to find new jobs.

Mr. Speaker, there is no question of the necessity to continue the program authorized by the Library Services and Construction Act, and I hope my colleagues from both sides of the aisle will join me in supporting this bill.

At this point, I would like to insert into the RECORD the article to which I have referred:

[From the New York Times, Feb. 15, 1976]

NATION'S LIBRARIES ARE BUSIER THAN EVER

(By Alden Whitman)

On a cold, sleeting, gray Sunday in Arlington, Va., recently the busiest place in town was the Arlington Central Library. A large parking lot behind the building was full, and the on-street spaces were taken.

Approaching the building at one moment were an elderly couple, a father with three children, two grammar school children with a clutch of books and two teen-agers.

Inside, a line six to eight deep waited to check out books and virtually all the reading tables were fully occupied.

This scene is typical of what is happening in public libraries across the country these days. Record numbers of borrowers and browsers are using their services, despite budget cutbacks. Book circulation was up as much as 10 percent in 1975 over the years since 1970. And in many instances, attempts to limit library services or to close branches have been thwarted by vigorous citizen protests, as happened in New York last month.

Not only is the number of borrowers increasing, but also, most significantly, children, who seemed to have dropped out of reading books in the 1960's, are back in the libraries and reading for pleasure above and beyond the books for school assignments.

These two developments stand out in interviews with officials of the New York Public Library System as well as spot checks of libraries and readers in New Jersey, Boston, Hartford, the Washington suburbs, Atlanta, Chicago and its suburbs, St. Louis, Seattle, San Francisco, Los Angeles and several Montana cities.

PRACTICAL USES STRESSED

The other principal developments noted by librarians in these areas and in New York were as follows:

A heavy demand for how to books, with an emphasis on home appliance repairs, automobile repairs and craft skills.

An equally large call for books on preparing job resumes or those that could help candidates for Civil Service employment.

A surge of requests for books describing the qualifications for jobs in those segments of the labor market that seem to be doing active hiring.

"Part of the increase in library usage is due to the economy," said Robert Hansbury, administrator of the Seattle Public Library System, adding:

"We just had our biggest year since 1932 in the height of the Great Depression as far as circulation goes."

And, continued Nancy Wilden, head librarian in the literature section of the Seattle library, "The business department has been really busy. People are out of work and looking for new fields; many are busy making out resumés. People can't afford repairmen, so they taking out books on do-it-yourself plumbing, car repair, home improvements. More people are also getting into recreational reading because they have more time."

In addition to reading that relates directly to the country's economic dislocations, there is a rise in demand for adult education books.

"At least half of our patrons are adults," Gay Jameson of the Denver Public Library System said. "Either they are in school learning to be teachers, or they are in art classes learning illustration, or they are just starting out in something and want the simplest possible explanation."

NONFICTION STILL LEADS

The preference of book purchasers for nonfiction over fiction by about 60 to 40 percent, observed in recent years, also holds true for adult library users. This is somewhat at variance with libraries' experience in the 1930's, when novels and "escape" literature were high in demand.

Novels, to be sure, remain sought after by borrowers. "A year ago, the more prosperous-looking, middle-class users would have bought the new hot novel," David Belch, information officer for the San Francisco Public Library System, said. "Now they come in and even though they are told there may be a two- or three-month wait for a book, they still put a reserve on it."

All librarians report that fiction that has television exposure experiences a rise in demand.

"There was a big run on 'The Forsythe Saga' after it appeared on TV," according to Jean Glafke of the Seattle Public Library, who also remarked, "The great demand is also in new books, because authors appear on TV so much."

EXPECTATION NOT REALIZED

Nonfiction choices are also visibly affected by television. A current favorite is George Sand, the nineteenth-century French novelist, whose life was recently portrayed on television. Now biographies of her and copies of her novels are being sought out by library users.

Another example is "Eleanor and Franklin," Joseph Lash's biography of Eleanor Roosevelt and her President-husband. "We had 23 copies of 'Eleanor and Franklin' at the St. Louis County Library," said Donell Gaertner of that system recalled, "and they were dead wood until a recent television program of that name. Then in one day they were gone."

"Librarians were terribly concerned when television first came on the national scene," Henry G. Shearouse Jr., Denver's head librarian, said. "Well, it's done exactly the opposite. As soon as a book is on TV, you've got somebody coming down here to know more about it."

In the nonfiction category, apart from biographies and books on money management and consumer information, most libraries find that readers look for books on the occult, mysticism and psychotherapy.

"Psychology books of all kinds are busy," Marjorie M. Gibbons supervisor of branches for the Boston Public Library, said. "People are concerned with the self."

In still further evidence of what one librarian called "the Dow Jones Industrials effect" on library usage, thousands of adult readers are going into libraries to read magazines, the news weeklies and periodicals to which they have let subscriptions lapse. Librarians note that the elderly, often pinched on their incomes, are among the most regular magazine readers.

Ethnic studies are also in demand, according to Lynn Jenks, adult book coordinator of the Los Angeles Public Library System. "Now we find that various ethnic groups want literature in their own language or translated materials," he said.

JOY OVER CHILDREN'S USE

The smiles of librarians turn into beams of sheer joy as they contemplate the influx of children. Virtually every library in the cities surveyed finds that youngsters are making increasing use of the circulating collections and the reading rooms for recreational reading.

"Over the Christmas holidays when school was out, we had a lot of kids come in, which is proof positive they come in to read for fun," Kerry Neiman of the San Francisco system said. Similarly, Jean Ross of the Atlanta Public Library System, remarked: "We are seeing more children who come to the library not just to check out something on their book list, but to stay and do recreational reading, or watch a film."

Books, it would appear, have given many children a keep critical eye for television. "I'd rather read than watch TV because the characters are too 'fixed' on TV," Jay Bridenstine, a seventh grader in Helena, Mont., said. "I'd rather read mysteries than watch TV," chimed in Alicia Cooper, a Helena fifth grade pupil. "The cops are too noisy and they're always doing the same thing."

PREPARATION FOR LIFE

In one Los Angeles branch library, a 15-year-old girl was reading Robin Wagner's "Portrait of a Teen-Age Alcoholic," because, she said, her mother was an alcoholic and she hoped the book would help her better to understand the problem.

At another table in the same library, an 11-year-old boy who lives in the Watts section of the city was reading Roy Campanella's "It's Good to Be Alive." "I plan to be a professional baseball player, and I wanted to know what I was going to be up against," he explained.

Librarians in New York and elsewhere have also noticed that many children now prefer books that deal with "real-life" situations. Topics such as family life and urban problems are reported in large demand all over the country. This is not to say that the Nancy Drew books have totally lost their appeal for the young, but Barbara Jones, a branch librarian in Denver, summed up the observations of many other librarians when she said, "Teenagers often go for books that deal with the problems they face, such as 'Mr. and Mrs. Bo-Bo Jones,' about a very young marriage, or 'Go Ask Alice,' which deals with abortion."

Virtually all library systems have been obliged to adjust to budget cuts. These have forced a reduction in hours, staff layoffs and, in New York, attempts to close some branch libraries. In a number of instances, citizen protests have been staged with effect.

Although the general increase in library use is widely regarded as recession-induced, librarians are nonetheless pleased to discover how much the public depends on them. Margery Nelson of the Evanston Public Library summed up the feeling by exclaiming: "We've got lots of 9 A.M. patrons."

Mr. JOHNSON of California. Mr. Speaker, I strongly support the legislation to extend the Library Services and Construction Act for 5 years. The Congress has established an outstanding record in recent years for developing and improving educational programs for the people of our Nation. I personally feel that the young people of our Nation are our most valuable resource. They will be the leaders of tomorrow's world. The education they receive today will significantly affect their ability to carry on the ideals of our country and the high tradition of achievement established by past generations.

One of the key elements in the educational process is the library. The library is a symbol of scholarship second only to the schoolhouse. The library serves not only our youth, but also other people in the community who wish to further expand their knowledge or who wish to read for enjoyment. In fact, the slogan used to observe National Library Week some years ago quite aptly describes the library as "Something for Everyone."

Although libraries basically are a local responsibility, Federal and State governments do help local cities and counties to build, maintain and operate these institutions. The Federal participation, when compared to mammoth Federal programs in other areas, is relatively small. It is provided under the provisions of the Library Services and Construction Act. This has been a continuing program, which in 1970 was broadened to include construction programs as well as basic assistance for supplies and materials.

With the existing program due to expire next year, I eagerly sponsored legislation to continue the Library Services and Construction Act in its present form. I sincerely believe in this program and feel it should be extended.

Under the library services programs, it is estimated that nearly 30 million people received help from small amounts of Federal aid, not including some 800,000 blind people and 400,000 physically handicapped who got special assistance under the program. In fiscal year 1974, over $4 million was made available to California libraries. Northern California counties received $465,000 with each and every county in the First Congressional District benefiting, primarily, through the cooperative library systems program.

I believe these funds have been well spent. One of the major reasons for the success of this program has been that the control of funds rests at the State and local levels, where the needs of the communities can best be determined and acted upon. I hope that the Congress will demonstrate its continued confidence in this program by voting to extend the Library Services and Construction Act.

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

The SPEAKER pro tempore (Mr. McFALL). The question is on the motion offered by the gentleman from Indiana (Mr. BRADEMAS) that the House suspend the rules and pass the bill H.R. 11233.

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

The yeas and nays were ordered.

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

WHITE HOUSE CONFERENCE ON HANDICAPPED INDIVIDUALS

Mr. BRADEMAS. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 154) to extend the time period during which the President is authorized to call a White House Conference on Handicapped Individuals, and to extend the time period during which appropriated funds may be expended.

The Clerk read as follows:

S.J. RES. 154

Whereas the White House Conference on Handicapped Individuals Act (Public Law 93-516) authorized the President to call a White House Conference on Handicapped Individuals not later than two years after the date of enactment of such Act; and

Whereas that Act authorized funds appropriated to carry out the White House Conference to remain available for expenditure until June 30, 1977; and

Whereas that Act provided that the White House Conference be planned and conducted under the direction of a National Planning and Advisory Council, appointed by the Secretary of the Department of Health, Education, and Welfare; and

Whereas the National Planning and Advisory Council has recommended that the convening of the White House Conference be postponed in order to assure sufficient time to develop and convene required State conferences, to assure ease in travel to the Conference by individuals with handicaps, and to assure more effective mobilization of national awareness regarding the problems faced by individuals with handicaps: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 302(a) of the White House Conference on Handicapped Individuals Act (Public Law 93-516) is amended to read as follows: "The President is authorized to call a White House Conference on Handicapped Individuals not later than three years from the date of enactment of this title in order to develop recommendations and stimulate a national assessment of problems, and solutions to such problems, facing individuals with handicaps.".

SEC. 2. Section 306 of the White House Conference on Handicapped Individuals Act (Public Law 93-516) is amended by striking out "June 30, 1977" and inserting in lieu thereof "September 30, 1978".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Indiana, Mr. BRADEMAS, and the gentleman from Minnesota, Mr. QUIE, will be recognized for 20 minutes each. The Chair recognizes the gentleman from Indiana (Mr. BRADEMAS).

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

Mr. Speaker, I move to suspend the rules and pass Senate Joint Resolution 154, to extend the time period during which the President is authorized to call a White House Conference on Handicapped Individuals, and to extend the time period during which funds appropriated may be expended.

Mr. Speaker, Senate Joint Resolution 154 would simply amend the White House Conference on Handicapped Individuals Act—Public Law 93-516—to extend for 1 additional year, until December 7, 1977, the time period during which the President is authorized to call a White House Conference on Handicapped Individuals and to extend from June 30, 1977, until September 30, 1978, the period during which appropriated funds may be expended.

Mr. Speaker, the original measure authorizing the President to convene a White House Conference on Handicapped Individuals was signed into law on December 7, 1974. Over 11 months later, President Ford announced the appointment of a 28-member National Planning and Advisory Council for the White House Conference.

The chairperson of the National Planning and Advisory Council has advised the committee that insufficient time remains in which a meaningful White House conference can take place and has requested an extension of time for planning and for expenditure of funds to carry out the program. The additional time is primarily needed in order that State conferences can be conducted to develop an agenda and priorities for the national conference.

Mr. Speaker, the joint resolution authorizes no new moneys and we are assured by the advisory council that no request will be made of Congress for additional appropriations under this extension authority.

Mr. Speaker, this Conference will bring to the attention of the American people the problems of the handicapped persons in our society.

As President Ford said, on November 27, 1975, in announcing the appointment of the members of the National Planning and Advisory Council to the White House Conference on Handicapped Individuals:

> There are more than seven million children and at least 28 million adults in America with physical or mental handicaps. An estimated total of only 800,000 handicapped persons are employed. Thus, employment of the handicapped, and related personal and social problems, must be examined and creative solutions developed. I urge all Americans to support and participate actively in this great endeavor.

In like fashion, Mr. Speaker, I urge Members of the House to approve this joint resolution.

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

Mr. BRADEMAS. I yield to the distinguished gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, we enacted legislation in December of 1974 authorizing the President to call a White House Conference on Handicapped Individuals within 2 years from the date of

enactment. The 2-year period provided in the original enactment was sufficient to allow for orderly planning and development for the national conference.

Unfortunately, there was a 10-month delay in the appointment of the National Advisory Council which is to oversee the planning of the Conference. Therefore, only 14 months rather than 24 are in fact available for this critical activity.

The success of any White House Conference depends on careful and comprehensive planning. A White House Conference on Handicapped Individuals must include the active and full participation of handicapped citizens from the initial stages on. Their participation and input would be most adversely affected if the planning and developmental period is unrealistically constrained or limited—as will be the case if we do not act to extend the period during which the Conference may be held.

Senate Joint Resolution 154 provides us with an opportunity to extend that period for an additional year. This is in line with recommendations we have received from the National Advisory Council now at work on the Conference.

With a year's extension, there will be time for the holding of important preliminary State conferences before the main White House Conference—and for adequate time for the development of greater national awareness of the problems facing the handicapped.

The resolution will extend also the period during which funds appropriated for the Conference may be extended from June 30, 1977, to September 30, 1978. I wish to emphasize, however, that Senate Joint Resolution 154 does not contemplate nor authorize the expenditure of any additional Federal moneys; $1,519,000 has already been appropriated for the Conference, and the President has requested an additional $1,461,000 for fiscal year 1977. A total of $2,980,000 will be available for the Conference with $980,000 reserved for the preliminary State conferences.

The Chairman of the National Planning and Advisory Council has advised our committee that "there will be no requests to the Congress for new appropriations" as a result of the enactment of Senate Joint Resolution 154.

Mr. Speaker, the resolution passed the other body without objection, and it was considered in the Committee on Education and Labor and approved with no dissenting votes. Before closing, I wish to compliment the distinguished chairman of our Subcommittee on Select Education—JOHN BRADEMAS—for his work on the resolution, in addition to the members of the committee on both sides of the aisle.

Mr. Speaker, I urge overwhelming approval of Senate Joint Resolution 154.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

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

Mr. Speaker, the resolution before us today calls for nothing more than an extension of the time in which to conduct the White House Conference on the Handicapped. It should be clearly understood by all that it is not a request for more money nor does it authorize more money; in fact, the Congress has received firm assurances from Dr. Henry Viscardi, Chairman of the National Planning and Advisory Council of the White House Conference, and Mr. Jack Smith, Director of the White House Conference, that there will be no request to the Congress for any appropriation over and above that which has already been approved.

I believe the extension of time will enable conference officials to better organize their efforts but most importantly, it will afford States planning to hold their own conferences an opportunity to develop meaningful efforts which will hopefully produce beneficial results for handicapped individuals. With the extension I expect that questions facing the handicapped of this Nation will be thoroughly discussed, assessed, and some viable solutions proposed.

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

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

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of Senate Joint Resolution 154, the White House Conference on Handicapped Individuals. The purpose of this measure is to extend by an additional year the time during which the President is authorized to call the White House Conference and to extend from June 30, 1977 to September 30, 1978 the time during which appropriated moneys for the conference may be expended. No additional appropriations are requested to carry out his resolution. Under Public Law 93–516, the White House Conference on Handicapped Individuals Act, the President is authorized to call the Conference not later than 2 years after the enactment of the statute; namely, December 7, 1976. However, due to an 11-month delay in appointing the 28-member National Planning and Advisory Council to the Conference, the remaining 13 months is regarded as insufficient time to properly plan and prepare the authorized State and National conferences.

Mr. Chairman, the time extensions requested in this resolution are reasonable, particularly in view of the commendable objectives of the Conference, which, as noted by the Committee on Education and Labor in its report on Senate Joint Resolution 154, are:

To provide a national assessment of problems faced by individuals with mental or physical handicaps;

To generate a national awareness of those problems;

To make recommendations to the President and Congress which, if implemented, will assure that all individuals with handicaps are able to live their lives independently, with dignity, and with complete integration into community life.

The committee's report highlights two salient facts: First, there are more than 35 million men, women, and children who are physically or mentally handicapped; and, second, only 800,000 of the more than 28 million handicapped adults are employed.

Mr. Speaker, too little national attention has focused on the problems of the handicapped, let alone on techniques that can best utilize the talents of these individuals, many of whom lead fruitful and productive lives. The handicapped should not be slighted, nor should they be regarded as second-class citizens. Our Nation has not devoted sufficient attention to their needs and to their problems. We have not fully tapped their talents. The White House conference, perhaps the first Presidential conference devoted to this problem, will, hopefully, correct this neglected situation.

Mr. Speaker, I enthusiastically endorse the White House Conference on Handicapped Individuals, and I look forward to the conference's recommendations that will be submitted to the President and the Congress. Accordingly, I call upon my colleagues to support this worthwhile resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. BRADEMAS) that the House suspend the rules and pass the Senate joint resolution (S.J. Res. 154).

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

A motion to reconsider was laid on the table.

REHABILITATION ACT EXTENSION OF 1976

Mr. BRADEMAS. Mr. Speaker, I move to suspend the rules and agree to the conference report on the bill (H.R. 11045) to amend the Rehabilitation Act of 1973 to extend the authorizations of appropriations contained in such Act.

The Clerk read the title of the conference report.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

(For conference report and statement see proceedings of the House of February 5, 1976.)

The SPEAKER pro tempore. The gentleman from Indiana (Mr. BRADEMAS) will be recognized for 20 minutes, and the gentleman from Minnesota (Mr. QUIE) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. BRADEMAS).

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

Mr. Speaker, I am delighted to report to this body that after negotiations between the Committee on Labor and Public Welfare of the other body and the Committee on Education and Labor on H.R. 11045, the Rehabilitation Extension Act of 1976, we have reached a consensus which is embodied in the conference report now before the House.

Mr. Speaker, first of all, let me express appreciation for the efforts of the members of the committee who have worked to expedite the necessary extension of this successful 55-year-old Federal-State program.

In particular, Mr. Speaker, I would like to thank the distinguished chairman of the Education and Labor Committee, the gentleman from Kentucky (Mr. PERKINS), and the distinguished ranking minority member of the Education and Labor Committee (Mr. QUIE) for their important contributions to this bill. Let me also say a word of appreciation to all of the members of the Subcommittee on Select Education, which I have the honor to chair, for their help in advancing this important legislation.

Mr. Speaker, let me make these observations regarding the conference report.

The bill before us is similar in most respects to the bill that passed the House on December 15 under suspension of the rules.

The original House bill was reported by the Subcommittee on Select Education by a unanimous vote and subsequently by the Education and Labor Committee. Support for the legislation is bipartisan. Mr. Speaker, as I have previously noted, the House thereafter passed the bill under suspension of the rules, by voice vote, on December 15:

The conference report, as did the House bill, extends for 2 additional fiscal years, 1977 and 1978, the title I entitlement authorization, commonly referred to as the basic State-Federal program.

The Senate bill had provided for an extension of the act only through fiscal year 1977.

In this connection, Mr. Speaker, I should point out the following agreement on the part of the conference. With respect to the extension of authorization for the basic State-Federal program and all other extensions of authorizations in the bill, the conference agreement provides for an additional extension of 1 year, through September 30, 1978, in the event that Congress does not act on legislation to extend the authorizations for programs under the act by April 15, 1977.

Or to put the matter more simply, Mr. Speaker, if Congress has not acted on this authorizing legislation prior to April 15, 1977, all programs under the act would automatically be extended for the second fiscal year, fiscal 1978.

The authorizations provided for this basic State-Federal rehabilitation service program of $740 million and $760 million were adopted by the conference.

In addition, the conference accepted the House authorization of $25 million for innovation and expansion grants for both fiscal years 1977 and 1978.

In addition, Mr. Speaker, the conference accepted the House recommendation for authorization of "such sums as may be necessary" for several other programs for fiscal years 1977 and 1978, that is, programs authorizing vocational training services, construction of rehabilitation facilities, special rehabilitation projects, program and project evaluation, and the National Center for Deaf-Blind Youths and Adults.

Mr. Speaker, a compromise was reached with regard to several items. The House had recommended "such sums as may be necessary" for activities relating to research, training, secretarial responsibilities, and the Architectural and Transportation Barriers Compliance Board. The Senate had recommended for these programs for the 1 year authorized by the Senate bill specific sums based on the authorizations for the previous fiscal year, 1976. The authorizations which the conference agreed to for these programs for fiscal year 1977 are less than those proposed by the Senate and less than those authorized in present law for fiscal year 1976.

To carry out research activities, the conference report authorizes $30 million for both fiscal years 1977 and 1978.

For rehabilitation training activities, the conference bill authorizes $25 million for fiscal year 1977 and $30 million for fiscal year 1978.

For secretarial responsibilities, the conference bill authorizes $600,000 for both fiscal years 1977 and 1978.

To carry out the responsibilities of the Architectural Barriers and Transportation Compliance Board, the conference bill authorizes $1.5 million for each of the 2 fiscal years.

Mr. Speaker, while the overall cost of the report is slightly more than that agreed to earlier by this body, the conference report authorizes less money than was authorized for fiscal year 1976 and only $22.1 million more than was appropriated for fiscal year 1976. The authorizations for fiscal year 1978 are increased by only $20 million over those for fiscal year 1977.

Mr. Speaker, the State-Federal program of vocational rehabilitation has represented, for over 55 years, an outstanding example of a genuine partnership that effectively meets the needs of handicapped individuals.

The basic objective of the State-Federal program is to provide rehabilitation services which assist physically and mentally handicapped individuals to become employable.

Mr. Speaker, much of the successful development of the vocational rehabilitation program has been the result of the effective use which States have been able to make of advanced information on State allotment figures for the basic rehabilitation program. State allotments for the basic program are computed in part on the specific dollar authorization for the basic program provided in the Rehabilitation Act. With this advance State allotment information, which for the most part has been available in the past, States have been able to plan effectively for the orderly growth of their programs and to estimate the appropriate amount of State funds needed to match available Federal support.

With this factor in mind, handicapped clients as well as State directors of vocational rehabilitation programs have advised the committee of the importance of extending, as soon as possible, the authorization for Federal support of State programs of vocational rehabilitation services through fiscal years 1977 and 1978.

Mr. Speaker, unless Congress acts now to extend the authorizations, States will be unable to determine how much Federal money they can anticipate in fiscal year 1977 for their programs of vocational rehabilitation—and thus, they will be unable to plan their State expenditures accordingly. The proposed additional year of authorization will further give stability to a program which over the last several years has been extended on a year-to-year basis.

Because the authorization for the basic State programs constitutes a commitment of Federal funds to which each State is entitled if sufficient State funds are appropriated to match the State allotment, it is imperative that States have available sufficient matching funds.

Mr. Speaker, the amounts authorized in H.R. 11045 are modest and actually do not keep up with the rate of inflation. In fact, this modest increase in funding authority may even necessitate a reduction in the number of handicapped people who can be served under this act.

Mr. Speaker, this is a responsible measure—fiscally, economically, and humanistically—and I urge all Members to give their wholehearted support to the conference report.

Mr. Speaker, I yield to the distinguished chairman of the committee, the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Speaker, first let me thank our distinguished chairman of the subcommittee, the gentleman from Indiana (Mr. BRADEMAS) for doing a tremendous job on this outstanding piece of legislation.

Mr. Speaker, the conference report before us is very close to the House version of H.R. 11045—a bill which passed the House on December 15, 1975, without, I believe, a dissenting voice.

In order to allow for effective planning and budgeting at the Federal and State levels, the House bill extended the Rehabilitation Act 2 years beyond its expiration date of June 30.

For all practical purposes, there was only one major difference between the House and the Senate versions of this bill. The Senate proposed only a 1-year extension in contrast to our 2-year extension.

The conference report is in line with the House bill. The compromise bill provides an extension of the act through fiscal year 1977 and a contingency extension for fiscal year 1978.

Most of the financing and activities under the Rehabilitation Act occur in the basic State grant program. The conference report retains the House authorizations for the basic program of $740,000,000 for fiscal year 1977 and $760,000,000 for fiscal year 1978.

Another important program authorized by the act is the innovation and expansion program for rehabilitative services. Again, the conference report follows the House bill authorizing $25,000,000 for each year.

For certain other programs in the act,

the House bill authorized such sums whereas the Senate stipulated a dollar ceiling. Some of these ceilings in the Senate version have been retained with the result that the total dollar amounts authorized in the conference report are slightly above the totals in the House bill.

A total dollar authorization of $822,100,000 is authorized in the conference report for fiscal year 1977—$57,000,000 more than in the House bill.

In fiscal year 1978 a total of $847,100,000 is authorized in dollar authorizations—$62,000,000 more than in the House bill. I wish to emphasize, however, that the proposed 1977 dollar authorization is $26,000,000 less than the dollar authorizattions for the current fiscal year in existing law and the proposed 1978 dollar authorizations are $1,000,000 less than the current levels.

Mr. Speaker, I very reluctantly agreed to the conference compromise authorizing only a contingent extension of the act for 1978. I can support the agreement because I believe it will result in providing the rehabilitation programs with stability and continuity as long as there is a clear understanding of the contingent extension.

I believe the report itself is quite clear. All of the rehabilitation programs including the basic program will be extended through fiscal year 1978 at the prescribed levels unless—prior to April 15, 1977—legislation is enacted to otherwise effect the 1978 fiscal year authorizations for such programs.

First, I wish to stress that only legislation enacted into law will nullify the 1978 extension authorized in this bill.

Second, the type of legislation contemplated to nullify the extension must deal with the authorization of these programs for fiscal year 1978. Appropriations measures and any legislation resulting from the new budget process would not meet this test. Only an authorization bill dealing with fiscal year 1978 will nullify the 1978 extension, and then it must be enacted into law before April 15, 1977.

Mr. Speaker, I believe that all the Members of the House are aware that the Federal-State partnership in rehabilitation is one of the finest examples of what Government should be doing for its people. I know of no objection to this legislation, and urge its overwhelming approval.

Mr. QUIE. Mr. Speaker, on December 15, 1975, the House passed an extension of the Vocational Rehabilitation Act Amendments of 1975 calling for a 2-year extension of the basic title I programs at $740 million and $760 million. We extended all of the other programs under the act and used "such sum" figures for all of them with the exception of the innovation and expansion grants section.

The Senate, in extending the rehabilitation program, extended all programs for only 1 year and put in existing authorization levels for all programs. In conference we came out with essentially the House bill, but in place of "such sums" put in the existing authorization levels for the other parts of the program.

The conferees made one specific compromise. As most Members know, questions have been raised about the equity of the title I formula in the act. The conferees agreed that because of concerns about the formula, the basic title I program would be extended for 1 year. During the next year, the Congress will reassess the State reallocation formula and modify it if facts and studies justify a change. Any change would have to be enacted into law prior to April 15, 1977. I must point out further that it was the desire of the conferees that State agencies must be able to plan for continuous operation and, therefore, we placed a proviso to the effect that if a new formula was not enacted into law prior to this date, there would be an automatic extension for a second year at the original House authorized level.

Both the gentleman from Kentucky (Mr. PERKINS) and the gentleman from Indiana (Mr. BRADEMAS) have assured our colleagues in the other body and those who were interested on our side that they will look seriously at the formula and, in fact, at other matters in the operation of vocational rehabilitation.

To the extent we can devise a better formula, I am sure that we will attempt to do it, but mostly what I am pleased about is that we are doing this in a way that the Congress can move as expeditiously as possible with plenty of time to give it thought and study, and at the same time not endanger in any way those who need the benefits of the vocational rehabilitation programs.

Lastly, I would say that the authorizations which have been agreed to, are just and within the possibility of reaching them with appropriations. They are not in any way, as may have been suggested in other years, setting authorizations too high. These authorizations are not too high, and my hope is that the Congress will meet them with actual appropriations.

Mr. DODD. Mr. Speaker, I rise to express my strong support for the extension of authorizations for the Rehabilitation Act of 1973. The Rehabilitation Act marks a major commitment of the Federal Government to aid the States in meeting the needs of the disabled, and it is essential that we continue the funding of these necessary programs to aid the handicapped, in coping with their disability through rehabilitation services which strive toward the goal of enabling the disabled to play meaningful and productive roles in our society.

However, in our extension of the authorizations for the Rehabilitation Act of 1973, it is imperative that we do not forget that beyond the funding provisions of the Rehabilitation Act, this legislation guarantees the civil rights of the handicapped vis-a-vis the Federal Government and/or Federal contractors and recipients of Federal financial assistance. Section 501 of the act prohibits employment discrimination against the handicapped in the Federal Government. Section 503 safeguards the rights of the handicapped vis-a-vis contractors with the Federal Government. Section 504 prohibits discrimination against an otherwise qualified handicapped individual solely on the basis of his handicap, under any program or activity receiving Federal financial assistance.

Unfortunately, since passage of the Rehabilitation Act of 1973 there has been little effective enforcement of these civil rights provisions. A GAO study, done at my request last summer revealed very limited progress in implementation of section 503, and virtually no implementation of section 504—aside from the assumption of the responsibility by the Office of Civil Rights of HEW, for enforcement of this section as pertains to HEW. After 3 years no agency has yet been assigned overall responsibility for implementation of section 504. Since the summer, an Executive order has been under consideration by the Justice Department and presently the White House which would vest overall responsibility for enforcement of the act with HEW's Office of Civil Rights. However, as yet there has been no action by the President, and thus millions of handicapped Americans, whose civil rights, Congress in 1973 acted to protect, as yet have no agency from which to seek redress for discrimination but instead face a bureaucratic vacuum of enforcement.

To borrow a phrase from Congressman CHARLES VANIK which he used to describe the entire Rehabilitation Act of 1973, it is indeed true that the enforcement mechanism of the civil rights portion of the act is an "orphan of neglect," lost in an immense bureaucratic quagmire. This week the Senate Subcommittee on the Handicapped of the Senate Committee Labor and Public Welfare will undertake oversight hearings on the implementation of the Rehabilitation Act of 1973. Given the lack of enforcement to date of this act, such hearings are vitally needed, and I believe that there is a similar hearing to be held by the House Select Subcommittee on Education of the House Education and Labor Committee.

In order for the handicapped to assume productive and meaningful roles in society, it is essential that in addition to provision of services that the barriers of discrimination in employment, architecture, education and so forth be removed. Section 504 stands as an affirmative step by the Congress to remove these barriers vis-a-vis recipients of Federal financial assistance—the only issue which remains is its enforcement.

Therefore, on this day when we are acting to extend the authorizations for this act, I would like to urge the President to act affirmatively by signing the Executive order, which would create a mechanism for enforcement, so as to insure protection of the rights of the millions of Americans involved in programs, institutions and so forth, receiving Federal financial assistance.

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

The SPEAKER pro tempore (Mr. MCFALL). The question is on the motion offered by the gentleman from Indiana (Mr. BRADEMAS) that the House suspend the rules and agree to the conference report on the bill H.R. 11045.

The question was taken; and (two-thirds having voted in favor thereof) the

rules were suspended and the conference report was agreed to.

A motion to reconsider was laid on the table.

ENDANGERED SPECIES ACT AMENDMENTS

Mrs. SULLIVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10229) to amend the Endangered Species Act of 1973, as amended.

The Clerk read as follows:

H.R. 10229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(f)(2)(B)(ii) of the Endangered Species Act of 1973 (16 U.S.C. 1533(f)(2)(B)(ii)) is amended by striking out "subsection (b)(A), (B), and (C)" and inserting in lieu thereof "subsection (b)(1)(A)".

SEC. 2. Section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539) is amended by adding at the end thereof the following new subsections:

"(f)(1) As used in this subsection—

"(A) The term 'pre-Act endangered species part' means—

"(i) any sperm whale oil which was lawfully held within the United States on December 28, 1973, in the course of a commercial activity; or

"(ii) any finished scrimshaw product, if such product or the raw material for such product was lawfully held within the United States on December 28, 1973, in the course of a commercial activity.

"(B) The term 'scrimshaw product' means any art form which involves the etching or engraving of designs upon, or the carving of figures, patterns, or designs from, any bone or tooth of any marine mammal of the order Cetacea.

"(2) The Secretary, pursuant to the provisions of this subsection, may exempt, if such exemption is not in violation of the Convention, any pre-Act endangered species part from one or more of the following prohibitions:

"(A) The prohibition on exportation from the United States set forth in section 9(a)(1)(A) of this Act.

"(B) Any prohibition set forth in section 9(a)(1)(E) or (F) of this Act.

"(3) Any person seeking an exemption described in paragraph (2) of this subsection shall make application therefor to the Secretary in such form and manner as he shall prescribe, but no such application may be considered by the Secretary unless the application—

"(A) is received by the Secretary before the close of the one-year period beginning on the date on which regulations promulgated by the Secretary to carry out this subsection first take effect;

"(B) contains a complete and detailed inventory of all pre-Act endangered species parts for which the applicant seeks exemption;

"(C) is accompanied by such documentation as the Secretary may require to prove that any endangered species part or product claimed by the applicant to be a pre-Act endangered species part is in fact such a part; and

"(D) contains such other information as the Secretary deems necessary and appropriate to carry out the purposes of this subsection.

"(4) If the Secretary approves any application for exemption made under this subsection, he shall issue to the applicant a certificate of exemption which shall specify—

"(A) any prohibition in section 9(a) of this Act which is exempted;

"(B) the pre-Act endangered species parts to which the exemption applies;

"(C) the period of time during which the exemption is in effect, but no exemption made under this subsection shall have force and effect after the close of the three-year period beginning on the date of issuance of the certificate; and

"(D) any term or condition prescribed pursuant to paragraph (5) (A) or (B), or both, which the Secretary deems necessary or appropriate.

"(5) The Secretary shall prescribe such regulations as he deems necessary and appropriate to carry out the purposes of this subsection. Such regulations may set forth—

"(A) terms and conditions which may be imposed on applicants for exemptions under this subsection (including, but not limited to, requirements that applicants register inventories, keep complete sales records, permit duly authorized agents of the Secretary to inspect such inventories and records, and periodically file appropriate reports with the Secretary); and

"(B) terms and conditions which may be imposed on any subsequent purchaser of any pre-Act endangered species part covered by an exemption granted under this subsection; to insure that any such part so exempted is adequately accounted for and not disposed of contrary to the provisions of this Act. No regulation prescribed by the Secretary to carry out the purposes of this subsection shall be subject to section 4(f)(2)(A)(i) of this Act.

"(g) In connection with any action alleging a violation of section 9, any person claiming the benefit of any exemption or permit under this Act shall have the burden of proving that the exemption or permit is applicable, has been granted, and was valid and in force at the time of the alleged violation.".

SEC. 3. Section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539) is further amended—

(1) by striking out "subsection" in the first sentence of subsection (c) thereof and inserting in lieu thereof "section"; and

(2) by striking out the period at the end of the second sentence of subsection (c) thereof and inserting in lieu thereof the following: "; except that such thirty-day period may be waived by the Secretary in an emergency situation where the health or life of an endangered animal is threatened and no reasonable alternative is available to the applicant, but notice of any such waiver shall be published by the Secretary in the Federal Register within ten days following the issuance of the exemption or permit.".

SEC. 4. Section 11(e)(3) of the Endangered Species Act of 1973 (16 U.S.C. 1540(e)(3)) is amended—

(1) by inserting immediately before the words "execute and serve any arrest warrant," in the second sentence thereof the following: "make arrests without a warrant for any violation of this Act if he has reasonable grounds to believe that the person to be arrested is committing the violation in his presence or view, and may"; and

(2) by striking out the period at the end thereof and inserting in lieu thereof the following: ", but upon forfeiture of any such property to the United States, or the abandonment or waiver of any claim to any such property to the United States, or the abandonment or waiver of any claim to any such property, it shall be disposed of (other than by sale to the general public) by the Secretary in such a manner, consistent with the purposes of this Act, as the Secretary shall by regulation prescribe.".

SEC. 5. Paragraph (1) of section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532(1)) is amended by striking the period and inserting in lieu thereof ": *Provided, however,* That it does not include exhibition of commodities by museums or similar cultural or historical organizations.".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Missouri (Mrs. SULLIVAN) and the gentleman from New Jersey (Mr. FORSYTHE) will be recognized for 20 minutes each.

The Chair recognizes the gentlewoman from Missouri (Mrs. SULLIVAN).

Mrs. SULLIVAN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, H.R. 10229 embodies several amendments to the Endangered Species Act of 1973 which should be expeditiously enacted to assure the effective management of this important act.

The amendments contained in H.R. 10229 were the subject of extended committee consideration and discussion with both the Federal agencies and those affected by the act. This bill would modify and clarify certain troublesome language in the 1973 act and would assist the responsible agencies in enforcing its provisions. Similar conservation legislation, the Marine Mammal Protection Act of 1972, was passed to provide special protection for marine mammals throughout the world by removing the U.S. market for the parts and products of these mammals. This act prohibited the importation and sale in interstate and foreign commerce of such parts and products, although these prohibitions did not apply to marine mammals taken prior to December 21, 1972, the effective date of the act.

The Endangered Species Act of 1973, unlike the Marine Mammal Protection Act, contained no retroactive exemption for the interstate sale of parts and products of endangered marine mammals which were legally held under the 1972 act. This inconsistency has caused considerable trouble in the enforcement of the laws and has created financial hardships for scrimshanders and other artisans who deal in carved whale bone and teeth as well as those who held large inventories of sperm whale oil.

With respect to such whale oil and scrimshaw, H.R. 10229 would remedy this inconsistency between the two acts. It would provide limited but adequate exemptions for the disposal of these items without sacrificing the intent or diminishing the effectiveness of the 1973 Endangered Species Act.

Finally, H.R. 10229 makes several essential changes in the Endangered Species Act to provide for more flexibility in the interpretation of key provisions controlling the promulgation of emergency regulations in cases of where the health or life of endangered species is threatened; the disposal by the Government of species, parts, or products which have been forfeited to the United States; and the enforcement of the act's prohibitions. These technical amendments were

recommended and are supported by the administration in order to remedy a number of problems which have emerged over the past several years in the course of administering the provisions of the act.

I urge the support of all Members to enact H.R. 10229.

Mr. Speaker, I yield such time as he may consume to the gentleman from California, the chairman of the subcommittee, Mr. LEGGETT.

Mr. LEGGETT. Mr. Speaker, as chairman of the subcommittee that heard this matter, I rise in support of H.R. 10229. This bill is essential to the equitable and effective management of the Endangered Species Act of 1973.

The phrase "extinct is forever" emphasizes the unique and serious nature of the problem facing the world's endangered species. Unlike some problems which can be remedied after a mistake is made, the extinction of a species is irreversible. The occurance of such a loss is not merely aesthetic, but educational, scientific, economic, and perhaps even ethical.

Between the years 1600 and 1850, only five domestic species became extinct. By contrast, 57 such species became extinct since 1850. At present, the estimated annual rate of animal extinction is between one and two species. This fact led to the enactment of a series of laws to protect the welfare of endangered species. The most recent legislation was the Endangered Species Act of 1973.

I would like to explain the significance and effect of the Endangered Species Act amendments contained in H.R. 10229. The 1973 act strengthened its 1969 predecessor by prohibiting not only the importation but also the sale of endangered species and their parts or products in interstate and foreign commerce. In addition, it provided for the establishment of specified comment periods for the issuance of new regulations affecting the determination of management of endangered species.

These new provisions along with others created a strong and a nearly unheralded law for the protection of such species. As the provisions of the 1973 act have been implemented by the agencies and applied to existing conditions, certain ambiguities and incidental problems have surfaced which now require our legislative attention. H.R. 10229 is designed to address these perturbations and clarify the act.

The first amendment contained in H.R. 10229 relates to the situation where an emergency condition poses a significant risk to the well-being of an endangered species of fish or wildlife. Under the existing act, if the jeopardized species is a resident species, the Secretary of Interior cannot issue emergency regulations until: First, notice is published in the Federal Register; second, notification of the contemplated action is given to the Governor of each State within which such species is then known to exist; third, 90 days is allowed after notification for each such State to submit its comments and recommendations, unless such period is otherwise shortened by agreement between the parties; and fourth, a summary of all such comments and recommendations received by the Secretary is published in the Federal Register. This procedure albeit worthwhile in the ordinary course of business, is inappropriate and cumbersome in an emergency situation which demands prompt action. Therefore, the first amendment would relieve the Secretary from waiting the required 90 days for comments and recommendations and the publication of a summary in the Federal Register for resident species in those instances where an emergency exists. However, this amendment leaves untouched the procedural safeguard that limits the force and effect of any such emergency regulations to 120 days unless, within the 120 days, the exempted 90-day comment period and required publications are complied with.

The second amendment in H.R. 10229 would allow a limited exemption to the prohibitions contained in the Endangered Species Act for certain endangered species parts or products which were legally obtained and held in the United States prior to its enactment on December 28, 1973. These exemptions apply only to sperm whale oil and to scrimshaw which is defined as the art form involving the carving or etching and engraving of designs upon the bone and teeth of marine mammals of the order Cetecea—Cē-ta'-shēē-a. As referred to earlier, the passage of the 1973 act, without the retroactive exemption similar to the one contained in the Marine Mammal Protection Act of 1972, caused severe economic hardship to those who heretofore could sell such pre-act endangered marine mammals parts or products in interstate or foreign commerce.

This amendment allows such exemptions, that is, the sale in interstate and foreign commerce or exportation so long as it does not violate the Convention on International Trade in Endangered Species of Wild Flora or Fauna. However, it also prescribes certain procedures and conditions which must be followed.

Any person seeking an exemption must make application to the Secretary before the close of the one 1-year period beginning on the date on which regulations promulgated by the Secretary first take effect: such application must contain a complete and detailed inventory of all preact endangered species parts for which the applicant seeks exemptions and must be accompanied by such documentation as the Secretary may require to prove that any endangered species part or product claimed by the applicant to be a preact endangered species part is in fact such a part.

Further, if the Secretary approves such an application, any certificate of exemption issued must detail the prohibition exempted, the preact endangered species parts to which the exemption applies, and the time period for such exemption which may in no case be longer than 3 years from the time of certification.

Finally, the Secretary shall prescribe such regulations as he deems necessary, including, but not limited to, terms and conditions which may be imposed on applicants for exemptions; requirements that applicants register inventories, keep complete sales records, permit duly authorized agents of the Secretary to inspect such inventories and records, and periodically file appropriate reports with the Secretary. Further, terms and conditions may be imposed on any subsequent purchase of any preact endangered species part covered by any exemption granted to insure that any such part so exempted is adequately accounted for and not disposed of contrary to the provisions of this act.

I might note parenthetically that these conditions are more stringent than those set by the other body when it passed a simliar amendment to the Endangered Species Act—S. 229—for a scrimshaw exemption.

The last subsection of this amendment provides an affirmative defense in connection with any action alleging a violation of the prohibition contained in section 9 of the act. In such a case, any person claiming the benefit of any exemption or permit has the burden of proving that the exemption or permit is applicable, has been granted, and was valid and in force at the time of the alleged violation—similar provisions are found in the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 885 (b)) and in the act prohibiting foreign fishing vessels in the territorial waters of the United States.

Section 3(1) of H.R. 10229 is a technical amendment which clarifies the intent of the notice and review requirements to apply to all applications for an exemption or permit.

Section 3(2) of H.R. 10229 also applies to emergency situations, as discussed earlier where the health or life of an endangered species is threatened.

Under the existing provision, the Secretary must publish notice in the Federal Register of each application for an exemption or permit allowing 30 days for comments. The amendment would permit the Secretary to waive the 30-day comment period in emergency situations where no reasonable alternative is available to the applicant.

If the Secretary should waive the 30-day comment period, he must publish notice of such waiver within 10 days following the issuance of any emergency exemption or permit. It should be noted that this emergency waiver is not intended for the mere convenience of an applicant, or even to avoid serious economic loss.

Section 4(1) of H.R. 10229 amends the act to permit duly authorized enforcement agents to make arrests without a warrant if the agent has reasonable grounds to believe that the person to be arrested is committing the violation in his presence or view. Similar authority is found in other wildlife legislation, for example, Marine Mammal Protection Act of 1972 (16 U.S.C. § 1377(c)); Protection of Bald and Golden Eagles Act (16 U.S.C. § 668b.(a)); Administration of National Wildlife Refuge System Act (16 U.S.C. § 68dd(f)); and the Migratory Bird Treaty Act (16 U.S.C. 106). Moreover, it is traditional law enforcement

authority and is necessary in the proper enforcement of this act with its broad scope of prohibition.

Section 4(2) also amends the enforcement section of the Endangered Species Act to authorize the disposal of endangered species, parts or products which have been forfeited to and stored by the Government. The manner of such disposal must be consistent with the purposes of the act. In that regard, the committee felt that disposal by public sale to the general public would tend to perpetrate the market and desire for such items, thus increasing the likelihood of contraband.

Last, section 5 of the bill deals with the problem of museums and similar cultural and historical organizations to exchange displays of endangered species, parts or products across State line for exhibition without violating the act. Interstate transfers are only prohibited if they are in the course of a commercial activity. Inasmuch as the definition of the term "commercial activity" in the act is broad and not all together precise, this amendment would clarify its meaning to specifically exclude the exhibition of commodities by museums and the like from its definition.

I would like to add one important point of clarification with respect to this definitional amendment. Recently, the Department of Interior, by administrative regulation on September 26, 1975, further defined the term "industry and trade" as it is used in the act's definition of the term "commercial activity." The new DOI definition narrows the scope of those activities which are prohibited by the act, that is, activities which involve "the actual or intended transfer of wildlife or plants from one person to another person in the pursuit of gain or profit." This definition is broader than our amendment in the sense that it would probably permit other persons or institutions to make nonprofit transfers. However, our amendment was necessary because the Department of Commerce has not adopted the same definitions as the Department of Interior. The amendment in H.R. 10229 is not intended to limit the Department of the Interior's definition.

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

Mr. Speaker, when the Endangered Species Act of 1973 was passed, many persons, including the U.S. Government, found themselves holding inventories of endangered species parts and products which suddenly they could not dispose of. Particularly hard-hit were American scrimshanders who were selling between 85 percent and 95 percent of their uniquely American art form in interstate commerce. H.R. 10229 recognizes the economic plight of these individuals by permitting them to dispose of their legally acquired stocks.

H.R. 10229 also recognizes that GSA is spending approximately $38,500 per year to maintain a sperm oil stockpile which the Intergovernmental Materials Advisory Committee has declared to be surplus to the Nation's needs. If GSA could dispose of this oil, the taxpayers would be spared unnecessary storage costs and would realize a gain of $2.7 million from the sale. If enacted, H.R. 10229 would spare the taxpayers another unnecessary storage cost by authorizing the disposal of endangered species parts and products which have been forfeited to and stored by the Government. Without these amendments, the Government lacks the authority to dispose of the forfeited items.

H.R. 10229, however, makes other important and necessary changes in the Endangered Species Act. It is, as has been pointed out, incongruous to promulgate emergency regulations and then have to wait 90 days to implement them. It is also less than logical to require a 30-day comment period before granting an emergency permit for the treatment of a stranded or beached endangered species. Yet, technically, this is what the act now requires.

Mr. Speaker, H.R. 10229 is a simple and straightforward bill which rights an economic wrong, saves the taxpayers money and makes administration of an important statute easier.

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

Mr. MOSHER. Mr. Speaker, I strongly support H.R. 10229, a bill to authorize amendment of the Endangered Species Act, to permit interstate commerce in sperm oil and scrimshaw products lawfully acquired prior to enactment of ESA.

I greatly appreciate the intelligent sensitive responsible way that this legislation has been perfected in the Merchant Marine Committee, thanks to the bipartisan leadership of our colleagues, Messrs. LEGGETT and FORSYTHE, and the cooperation of the chairlady from Missouri (Mrs. SULLIVAN).

Just a year ago, I introduced legislation—H.R. 3465—to authorize disposition by the Federal Government of certain sperm whale oil held in the national strategic stockpile.

This particular oil, most of which is now a quarter of a century old, was placed in storage by the Government after World War II because of its "strategic and critical" properties as a lubricant. However, in the course of the years, adequate substitutes have been developed for all essential uses of this oil, and 3 years ago the Government oil was declared surplus.

Consequently the General Services Administration entered into contracts during 1973 for the sale of the stockpiled oil for a total of approximately $7.5 million. As the first deliveries were being made to private companies the Endangered Species Act became effective. Its stringent technical provisions prohibiting the sale or shipment of products derived from animals on the endangered species list blocked GSA from fulfilling its contracts. Since that time, this legal snafu has caused the bulk of the stockpiled oil to remain in storage—at a cost of more than $3,000 per month—and of no use to anyone.

As a strong supporter of the Endangered Species Act, indeed, as one of its original cosponsors, I have no intention to weaken or dilute that important and valuable law.

My bill—H.R. 3465—was really a very simple one. What I hoped to accomplish was threefold; to save the American taxpayers an appreciable amount of money, to add revenue for the Federal Treasury, and to allow the Government to fulfill its contractual obligations.

In recent years commercial users of sperm whale oil are, one by one, switching irreversibly to using sperm oil substitutes instead of the genuine substance. As the oil's value continues to decline—as a result of diminishing demand—the Government continues to charge itself—and therefore the taxpayers—$38,500 annually for storage costs when it could bring an additional $3 million—the estimated value of the unsold oil—into the Treasury and inject almost $7 million into the private sector upon processing.

These are impressive figures, especially as we once again enter into the maze of the budgetary process. It certainly was not the intention of the Congress to create this tieup of the Government-held supply of 25-year-old sperm oil.

The question of privately stockpiled scrimshaw prohibited from interstate commerce arose as a related issue. Thus, during the thorough hearings by the Merchant Marine Committee's Subcommittee on Fisheries and Wildlife, the members indicated their desire to also address that issue as well as that of privately held sperm whale oil—amounting to some 8 million pounds. The committee chose to add these provisions to the clean bill that is before us today.

I hasten to note that while this bill does provide for the sale of publicly held sperm oil, it contains very stringent safeguards to assure that disposition of this oil is such that there is virtually no likelihood that this whale oil may become a commodity to be used in illicit trade or for export. Any fears of this nature are unwarranted.

Obviously, the intent of this bill does not contemplate killing more whales. It is bad enough that so many whales were killed more than two decades ago to obtain this oil. I do not see the sense in aggravating this situation now by continuing the impoundment of this oil from the sperm whales that have been dead for so many years.

There is an extremely limited, finite supply of this oil available for industrial use. The users realize this; in fact, a good many former users have indicated that they are irrevocably out of the sperm oil market. Once this supply is exhausted the users will turn to substitutes that are or will be available on the market.

My use of the future tense here reflects a very fortunate and documented scientific discovery in the Southwestern United States. The seed oil of the jojoba bush, and obscure and peculiar desert plant, has a remarkable chemical similarity to sperm whale oil and it is anticipated that upon processing the jojoba bean oil could be used as a sperm oil substitute for the complete range of uses.

However, it is time-consuming and expensive to harvest the wild beans, so plans call for jojoba bean plantations on certain Indian reservations in Arizona and California. A minimum 5-year lag

is anticipated before the jojoba bean oil will be available on the commercial market. It is expected that the finite supply of sperm whale oil will be just about exhausted by then. This bill provides for the interim period. The oil will be generally available for this short time only and then it will be gone.

H.R. 10229 is an extremely practical measure. It signals the end of one type of industry and the transition to another, far more socially desirable industry.

Mr. Speaker, I know from my own reseach that it is necessary and beneficial for us to amend the Endangered Species Act to permit the sale of the surplus sperm whale oil held by the General Administration. And I trust the judgment of my fellow committee members that it is equally desirable to permit the sale of other sperm whale oil and scrimshaw that was properly acquired before the ESA was enacted. Thus, I support passage of H.R. 10229.

Mrs. SULLIVAN. Mr. Speaker, we have no further requests for time.

The SPEAKER pro tempore (Mr. McFALL). The question is on the motion offered by the gentlewoman from Missouri (Mrs. SULLIVAN) that the House suspend the rules and pass the bill H.R. 10229, as amended.

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

The title was amended so as to read: "A bill to amend the Endangered Species Act of 1973 in order to permit the disposal of certain endangered species products and parts lawfully held within the United States on the effective date of such Act."

A motion to reconsider was laid on the table.

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries be discharged from further consideration of the Senate bill (S. 229) to amend the Endangered Species Act of 1973 to assure the perpetuation of the art of scrimshaw, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 229

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 "Scrimshaw Art Preservation Act of 1975".

SEC. 2. (a) The Congress finds and declares that—

(1) All forms of art and culture which reflect this Nation's heritage should be preserved, as the United States prepares for its bicentennial year.

(2) Scrimshaw is an art form which was developed during the Nation's early years by New England whalers and others; it has been practiced by skilled American craftsmen and artisans ever since.

(3) The perpetuation of this part of the culture and heritage of the United States is threatened by the prohibition enacted in 1973 against the marketing of whale bone and teeth.

(b) It is the purpose of the Congress in this Act to exempt scrimshaw and scrimshaw products from the prohibitions of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 3. Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532) is amended by (1) redesignating paragraphs "(10)" through "(16)" thereof as paragraphs "(11)" through "(17)" thereof; and (2) by inserting therein the following new paragraph:

"(10) The term 'scrimshaw' means an art form which involves the etching or engraving of designs upon, or the carving of figures, patterns, or designs from, the bones and teeth of marine mammals of the order Cetacea.".

SEC. 4. Section 10(b) of the Endangered Species Act of 1973 (16 U.S.C. 1539(b)) is amended by adding at the end thereof the following two new paragraphs:

"(4)(A) The Secretary of Commerce may exempt persons from the prohibitions contained in subparagraphs (E) and (F) of section 9(a)(1) of this Act—

"(i) with respect to the wholesale movement or sale of finished scrimshaw products, if such products or the raw materials for such products were held lawfully within the United States on December 21, 1972, except that no such exemption shall be granted or remain in effect more than two years after the date of enactment of this provision; and

"(ii) with respect to the retail sale of finished scrimshaw products for personal use by the purchasers thereof, if such products were held lawfully within the United States on December 21, 1972, except that no such exemption shall be granted or remain in effect more than seven years after the date of enactment of this provision.

As used in this paragraph, the term "lawfully" refers to the laws of the United States and to laws of the several States and political subdivisions thereof.

Any such exemption may be granted by such Secretary upon such terms and conditions as he shall prescribe, including, but not limited to, requiring such persons to register inventories; to maintain complete sales records; to permit duly authorized agents of such Secretary to inspect any such inventories and records; and to prepare and submit to such Secretary any reports requested by him.

"(B) Any person who seeks an exemption pursuant to any provision of subparagraph (A) of this paragraph shall—

"(i) submit to such Secretary, within one hundred and twenty days after the date of enactment of this paragraph, a complete and detailed inventory, in such form and manner as such Secretary shall prescribe, of the quantity of bone and teeth of marine mammals of the order Cetacea and of parts of and products from such bone and teeth, which are held or otherwise controlled by such person. The Secretary of Commerce shall grant an exemption pursuant to such subparagraph only for the holdings reported in such inventories;

"(ii) apply to such Secretary for such exemption, in such form and manner and with such submissions as such Secretary shall prescribe; and

"(iii) submit to such Secretary sales records, reports, and other documents and materials, to the extent reasonably necessary to establish that the holdings with respect to which an exemption is sought were acquired in accordance with the subparagraph (A).

"(C) There shall be a rebuttable presumption, in any action brought under this Act for a violation of a provision of section 9(a) of this Act, that no exemption authorized by this paragraph is applicable. Any person who claims the benefit of any exemption granted pursuant to this paragraph shall have the burden of rebutting such presumption in such an action. Regulations promulgated by the Secretary of Commerce with respect to exemptions pursuant to this paragraph shall be effective on the date of final publication, notwithstanding any other provision of this Act.

"(5) Within one hundred and twenty days after the date of enactment of this paragraph, the Secretary of the Interior, the Secretary of Commerce, and the Secretary of the Treasury shall establish an interagency task force to enforce the provisions of this Act applicable to the bone and teeth of marine mammals of the order Cetacea and parts of and products from such bone and teeth. This task force shall act in addition to, and not in lieu of, existing enforcement activities, and shall concentrate its activities in those regions and areas which are most susceptible to unlawful activity as a result of exemptions granted under paragraph (4) of this subsection. The Secretaries of the Interior, Commerce, and the Treasury shall report jointly to the Congress and the President, within twelve months after the date of enactment of this paragraph, on the extent to which the provisions of this Act have been violated with respect to the bone and teeth of such mammals and with respect to the effectiveness of this task force in preventing such violations.".

MOTION OFFERED BY MRS. SULLIVAN

Mrs. SULLIVAN. Mr. Speaker, I offer a motion.

Mrs. SULLIVAN moves to strike out all after the enacting clause of S. 229 and to insert in lieu thereof the provisions of H.R. 10229, as passed.

The motion was agreed to.

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

The title was amended so as to read: "A bill to amend the Endangered Species Act of 1973 in order to permit the disposal of certain endangered species products and parts lawfully held within the United States on the effective date of such Act.".

A motion to reconsider was laid on the table.

A similar House bill (H.R. 10229) was laid on the table.

GENERAL LEAVE

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 10229, the bill just passed.

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

There was no objection.

INDIANA DUNES NATIONAL LAKESHORE ACT AMENDMENTS

Mr. TAYLOR of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11455) to amend the act establishing the Indiana Dunes National Lakeshore to provide for the expansion of the lakeshore, and for other purposes.

The Clerk read as follows:

H.R. 11455

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the establishment of the Indiana Dunes National

Lakeshore, and for other purposes", approved November 5, 1966 (80 Stat. 1309), as amended (16 U.S.C. 460u), is further amended as follows:

(1) The last sentence of the first section of such Act is amended by striking out "'A Proposed Indiana Dunes National Lakeshore', dated September 1966, and bearing the number 'LNPNE-1008-ID'" and inserting in lieu thereof "'Boundary Map, Indiana Dunes National Lakeshore', dated December 1975, and bearing the number '626-91004'".

(2) Section 3 of such Act is amended by inserting the following at the end of the first sentence: "By no later than January 1, 1977, the Secretary shall publish in the Federal Register a detailed description of the boundaries of the lakeshore and shall from time to time so publish any additional boundary changes as they may occur.".

(3)(a) Section 4(a) of such Act is hereby repealed, and subsection 4(b) is redesignated as section 4.

(b) The first sentence of section 4 of such Act is amended by inserting immediately after "was begun before" the following: "February 1, 1973, or, in the case of improved property located within the boundaries delineated on a map identified as 'A Proposed Indiana Dunes National Lakeshore', dated September 1966, and bearing the number 'LNPNE-1008-ID', which map is on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, before".

(4) Subsections 5(d) and 5(e) of such Act are hereby repealed.

(5)(a) Section 6(a) of such Act is amended by revising the first sentence thereof to read as follows: "Any owner or owners, having attained age of majority, of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term ending on the death of the owner or the death of his or her spouse, whichever occurs last, or for a term of twenty-five years, or for such lesser term as the owner or owners may elect at the time of acquisition by the Secretary.".

(b) Section 6 of such Act is further amended by inserting the following new subsection (c):

"(c) Nonpayment of property taxes, validly assessed, on any retained right of use and occupancy shall be grounds for termination of such right by the Secretary. In the event the Secretary terminates a right of use and occupancy under this subsection he shall pay to the owners of the retained right so terminated an amount equal to the fair market value of the portion of said right which remained unexpired on the date of termination.".

(6) Section 8(b) of such Act is amended (A) by striking out "seven members" and inserting in lieu thereof "eleven members", and (B) by striking out "and" immediately after "State of Indiana;", and (C) by striking out "Portage," immediately after "Dune Acres," and (D) by inserting immediately after "designated by the Secretary" the following: "; (7) one member who is a year-round resident of the city of Gary to be appointed from recommendations made by the mayor of such city; (8) one member who is a year-round resident of the towns of Highland, Griffith, or Schererville to be appointed from recommendations made by the board of trustees of such towns; (9) one member who is a year-round resident of the city of Portage to be appointed from recommendations made by the mayor of such city; and (10) one member who holds a reservation of use and occupancy and is a year-round resident within the lakeshore to be designated by the Secretary.".

(7) Section 10 of such Act is amended to read as follows: "There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than $89,014,400 for the acquisition of lands and interests in lands, and not more than $8,500,000 for development. By December 31, 1977, the Secretary shall develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan detailing the development of the national lakeshore consistent with the preservation objectives of this Act, indicating:

"(1) the facilities needed to accommodate the health, safety, and recreation needs of the visiting public;

"(2) the location and estimated cost of all facilities, together with a review of the consistency of the master plan with State, areawide, and local governmental development plans; and

"(3) the projected need for any additional facilities within the national lakeshore.".

(8) Such Act is amended by adding at the end thereof the following:

"SEC. 11. (a) With respect to those portions of the lakeshore authorized for acquisition by the Ninety-fourth Congress any acquisition of lands or interests therein shall not diminish any existing (as of March 1, 1975) rights-of-way or easements which are necessary for high voltage electrical transmission, pipelines, water mains, or line-haul railroad operations and maintenance.

"(b) Subject to such regulations as the Secretary deems advisable to protect the natural and recreational values for which the lakeshore was established, he may permit widening of rights-of-way or easements existing on the date of enactment of this section across areas II-E and II-F as designated on such map numbered 626-91004 for State, county, city or private roads; or for electric utilities, pipelines, water mains, or conveyors.

"SEC. 12. (a) Nothing in this Act shall be construed as prohibiting any otherwise legally authorized cooling, process, or surface drainage into the part of the Little Calumet River or Burns Waterway located within the lakeshore.

"(b) The authorization of lands to be added to the lakeshore by the Ninety-fourth Congress, as indicated on map numbered 626-91004 and the administration of such lands as part of the lakeshore shall in and of itself in no way operate to render more restrictive the application of Federal, State, or local air and water pollution standards to the uses of property outside the boundaries of the lakeshore, nor shall it be construed to augment the control of water and air pollution sources in the State of Indiana beyond that required pursuant to applicable Federal, State, or local law.

"SEC. 13. The Secretary shall accept the donation of a scenic easement for unit II-A, as designated on the map referenced in section 1 of this Act (and as further detailed on drawing number MS-150, Property Plat, Bailly Generating Station Nuclear 1, Northern Indiana Public Service Company, dated June 1975), subject to the completed negotiation and donation within six months of the date of enactment of this section, of a scenic easement for such unit which shall be satisfactory to him and the donor. Such easement shall contain provisions for adequate protection of unit II-A and the adjacent Indiana Dunes National Lakeshore from all forms of construction, pollution, degradation and adverse impact from whatever source and shall preserve for the donor sufficient degree of dominion and control to meet all requirements of part 100 of title 10, Code of Federal Regulations, and shall permit the donor to continue the use and maintenance of all structures and facilities existing upon the date of enactment of this section which do not adversely affect the lakeshore. The Secretary's authority to acquire unit II-A by condemnation is hereby suspended for the six-month period pending satisfactory negotiation of such scenic easement and the consummation of the donation, and shall be fully restored to the original boundary of unit II-A (as shown on the map referenced 'Boundary Map, Indiana Dunes National Lakeshore, dated January 1973, numbered 626-91003') upon expiration of that six-month period, should satisfactory negotiation of such scenic easement and donation thereof not be consummated within that time.

"SEC. 14. (a) The Secretary shall be authorized to acquire, by donation, or negotiated purchase agreeable to all parties, the remaining lands and waters between Burns Waterway and the eastern boundary of area I-C within section 25, township 37 north, range 7 west, as designated on map numbered 626-91003-A. The authority of the Secretary to acquire such lands and waters by condemnation shall be suspended on the condition that the Secretary is given the first opportunity to purchase such property or interests therein at the stated price, not to exceed fair market value.

"SEC. 15. The Secretary shall construct an adequate safety fence along the eastern edge of area I-C, within section 25, township 37 north, range 7 west, as designated on map numbered 626-91003-A, at the time that said land is acquired.

"SEC. 16. Within one year after the date of the enactment of this section, the Secretary shall submit, in writing, to the Committees on Interior and Insular Affairs and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate—

"(1) the lands which he has previously acquired by purchase, donation, exchange, or transfer for administration for the purpose of the lakeshore, and

"(2) the annual acquisition program (including the level of funding) which he recommends for the ensuing five fiscal years.

"SEC. 17. The Secretary may acquire only such interest in the right-of-way designated 'Crossing A' on map numbered 626-91004 as he determines to be necessary to assure public access along the banks of the Little Calumet River within fifty feet north and south of the centerline of said river.

"SEC. 18. The Secretary shall enter into a cooperative agreement with the landowner of those lands north of the Little Calumet River between the Penn Central Railroad bridge within area II-E and 'Crossing A' within area IV-C. Such agreement shall provide that any roadway constructed by the landowner south of United States Route 12 within such vicinity shall include grading, landscaping, and plantings of vegetation designed to prevent soil erosion and to minimize the aural and visual impacts of such construction, and of traffic on such roadway, as perceived from the Little Calumet River.

"SEC. 19. After notifying the Committees on Interior and Insular Affairs of the United States Congress, in writing, of his intention to do so and of the reasons therefor, the Secretary may, if he finds that such lands would make a significant contribution to the purposes for which the lakeshore was established, accept title to any lands, or interests in lands, located outside of the boundaries of the lakeshore but contiguous thereto or to lands acquired under this section, such the State of Indiana or its political subdivisions may acquire and offer to donate to the United States or which any private person, organization, or public or private corporation may offer to donate to the United States and he may administer such lands as a part of the lakeshore after publishing notice to that effect in the Federal Register.

"SEC. 20. With respect to the property identified as area VI-B on map numbered 626-91004, the Secretary shall proceed with the acquisition of said property only after

entering into a cooperative agreement with the State of Indiana which shall specify that 50 per centum of the purchase price of the property, exclusive of the administrative costs associated with its acquisition, shall be borne by the State. Notwithstanding any other provision of law, the Secretary may accept title to the property with the restriction that said title shall revert to the ownership of the State if the property ceases to be used for the purposes of the national lakeshore. The Secretary may enter into a cooperative agreement whereby the State, any political subdivision thereof, or any nonprofit organization, may undertake to manage and interpret such area in a manner consistent with the purposes of this Act. The Secretary shall consult with the State with respect to the management and operation of area VI-B.".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from North Carolina (Mr. TAYLOR) will be recognized for 20 minutes, and the gentleman from Kansas (Mr. SKUBITZ) will be recognized for 20 minutes.

The Chair now recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, H.R. 11455 would amend the act passed by Congress in 1966 which provided for the establishment of the Indiana Dunes National Lakeshore.

The National Lakeshore is located along the southeastern shore of Lake Michigan, not far from Gary, Ind. The National Park Service manages the area to preserve both the spectacular high sand dunes—which are its namesake—and numerous other natural features. Years ago Carl Sandburg said:

> Save the dunes, they belong to the people, they represent the signature of time and eternity.

The other purpose here is also to provide a significant recreational opportunity for the many millions of people who live within a short distance of the area. The lakeshore serves the Chicago metropolitan area as well as the urban concentrations of northern Indiana.

The great difficulty here has been that the dunes are located in a highly industrialized area that includes the largest steel-making complex in the world. In addition, many of the lakefront lands have been recognized as desirable homesites and there are now heavily populated developments in the vicinity. Also, the proximity of the Greater Chicago urban area intensifies the demands for these lands.

But, after much debate, Congress did act, and the Indiana Dunes National Lakeshore was authorized. The National Park Service has now acquired most of the authorized land, and the area is being readied for visitor use.

But, many people recognized that the original act provided for an area of minimum size, and that many significant resources there were left unprotected. Representative ED ROUSH introduced legislation in the 92d Congress to expand the lakeshore by about 5,400 acres. In the 93d Congress, our Subcommittee on National Parks and Recreation held hearings on legislation to expand the lakeshore. Action was not completed on the bill, however.

In the 94th Congress, Representative FLOYD FITHIAN, who represents most of the dunes area, held extensive public meetings in the local area. He then introduced a compromise measure which would have expanded the lakeshore by some 4,600 acres.

Our hearings this Congress added to the extensive record we developed in our previous hearings. We found that the State of Indiana had also recommended an expansion of over 4,000 acres. The Advisory Commission for the lakeshore recommended an increase of about this same size. The National Park Service testified that a total of only about 1,000 acres should be added to the area.

After reviewing all this testimony, members of our subcommittee made a personal inspection of the lakeshore area. So, we have tried to make our own evaluation of all the many positions taken on the need to enlarge this area. It is apparent that there is general agreement that there should be some change in this area; the question is to determine how much is proper.

Now, let us look at the bill reported by the committee. We have recommended that about 4,340 acres be added to the National Lakeshore. This is less than the acreage recommended by Congressman ROUSH. It is less than that recommended by Congressman FITHIAN. But, I believe we can defend this bill as a reasonable determination of what is proper for this area.

What criteria did we use in modifying the bill in committee?

First, we considered all the parcels recommended for addition by the various bills, and rejected those which, in our judgment, were not of sufficient quality to be part of a national park area. We deleted a detached unit on this basis. We also rejected other parcels which we determined were marginal in quality.

We bring before you a somewhat amended but still an extremely expensive bill. The bill would increase the authorization for land acquisition at Indiana Dunes from about $35.5 million to $89 million, providing a net increase of nearly $53.5 million. The bill also authorizes $8.5 million for development purposes.

Second, we reviewed the original act for any provisions which should be improved. I want to call particular attention to this aspect of our work. Our bill would now amend the original act to permit the eventual full acquisition of the lands within the lakeshore. The original act did not permit certain residential properties to be acquired. These enclaves could have existed forever. This change is a key feature, for it means that in the case of the Beverly Shores area, all the lands will eventually be available for public use. Our determination was that, with this change in the existing statute, the acquisition of this area is justified and desirable.

During our committee deliberations, the gentleman from Kansas (Mr. SKUBITZ) opposed the inclusion of the Beverly Shores unit in the lakeshore and this is a very expensive unit estimated to cost $23,740,000. It is also true that 10 years ago these property owners opposed the inclusion of this unit in the lakeshore and that now most of them are requesting to be included. This unit, consisting of 652 acres, includes 250 homes scattered throughout a beautifully wooded, park-like area. After looking at this area, I was strongly of the opinion that it should be included in the lakeshore. It is in the nature of the hole in the donut, an enclave in the middle of the park. It appeared to me that the addition of this area would probably mean more to the park than all of the other additions combined.

Third, we attempted to include specific provisions to get the best land protection for the Federal investment in this case. For example, in one area, a drainage into a fragile bog area is to be protected by a donated easement. In another case, the State of Indiana is to provide 50 percent of the purchase price of a particular unit for addition.

Mr. Speaker, when the Committee on Interior and Insular Affairs first started consideration of this measure, it was a highly controversial issue. But, the vote on final passage of the amended bill from committee was 34 yeas, and only 4 nays. I believe this demonstrates that we have reached a position that practically everyone can agree is a reasonable solution to this issue.

It is important that a final decision be made as to the lands that are to be included in the lakeshore area and as to the lands that are to remain available for industrial use and for residential use. The controversy has gone on long enough.

I believe the work of the committee has produced a measure that will better protect this unique area. It will also permit better recreational use of the lakeshore. And, finally, it is a solution that most of the affected parties can accept. I urge my colleagues to join me in voting to pass H.R. 11455.

Mr. SKUBITZ. Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from Kansas (Mr. SEBELIUS).

Mr. SEBELIUS. Mr. Speaker, I thank my colleague, the gentleman from Kansas (Mr. SKUBITZ) for yielding. I might say that I know good and well why the gentleman is yielding to me so early in the debate, it is so that the gentleman can have more time for rebuttal when I finish.

Mr. Speaker, I support the bill now under consideration by the House—H.R. 11455—which provides for some long sought and fought over expansion for the current Indiana Dunes National Lakeshore.

The initial lakeshore was fiercely fought over prior to its enactment by the Congress in 1966. That act was a result of much compromise between preservationists and industrial expansionists. I must say however, that as I now

view the lakeshore today—a decade after its initial creation—the original job was certainly not done completely enough to bring forth a viable and managable lakeshore for either natural resource protection or public use. The existing lakeshore is not sufficiently compact, and numerous high caliber natural resource and potential public use areas remain outside of, but adjacent to the boundaries. These should promptly be brought inside to finalize the lakeshore, while the opportunity yet remains to do so. It is that objective which this bill addresses, and I believe it addresses that situation reasonably well.

Now there are a few land parcels in this bill which I believe are of marginal or very questionable worth. I participated extensively in the debate which prevailed over nearly every individual parcel of land proposed for addition to the lakeshore. I offered numerous amendments, some of which were adopted, and some of which I lost. I argued repeatedly that we must assure that the high caliber standard for lands to qualify for addition to the National Park System not be lowered. I believe that several parcels, now in the bill before us, do not qualify for this national status and protection. But correspondingly, a number of parcels were rejected over that same argument. The principal areas in question, however, were not the large or most expensive parcels. Nearly everyone agreed on their inclusion.

All things considered, I feel the lands included in the bill now before the House are principally worthy additions to the lakeshore. The full Interior Committee supported the reporting of the bill to the House by vote of 34 to 4, and I am one of those who supports this bill.

There is one particular parcel included in this bill which has become the subject of some concern late in full committee markup. That area is Beverly Shores, an area of about 640 acres bearing a price tag of nearly $23 million. While this one parcel amounts to a very substantial cost of the entire bill, it also lies as an enclave in the heart of the lakeshore. It has natural resource values which will be of great value to the lakeshore. This bill contains provisions to assure that all privately owned lands within the expanded lakeshore—including Beverly Shores, will eventually become publicly owned.

While the price tag on this entire bill—and for Beverly Shores—is substantial, we must recognize that we are buying land late in the game in an already highly settled and developed area. The little remaining open space incorporated in this bill is naturally going to be quite highly priced, but we must bear in mind that this lakeshore is within the very short reach of millions of people. Only an hour from Chicago, the cost of this lakeshore on a per capita basis for potential area users is relatively small.

Moreover, acquisition here is a now-or-never proposition. If we are ever to preserve the small remaining open space here, we must not wait any longer. It is my feeling that this bill should put the final cap on any further expansion of the lakeshore.

The acquisition of the Indiana Dunes National Lakeshore must be viewed as a long-term investment. We cannot afford to not take this final step of commitment to preserve these last remaining areas for the permanent benefit of future generations.

The final step of this process is the enactment of this legislation. I hope that my colleagues will help to get that effort moving onward by voting in support of this bill.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. FITHIAN), the principal author of the bill.

Mr. FITHIAN. I thank the Chairman.

Mr. Speaker, I would like to inform the House of the activities in which we have engaged in bringing this bill to the floor. More than a year ago my staff and I undertook a review of the Indiana Dunes National Lakeshore Park problem. In the course of the next 6 months we held hearings in the dunes area. More than 147 individuals from all sides of the issue came and made their presentations.

We followed that with a marathon session discussing the merits of the bill, what should be included and what should be excluded, with representatives from industry of the area, representatives from the environmental groups, the Save the Dunes Council, town boards, and chambers of commerce. Practically everybody who has ever had anything to say about the Dunes were given an opportunity to have a hand in fashioning this. Only after the longest and most arduous effort at bringing about a compromise do we bring the bill to the House.

I want to thank the distinguished chairman of the subcommittee, the gentleman from North Carolina (Mr. TAYLOR) for his long work in the committee, and the work that has come from this committee. And I want to thank Mr. SEBELIUS and Mr. RUPPE of the minority for their constructive help.

I want to make one observation that I think is very pertinent, particularly with the concern over Beverly Shores. The Governor of the State of Indiana 2 years ago opposed the inclusion of Beverly Shores, but subsequent to that in going over the cost of maintaining the beach erosion project, which approached in a one-time treatment $3½ million from the Corps of Engineers, it became clear that Governor Bowen was in favor of some other solution.

I would urge those who consider voting against this bill today on account of the cost of Beverly Shores to look at what it will cost us if Beverly Shores is left out.

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

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

Mr. SKUBITZ. I thank the gentleman for yielding.

I was under the impression that the beach in front of Beverly Shores is owned by the Government now, and any beach erosion would have to be taken care of by the Federal Government.

Mr. FITHIAN. That is correct, I would inform the distinguished gentleman. The Government does, and that is what I am objecting to. The Government has put $3½ million into the project in front of the beach. This bill will permit the normal course of action to take its way naturally, and the normal currents, therefore, will be allowed to work against that beach, once it is in the park, to establish the normal curvature of the lake.

What I am arguing is that it makes absolutely no sense at all to go down through the next decades dumping money into the revetment project.

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

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

Mr. TAYLOR of North Carolina. I thank the gentleman for yielding.

I would just like to take this time to commend the gentleman from Indiana for the help that he has given with regard to this bill. When he was elected to Congress, he found himself in the middle of a local controversy which had been going on for years. The majority of the park is located in his district. Some Congressmen in such circumstances might try to dodge the issue, but he faced it squarely. He held local hearings. He listened to people in his district, and he came before our committee with positive recommendations. He helped us work out the compromise now before us, and his constructive aid is one reason that we are able to bring a bill here which the committee was able to perfect by a vote of 34 to 4.

Mr. FITHIAN. I thank the gentleman.

In addition to that, I would add, Mr. Speaker, that we have finally arrived at a compromise which is indeed supported by all sides. This is a bipartisan piece of legislation which is represented by the vote out of the committee, but it is also a compromise which is indicated by the support of such environmental groups as the Audubon Society, the Sierra Club, the Wilderness Society, and the Save the Dunes Council, as well as Midwest Steel, Bethlehem Steel and other industry in the area. It is truly a balanced compromise. In the long battle to save this great natural treasure two statesmen stand taller than the rest.

Two congressional leaders—former Senator Paul Douglas of Illinois and Representative EDWARD ROUSH of Indiana—who dedicated themselves to the preservation of the Indiana dunes deserve special recognition for their inspirational leadership and devoted determination, which has led to the creation of Indiana Dunes National Lakeshore Park.

Senator Paul Douglas and Congressman ED ROUSH led the fight in Congress in the mid-1960's to create this national park. Long before the public became concerned with environmental quality and preservation of dunes and wetlands, these farsighted legislators waged a vigorous battle to preserve the Indiana Dunes. Their success led to the legislation which created Indiana Dunes National Lakeshore Park in 1966, a park of about 8,000 acres. This urban national park is truly a monument to their heroic efforts. The bill we act on today would not be before this body had their leadership not been exerted over the years.

Mr. Speaker, I urge adoption of this bill.

Mr. SKUBITZ. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. RUPPE).

Mr. RUPPE. Mr. Speaker, I would simply like to add my voice to some of the speakers who have already addressed this body and say that I, too, support this particular legislation. I believe that it is a well shaped, well crafted compromise on the part of a bipartisan group of Congressmen on the committee. Certainly the Beverly Shores question raises a point of conflict for many of us, but it would seem to me that the desirability of acquiring Beverly Shores was perhaps shaped initially when the legislation first passed the Congress.

At that time Beverly Shores was totally surrounded by park acquisition and there was a public strip of land along the shore likewise acquired by the Federal Government. This left Beverly Shores a complete island and as the residents have testified and have stated to us on our field trip to that area, it gives them as far as the beach is concerned limited access. They have had to fight their way through hordes of tourists that utilize the beaches in the summer months. They also have no protection for their property. People visiting the Indiana Dunes area have trespassed upon their property at will. There has been a lot of damage, a lot of carnage, if I may say so, by those visiting the shore areas with no regard for the rights and values of the property owners there.

The people of Beverly Shores won out on the area and the park was founded well and I think they have a very legitimate request.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. MADDEN), the chairman of the Committee on Rules.

Mr. MADDEN. Mr. Speaker, this legislation has been pending in one way or another before this House for the last 20 years or thereabouts. It is the only piece of our National Parks with dunes and sandy shores left in the Middle West. I say that advisedly.

On Sunday, the Chicago Daily Tribune in an editorial stated that they are looking forward to the enactment of this legislation today. I insert in the RECORD parts from the editorial of the Chicago Tribune on Sunday:

PROTECT THE DUNES LAKESHORE

On Tuesday the House of Representatives is expected to vote on H.R. 11455, providing $55 million to purchase 4,300 additional acres for the Indiana Dunes National Lakeshore. The bill has remarkably broad support for anything affecting that historic battleground between industrialists and conservationists. Its 70 cosponsors include 13 Illinois members of the House, from both parties.

The two big battles have been fought and won. There is a national lakeshore of 5,600 acres, in addition to the Indiana Dunes State Park. And there is the Burns Ditch steel mill and harbor development. With those two decisions made, one for conservation and one for industry, no all-out victory for either interest is any longer possible.

The areas involved in the pending bill are numerous and for the most part small. Three are detached parcels of land, illustrative of some aspect of the natural history of the area. The other areas will, if acquired, round out the principal national lakeshore, from Crescent Dune near Michigan City to the Miller Lagoons west of Marquette Park in Gary. The bill provides for the ultimate absorption of Beverly Shores into the lakeshore, with the approval of most of the residents.

Sponsors of H.R. 11455 contend plausibly that many compromises have been made in hammering out the measure. A bill to enlarge the lakeshore by 6,900 acres was introduced in 1971. The pending bill for 4,300 acres lacks at least a thousand acres that conservationists strongly desire.

Bethlehem and National Steel and Northern Indiana Public Service Company would naturally like to keep for their own purposes some of the acreage involved. But the argument that the existing national lakeshore, a compromise of a compromise, urgently requires rounding out as a protection from present and potential industrial and residential neighbors is a cogent one.

To the general satisfaction of a vast public, the decision to have an Indiana Dunes National Lakeshore has been made. No other large scenic area in the national park system is as close to the homes of 10 million people as is the Indiana Dunes Lakeshore. The pending bill to augment and protect this lakeshore has the support of the three congressmen closest to the site—Ray Madden of Gary, Floyd J. Fithian of Lafayette, and John Brademas of South Bend and presumably of a majority of their constituents. Action to conserve fragile landscapes and habitats on or near Indiana's Lake Michigan shore must be taken now if ever.

The arguments that the optimum uses for the acreage involved in H.R. 11455 are for recreation and conservation are convincing.

This passed the Interior Committee by a vote of 34 to 4.

The pending bill to augment and protect this lakeshore has the support of every Congressman in Illinois, I think, with the exception of a couple, and 10 of the 11 Congressmen in Indiana.

To my knowledge, this is the only park legislation in the 33 years which I have been in Congress that brings a park to millions of people. It is estimated between 10 and 12 million people in the Chicagoland, Michigan, Illinois, and Indiana area live within a 1½-hour auto drive to the Indiana dunes lakeshore.

If this Congress today, considering all the billions of dollars that have been spent for parks during the last half century, reject the Indiana dunes preservation, generations in the future will regret it.

I remember over 20 years ago people and organizations would visit the south shore of Lake Michigan and spend their time walking over the sand and the dunes which took millions of years to be built.

I hope the Congress will vote in favor of this great recreation for the enjoyment of America's future generations.

Mr. SKUBITZ. Mr. Speaker, I yield 1 minute to the gentleman from Idaho (Mr. SYMMS).

Mr. SYMMS. Mr. Speaker, I would like to point out to the distinguished charman of the rules committee—who I know would not want to leave an error here with the Members of the House—that their are 43 members on the Interior Committee. I do not know where he got his figures about the vote when he was saying that the vote was 40 to 4.

Mr. MADDEN. Mr. Speaker, if the gentleman will yield, I thought it was 40 to 4. It was really 34 to 4, which is the correct figure.

Mr. SKUBITZ. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. HILLIS).

Mr. HILLIS. Mr. Speaker, I rise in support of H.R. 11455, and strongly urge its passage on suspension.

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

Mr. Speaker, H.R. 11455 authorizes an expenditure of $53.3 million. That is 50 times more than the administration requested. It is $32 million more than Congress authorized for the creation of the Indiana Dunes National Lakeshore.

I hear my colleagues talk as though we are doing something new. We are not creating anything here; we are adding on. They have the lakeshore. It has been said that the President has never vetoed a park bill. This bill in its present form is a likely candidate for that dubious honor. Congressman Gerald Ford voted against the bill H.R. 51 in 1966. Certainly, there is nothing in this bill that would lead one to believe that President Ford would change his mind. The administration is strongly opposed to the bill.

Let me review a little history for some Members of this House. Ten years ago, in 1966, the Interior Committee reported and the Congress passed the old Dunes National Lakeshore. That bill was one of the most controversial bills in the Interior Committee that I have seen in the Congress since I have been here for 14 years. The hearings held on the bill H.R. 51 in 1966 were not perfunctory; they were in-depth studies.

Congressman MORRIS UDALL, who was the floor leader of the bill, said in the RECORD of October 11, 1966:

H.R. 51 is probably the most controversial of the national park bills to come out of the Committee on Interior and Insular Affairs during the 89th Congress.

Congressman Aspinall, the chairman of the Interior Committee, speaking on the bill, said this:

Exhaustive hearings were held by the National Park and Recreation Subcommittee, both in the field and in Washington. Every conceivable argument for and against the proposal was heard. I can honestly say no other park proposal has been given more intense consideration in this session of Congrees than has H.R. 51.

As a member of the subcommittee I went to Indiana, I attended the hearings there; I attended the hearings in Washington, and I surely agree with what Congressman UDALL and our former colleague, Wayne Aspinall, said.

H.R. 51, the bill we passed in 1966, the bill which provided for the creation of the Indiana Dunes National Lakeshore, became public law on November 5, 1966, and it authorized $27.9 million.

We have since increased the authorization by $7.4 million.

What it will finally cost for the land purchase authorized in the initial bill, no one can accurately say.

H.R. 11455, the bill that is before us now, does not create anything. I repeat: Does not create anything.

It is an effort to expand the lakeshore authorized in 1966, even before the land purchases for the initial project have been completed. It seeks to add a number of parcels of land, every one of which were considered and rejected in 1966, because they were found not essential to

the lakeshore. Most of the parcels of land which this measure proposes to add are not even adjacent to the lakeshore. They lie across the railroad tracks, over which scores of trains pass each day, and on the other side of the super highway that goes through this area.

Consider Hoosier Prairie. It is more than 9 miles away from the recreation area, and by no stretch of the imagination can the inclusion of this area be considered essential to the national lakeshore.

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

Mr. SKUBITZ. I yield to the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. I thank the gentleman for yielding. The gentleman realizes that the State of Indiana, so far as Hoosier Prairie is concerned, has appropriated money to pay one-half of the purchase price. This is the one area where the State is paying one-half of the consideration.

Mr. SKUBITZ. Let me read from the report, a letter from the Department:

> The introduced bills would also add the area known as Hoosier Prairie to the lakeshore as a detached addition. While this area has been recognized by the Secretary's Advisory Board as having national significance, its addition to the lakeshore is not recommended for several reasons. Resource management practices have long indicated that a prairie such as this is perpetuated by fire, a situation which would be nearly impossible here owing to the fact that it is partially surrounded by oil storage tanks and residential development. Additionally, the prairie exhibits little if any significance for which the lakeshore was established. Its management could only be accomplished by an agency other than the Service owing to its physical separation from the remainder of the lakeshore. Consequently, we recommend that the State of Indiana seek other sources of revenue such as the Land and Water Conservation Fund to effect the prairie's preservation and management.

Mr. Speaker, this view was shared by my good friend, the gentleman from Indiana (Mr. MADDEN), back in 1966. He was one of the moving forces during that discussion in 1966. The question was bitterly discussed on the addition of these acreages away from the lakeshore.

Let me read what the gentleman from Indiana (Mr. MADDEN) said during the hearings. The Members will find them on page 286. I quote:

> The demand to include areas miles removed from the proposed central National Park is impractical and if insisted upon by the proponents may jeopardize the establishment of the much needed Dunes National Park . . . I do hope the committee acts favorably on this pending legislation.

If the hodgepodge of parcels recommended in this bill are of real national significance—which they are not—let them fly under their own colors. Let the proponents prove they are worthy of national significance instead of carrying them piggyback upon a project to which they are not essential. If they are not of national significance, then let the State meet its responsibility. Let us not pawn them off on the taxpayers of the United States in this type of legislation.

The largest and most expensive acquisition in this bill is Beverly Shores. I heard one of my colleagues speak of Beverly Shores, that it is right in the center of the park, that we have to take it because it is the hole in the donut.

If we are going to take that, what about the Ogden Dunes and Dune Acres?

Beverly Shores is a fully incorporated town of approximately 633 acres, surrounded by existing Federal lakeshore lands. It contains 280 moderate to excellent homes with all the services provided a residential community.

During the 1966 hearings, as the chairman of the subcommittee told us, the committee was asked to purchase not only Beverly Shores but Ogden Dunes and Dune Acres as well. The gentleman from Arizona (Mr. UDALL) at that time correctly explained the committee's position on this proposal when he said:

> As amended, the boundary of Indiana Dunes Lakeshore will include about 11 miles of beach and 8,250 acres of land . . . I may add this contrasts with approximately 11,300 acres which were included under the bill introduced.

Mr. Speaker, on that first figure he was referring to the park area on the lakeshore.

Then the gentleman from Arizona (Mr. UDALL) made this significant statement:

> All of us were sorry that the area had to be so drastically cut, but a number of considerations led to this action. One of the reasons was the desire of members of the committee to keep the lakeshore as compact as possible and to avoid including in it a number of detached areas. Another was their desire to avoid appearing to inflate the acreage by including in it a lot of high-priced property that could probably not be developed for recreation purposes in any event. A good example of this is the 660 acres in the town of Beverly Shores that have been omitted from the national lakeshore.

Who is against it, then?

It is interesting to note that during the markup of H.R. 51 it was the gentleman from Arizona (Mr. UDALL) who proposed that Beverly Shores be excluded. The motion carried, and Beverly Shores was excluded.

Mr. Speaker, this interesting colloquy took place between the gentleman from Arizona (Mr. UDALL) and the chairman of the subcommittee, the gentleman from North Carolina (Mr. TAYLOR), on June 7, 1966, as disclosed on page 49 of the hearings:

> Mr. TAYLOR. The Beverly Shores area is a highly developed residential area?
>
> Mr. UDALL. Yes.
>
> Mr. TAYLOR. Many beautiful homes?
>
> Mr. UDALL. That is right.
>
> Mr. TAYLOR. The way the map is now drawn, it is not accessible by rail.
>
> Mr. UDALL. That is correct.
>
> Mr. TAYLOR. It is not accessible by water transport?
>
> Mr. UDALL. That is correct.
>
> Mr. TAYLOR. Therefore, the likelihood of industry coming in there is very remote.
>
> Mr. UDALL. That is right. In fact, as the gentleman from Alaska pointed out yesterday, this would give you an enclave within the lakeshore where restaurants, motels, and service facilities might be developed, with the consent of local zoning authorities, to serve some of the people who are going in and out of the beaches.

Mr. Speaker, that is what I thought the gentleman from Indiana (Mr. MADDEN) was after 6 years ago.

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

Mr. SKUBITZ. Mr. Speaker, since I used the gentleman's name, I do yield.

Mr. MADDEN. Mr. Speaker, I always try to live in the present. I must point out that I read in the hearings the fact that 80 percent of the residents and property owners of Beverly Shores are for this bill.

Mr. SKUBITZ. Mr. Speaker, I refuse to yield further.

Mr. MADDEN. Mr. Speaker, let me finish. Eighty percent of the residents in Beverly Shores are in favor of this bill, and I want to emphasize that point.

Mr. SKUBITZ. Mr. Speaker, may I say that I would not blame them, because when one can sell his property, get his money, and then get a 25-year leaseback at about 1 percent a year and have the Government pick up the chip for the operation of the town, for the fire department, the sewer lines, the schools, the roads, the police, and whatever else is needed, brother, they have the best of two worlds.

Mr. MADDEN. Mr. Speaker, will the gentleman yield further on that?

Mr. SKUBITZ. No, Mr. Speaker, I will not yield further at this point.

Mr. Speaker, we already have on the books land acquisition projects authorized for both the National Park Service and the Forest Service totaling some $2 billion to be paid for out of the land and water conservation fund.

We also have on the books today development plans for already authorized parks totaling $2.7 billion. The fact is that if not a single new addition were approved, it would take nearly 20 years to pay out the existing authorizations for land acquisition alone, and that is not even mentioning the development backlog.

Must these projects stand in line, those that have been on the books for years, while we add $51 million more for additions to a lakeshore that has not yet been completed, one that was proposed in 1966 at a cost of $32 million?

Mr. Speaker, I would like to point this out to my colleagues: Already this year we are putting about $300 million into the land and water conservation fund, and about $77 million of that has been going to the National Park Service.

What have we done in this committee? Already last year and this year we have authorized for Big Cypress $108 million, which is yet to be paid; Big Thicket, $62 million; Cuyuhoga, $29.4 million; and we now have Alpine Lakes for another big chunk of money.

Each one of these bills has a proviso in it that they are to be taken or that it is the intention of Congress that they be taken in the next 5 years. On that basis, $45 million a year would have to go out starting in 1977 for these projects, leaving $30 million for all the other projects on the books.

Mr. Speaker, as I said in the beginning, this is a likely candidate for Presidential veto. If there was ever a park bill that should be vetoed, it is this one. We should go back to the bill that the Department sent down, filling in the areas we missed before, but let us not get into the business of trying to operate a whole city.

Mr. Speaker, I hope the bill is defeated.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. ROUSH), who has been introducing bills and has been pushing this project for years.

Mr. Speaker, will the gentleman yield?

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

Mr. TAYLOR of North Carolina. I just want to point out that Beverly Shores, which is surrounded on four sides by the park, was included in the National Park recommendations for the park in 1966. It is not a new idea. It was included in the Senate bill which passed in 1966. It was not included in the House bill, but the residents had been opposed to it. Now they are supporting it.

The bill contained no power of eminent domain at that time, so we did not think it wise to include this home development area then, but now we are supporting that.

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

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

Mr. SEIBERLING. Mr. Speaker, I simply would like to express my support for this very important bill, carrying out the policy, enunciated by President Nixon, of putting the parks where the people are.

Mr. Speaker, I commend the gentlemen from Indiana Mr. ROUSH, Mr. BRADEMAS, and Mr. FITHIAN, for their outstanding work in getting this bill and working the various compromises that made it possible.

Mr. ROUSH. Mr. Speaker, I want to commend the subcommittee under the leadership of Mr. TAYLOR for the work which has gone into this legislation. Mr. SKUBITZ is correct. It has been a controversial piece of legislation. The committee, however, gave diligent attention to the various controversies which attended its deliberations. A compromise has been reached. There are parts of the compromise I do not like. I would have added an additional 1,000 acres to the proposal but I recognize that there must be some give and take as we go through the deliberative process. Mr. SKUBITZ has asked the questions. "Why was the proposal controversial in 1966? Why were certain areas excluded?"

I should like to take you back to those difficult days in the history of the Indiana Dunes National Lakeshore. The original legislation was opposed by the Governor of Indiana—a Democrat by the way. It was opposed by almost every industrial interest in the area. The Beverly Shores area inclusion was opposed by a majority of its residents. The legislation was opposed by the former minority leader of the House in whose congressional district a majority of the proposed lakeshore was and is located, Mr. Halleck. And as I recall it was opposed by a majority of the minority members of the Committee on Interior and Insular Affairs. But things change; attitudes change; and there have been dramatic changes since 1966.

The bill before us today does not have the opposition of the Governor of Indiana. Major industrial interests in the area are now supporting the legislation. Over 80 percent of the residents of the Beverly Shores area now approve the bill which includes their "island." The bill before us is enthusiastically supported by the Members of Congress who represent areas included in the bill. A majority of the minority members of the Committee on Interior and Insular Affairs now favor the legislation.

Yes, Mr. Speaker, many things have changed. I rise today in support of H.R. 11455, a bill amending the act establishing the Indiana Dunes National Lakeshore to provide for an additional 4,340 acres of land.

As the original author of the 1966 act establishing the Indiana Dunes National Lakeshore and the chief sponsor of legislation adding to the lakeshore since 1971 this bill has my enthusiastic response.

This bill, then, is a compromise endeavoring to satisfy the varied industrial, recreational, ecological interests that are involved. Bethlehem and Midwest Steel have endorsed this bill, as have many local residents and those indefatigable supporters of the beautiful and perishable dunes along the lakeshore.

The arguments that will be used against this bill involve the cost, estimated at some $50 million. Obviously this is an authorization bill and appropriations for purchase would not be forthcoming in a single year. I might add that the same arguments were used back in the 1960's when we first endeavored to create the lakeshore. The question to be resolved is whether the additions are worth the cost. I think there is no question that they are. Moreover, we cannot wait as the natural resources we would preserve by these additions are vanishing and time will not make those left any cheaper in cost.

It is time for those of us in the Midwest to enjoy a fully developed lakeshore which will be a recreational area within close reach of some 10 million people. This is the first urban national park. Full development for recreational purposes requires the additions that we would make today. Efforts to "save the dunes" and the surrounding area go back more than 50 years. How long will the people in Indiana, Illinois, Michigan have to wait for the completion of this natural lakeshore?

Mr. SKUBITZ has said that the bill does not create anything. He may be correct for only the Creator could create the over 4,000 acres this bill seeks to include within the protection of a national lakeshore. These are over 4,000 acres of indescribable beauty. They are acres of natural environment which are threatened by man's greed. The bill before us constitutes an investment in the future that we must make. I ask your support.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Wyoming (Mr. RONCALIO), a member of our subcommittee.

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

Mr. Speaker, I take this 1 minute only to say to my colleagues that I believe this legislation represents a classic example of the countless dozens of hours of ironing out in the best tradition of our Nation the myriad differences of opinion, and complexities of the legislation, and I take the well to commend, as never before, my colleagues, especially the gentleman from North Carolina (Mr. TAYLOR) and all members of our subcommittee on which I am honored to serve, as well as the minority member, the gentleman from Kansas (Mr. SKUBITZ) and his colleagues on that side of the aisle. I do not know of any committee that has done a better job of trying to write a piece of legislation that will have a more lasting and excellent effect than this legislation. I urge its adoption.

If it takes $80 million to do it, better than 10 times more than it was 10 years ago, it should be done, and at least those States who are to be putting money into our parks should do it now and not wait until 10 years hence when the cost will again be tenfold.

Mr. HAMILTON. Mr. Speaker, I rise in support of H.R. 11455, the Indiana Dunes National Lakeshore Act amendments. This bill would add about 4,300 acres of land to the existing national lakeshore, acres selected for natural values, buffer protection for sensitive areas already in the park, and diversified recreational opportunities. The properties to be added include beach land, dunes, marshes, a river corridor and several areas of geological and biological significance.

As long ago as 1916 a resolution was introduced in the U.S. Senate to establish a national park on the Indiana shores of Lake Michigan. That resolution was designed to stop the encroachment of industry from Chicago. The pressures of expanding industrial and recreational needs have continued to clash in this area since that time. The construction of the St. Lawrence Seaway acted as a catalyst in the lingering debate, as did the development of a deepwater, international port adjacent to and, in some cases, overlapping the dunes.

The Indiana Dunes National Lakeshore was finally authorized by Congress in 1966, and contained about 8,700 of the 11,000 acres originally proposed for inclusion within its boundaries. Then, as now, there were profound differences as to the areas that were most deserving of protection.

Expansion of the park—the Nation's first national lakeshore—is urgently needed. Many outstanding natural areas, such as the Burns Bog unit and Miller Lagoons and Woods, remain outside the current boundaries of the park. These areas will be lost to industrial or residential development if they are not protected. Since the lakeshore was created, many hundreds of acres of unprotected dunes have already been destroyed, as have some private plots within the park that were not acquired fast enough to avoid the bulldozers.

In addition, many of the fragile ecosystems within the park are vulnerable to nearby activities that are incompatible with them, activities like steel mills, a railroad yard, and industrial dumpsites. Buffer zones are needed to protect these ecosystems from damage.

Finally, expansion of the park is nec-

essary if it is to adequately serve the recreational needs of the more than 10 million people living within 100 miles of it and who now have an insufficient number of high quality recreation sites from which to choose.

Mr. Speaker, the acreage included in this bill is the result of many months of discussion and compromise between the parties with competing interests in the parkland. It is supported by all but 1 member of the 11-man House delegation. The ability and opportunity to acquire additional lands for inclusion in the park diminish with each successive year. Now is the time to act to expand the park so that it contains all of the areas worthy of protection and necessary to make it one of the outstanding parks in the United States. H.R. 11455 would achieve those goals, and I urge its adoption today.

Mr. MIKVA. Mr. Speaker, I rise today to speak in support of the Indiana Dunes bill and to express my appreciation to my colleague, Congressman FITHIAN, who introduced this bill. His understanding of the needs of his constituents and his willingness to take on the industrial giants in and out of his district are to be commended. I admire his courage.

I have long been a supporter of the Indiana Dunes National Lakeshore Park. Even though I am not from Indiana, the dunes are a familiar sight to me, as they are to my constituents and to thousands of other midwesterners who visit and enjoy the dunes each year. The dunes are not just an Indiana treasure, they are a national treasure to be protected and developed for the enjoyment of all the Nation's citizens.

When Congress created the Indiana Dunes National Lakeshore Park in 1966, not all of the dunes area was protected. Industry has continued to bulldoze land not included in the 1966 legislation, and conservationists have continued to fight for every piece of remaining dunes property. Action must be taken now to permit industry and ecology to live side by side. The battle between the conservationists and the industrialists for the precious land along the southern shore of Lake Michigan must come to a just conclusion. We can provide for industry's need for expansion and for the public's need for a place to escape from the congestion and pollution of urban America. This bill is supported by the Save the Dunes Council, Audubon Society, Sierra Club, Wilderness Society, Izaak Walton League, Midwest Steel Co., Bethlehem Steel Co., and the Northern Indiana Power Co.

H.R. 11455 is a good bill, and I support it. But as good as it is, I hope the Senate will see fit to expand the dunes land to be protected. Four additional sections of land are essential to the completion of the park. There should be restoration of full acquisition authority for the Green Belt area, as originally appeared in the Fithian bill. This would provide needed buffer protection. Second, 200 acres of high wooded dune land, the balance of unit I–B, the Glacial Lake Dunes, should be added to the park. Third, Nipissing Dune land, a type of natural land form not now part of the park, should be included in the park lands. Finally, the balance of I–A East, which is adjacent to the existing park and which is scheduled to be subdivided into prestige lots, should remain a public recreation area for the millions of people who live near the park. With these additions, we can preserve the natural areas, broaden recreation areas, and provide for industry's needs.

Mr. Speaker, this is probably the last opportunity we will have to preserve this precious national resource for us all. As the editorial in the Washington Post this morning states:

> Land . . . is the one thing they aren't making any more of.

We must act today. I urge my colleagues to vote in favor of this bill.

Mr. BRADEMAS. Mr. Speaker, I rise today in support of the measure now pending before us, H.R. 11455, to complete the expansion of the Indiana Dunes National Lakeshore.

This legislation, Mr. Speaker, is not only of great significance to the people of my congressional district, but also to all the people of Indiana and the entire midwestern region of our country.

Before reviewing some of the issues involved in this legislation, Mr. Speaker, I would like to pay tribute to those visionary Members of Congress and citizens of Indiana whose tireless efforts over the past 20 years have prevented the destruction and loss of one of the Nation's great natural resources.

In particular, Mr. Speaker, I would like to express my appreciation to the distinguished chairman of the Interior Committee, the gentleman from Florida (Mr. HALEY), to the distinguished chairman of the National Parks and Recreation Subcommittee, the gentleman from North Carolina (Mr. TAYLOR), and to the subcommittee's distinguished ranking minority member, the gentleman from Kansas (Mr. SEBELIUS).

Mr. Speaker, I would also like to thank three of our distinguished Hoosier colleagues who have vigorously championed this legislation: The Hon. RAY J. MADDEN, J. EDWARD ROUSH, and FLOYD J. FITHIAN.

Mrs. Dorothy Buell, the first president of the Save the Dunes Council, her successor, Mrs. Sylvia Troy, and Thomas Dustin, the first chairman of the Indiana Dunes National Lakeshore Advisory Commission deserve special recognition for their herculean efforts in the establishment of the lakeshore.

The advocacy of these leaders and many other dedicated persons of a national park to preserve the dunes, marshes, and geological phenomena along the lakeshore has resulted in a superb natural legacy that will accrue to the benefit of future generations—a legacy this legislation seeks to enhance.

Mr. Speaker, it was in the earliest days of Indiana's statehood that trapper Joseph Bailey became the first settler on this sand-dune-covered shore of Lake Michigan through which the Calumet and Little Calumet Rivers flowed—a wilderness of rare beauty and tranquility in that year of 1822.

In 1916 Stephen Tyng Mather, the first director of the new National Park Service, recommended a national park be created on the Indiana shore of Lake Michigan, and the next year Secretary of the Interior Franklin K. Lane passed along this recommendation to the U.S. Senate.

But—with the exception of the establishment of the popular Indiana Dunes State Park in 1923—it was not until President Johnson signed Public Law 89–761 in November 1966 that there was established a national lakeshore along the Indiana tip of Lake Michigan.

But large expanses of the unspoiled shore were not included when the original legislation was passed in 1966. Now is the time for these areas to be included if they are to remain monuments to natural history and suitable for recreation.

Mr. Speaker, let me touch on these two reasons for preservation—saving a lasting monument of natural history, and guaranteeing land for recreation.

During the last great ice age, the region of the country I represent was covered by glacier. Its melting formed Lake Michigan, along the shoreline of which magnificent dunes were created out of ridges formed by the receding glacier. Winds off of the lake caused the foredunes along the lake to rise to heights of 200 feet while the lower inland dunes straddled poorly drained plains which gradually developed into bogs and marshes.

One can go on describing these rare phenomena but I think the picture I present is enough to illustrate that this is an area so unique that its preservation as one of the world's greatest laboratories of geology, plant ecology, and environmental education is essential.

Mr. Speaker, in addition to this natural history value, the lakeshore has enormous recreational value. The area is the center of a circle with a 100-mile radius in which approximately 10 million people live. It is within a few hours drive from such major cities as Rockford and Chicago, Ill., and South Bend, Fort Wayne, Gary, and East Chicago, Ind.

Needless to say, people in our Nation's third largest metropolitan area are going to be looking for recreational facilities closer and closer to home. We must make sure that the land will be there to accommodate them. But action is needed quickly to preserve the important parcels of land in northwestern Indiana included in this legislation.

Mr. Speaker, this is a critical time for the lakeshore. I feel compelled to close with the words of the poet who knew the Midwest so well—Carl Sandburg. He wrote:

> The Dunes are to the Midwest what the Grand Canyon is to Arizona and Yosemite is to California. They constitute a signature of time and eternity: Once lost the loss would be irrevocable.

We must act now to prevent such a loss.

Mr. HAYES of Indiana. Mr. Speaker, on the vote for final passage, I would have voted in favor of the bill, H.R. 11455, Indiana Dunes National Lakeshore Act Amendments. I preferred a stronger, more protective bill, along the lines originally proposed by Congressman EDWARD ROUSH, but the present compromise bill is satisfactory.

The SPEAKER pro tempore. All time has expired.

The question is on the motion offered by the gentleman from North Carolina (Mr. TAYLOR) that the House suspend the rules and pass the bill H.R. 11455.

The question was taken.

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

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

Does the gentleman from California withdraw his point of order that there is no quorum?

Mr. ROUSSELOT. Yes, I do, Mr. Speaker.

LIBRARY OF CONGRESS MADISON MEMORIAL BUILDING

Mr. RONCALIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11645) to amend the act of October 19, 1965, to provide additional authorization for the Library of Congress James Madison Memorial Building.

The Clerk read as follows:

H.R. 11645

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the joint resolution entitled "Joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes", approved October 19, 1965 (79 Stat. 986; Public Law 89-260), is amended by striking out "$90,000,000" and inserting in lieu thereof "$123,000,000".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

The Chair now recognizes the gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO. Mr. Speaker, I yield myself such time as I may consume, not to exceed 5 minutes.

Mr. JONES of Alabama. Mr. Speaker, in 1965 the Congress recognized the pressing need for an additional Library of Congress by enacting legislation authorizing the Architect of the Capitol to construct the third Library of Congress building on property adjacent to the Cannon House Office Building at a cost of $75 million. The building is to be named in honor of James Madison the fourth President of the United States and to contain a suitable memorial hall honoring him.

In 1970, the Congress enacted legislation, Public Law 91-214, increasing the estimated cost to $90 million and prohibited the use of the third Library of Congress Building for general office building purposes. The increase was caused by the delay in appropriating the funds for the facility in a timely fashion. As an example, during the period from 1965 through 1969 only $500,000 had been appropriated for the preparation of preliminary plans and designs. This coupled with the rapidly escalating construction costs accounted for the increase.

H.R. 11645 would authorize an additional $33 million for completion of the James Madison Memorial Building. Phase four of the construction project—the interior and related work—is what remains to be contracted for. Because of escalating construction costs, however, the bids which were received in July exceeded the funds available.

The lowest bidder has for the past 7 months extended his bid upon request of the Architect of the Capitol for a reasonable period. It is my understanding, he cannot continue to extend this bid again. The appropriation of $33 million contains a reasonable amount for any contingencies which may arise during the completion of the project. The Architect of the Capitol during hearings before our committee assured us that the building can be completed within this increase. Thus, it is imperative, if the Government is to have the benefit of the low bid, we approve this legislation in order to avoid higher costs.

The Library, having long outgrown its two existing buildings, has staff and collections scattered in 10 different locations in Washington and nearby suburbs at a cost to the Federal Government of $5.4 million a year. Books are piled in every conceivable place; research facilities are jammed and damage to irreplaceable collections has been minimized only through great care and ingenuity. Scholars visiting the Library are also greatly inconvenienced due to cramped quarters and items required for their research not readily available.

The James Madison Memorial Building has been designed for the Library's needs. The building will provide 1.5 million square feet of well-planned space needed for the collections and will afford efficient working conditions for the staff of the Library. This building must be constructed and promptly if the Library is to continue to grow and meet its responsibilities to the Congress, the research and academic communities, and the Nation.

I urge passage of this legislation.

Mr. RONCALIO. Mr. Speaker, the House is being asked today to authorize another $33 million to complete the construction of the James Madison Memorial Library Building as an annex to the Library of Congress. I agree that the funds for the Library addition should be authorized, that the needs for the Library are vast and that additional space is now necessary and has long been needed and requested.

The needs are fully recognized because the shelf space has long been exhausted. The very, very lovely Jefferson Reading Room of the original Library of Congress has long been cluttered with a multitude of desks in virtually every nook and cranny. Now the Congressional Research Service, formerly known as the Legislative Reference Service has hardly room to move. There is a piling of books in every conceivable place of that facility, it is just jammed full.

Having said all of that, Mr. Speaker, I believe that the House, as it approaches the legislation for additional funds for the completion of the annex for the Library of Congress should begin considering enacting upon an equally critical space problem that confronts the House of Representatives itself. In view of that, my suggestion is that this is the appropriate time to examine the entire question of what Capitol Hill is all about, what its purposes are, both functional and philosophical. Unless we define that purpose, then it will be impossible for us to set any realistic or meaningful boundaries to the proliferation of Federal construction on this Hill or elsewhere.

Mr. SIKES. Mr. Speaker, will my distinguished colleague yield?

Mr. RONCALIO. I yield to the distinguished gentleman from Florida.

Mr. SIKES. I am very grateful to the gentleman for yielding.

Mr. Speaker, I am conducting a hearing in the Defense Appropriations Committee, but I do want to take just a moment or two of time to say that, I support thep roposal to complete the construction of the James Madison Library Building for use by the Library of Congress.

Whatever additional space is needed by the House of Representatives can and should be provided in an orderly way after being designed for the specific purposes for a congressional office building. To convert the James Madison Library into an office building would be a wasteful and costly process. It would still leave a serious need for additional library space.

This building project for needed Library purposes has been authorized by the Congress since 1965 and any further delay not only will cost the taxpayers additional money—a most important factor in these times of rising costs—but will seriously impair the services of this great Library to provide needed services for the Congress, scholars, other libraries, and the Nation. Across the street from our Nation's Capitol is housed the intellectual heritage of this country. Congress itself created this Library as its library and has extended its services through law and appropriations until today it is in effect the national library of the United States. It is no doubt the largest library in the world and it performs more national library functions than any other library in the world. The collections numbering over 70 million items, which are mostly unique, are now inadequately stored. Books, maps, newspapers, and other library items are stacked on the floor and in rental space that is less than adequate for their protection. Congress owes it to the American people to provide adequate housing for these Library materials.

Most Members, I am sure, are aware of the fine work done by the Congressional

Research Service to assist us in our legislative duties. Staff of the Congressional Research Service are presently crowded into poorly ventilated bookstack areas, exhibition galleries, and cellars. This can only impede the work of these specialists. The James Madison Memorial Building will provide the needed, efficient space for the Congressional Research Service as well as for other Library operations.

I know that libraries in my district depend upon the Library of Congress for their technical assistance such as providing cataloging information, automated library services, and certainly one well-known program is the great reading service for the blind and physically handicapped.

It is unfortunate that debate about the proper usage of the Madison Building has delayed the completion of construction. It would not serve the Congress well to contribute to any more delay. The building is badly needed by the Library of Congress; it has been designed to be a library building, and it has been designated as a memorial to our fourth President. Certainly it would be in the best interest of the American people to enact the legislation that is before us.

There are many alternative procedures which have been suggested to insure adequate office space for Members of Congress. They should be considered in proper form without reference to the proposal to modify a building which is nearing completion; is needed for its original purpose, and would be costly to convert to a House Office Building.

Mr. RONCALIO. Mr. Speaker, I am happy to see the gentleman from Washington (Mr. PRITCHARD) here, because I want to raise some matters that might require his response. Several months ago I had the good fortune to work with the eminent gentleman in the other body, the Senator from Nevada (Mr. CANNON) on the Joint Library Committee, and the gentleman from Michigan (Mr. NEDZI). We spent several very pleasant hours hoping to work out a possibility whereby employees of the committees of the House of Representatives whose duties are to work daily with the books and the shelves of the Library of Congress, and its bookstacks, might be given an opportunity to move their facilities from the Cannon, the Longworth, and the Rayburn Buildings and work side by side with their colleagues in scholastic research under those provisions of the Madison Building now being constructed for research employees. It was the hope that we could work out something of this kind and thereby render a displacement of several hundred thousand square feet of space much needed for Members' offices in the three Members' Office Buildings.

These discussions began, and they were meaningful, and they were, I believe, moving together with some degree of progress when on January 29, the gentleman from Washington (Mr. PRITCHARD) released to the institutions around here and the press an attack upon me which claimed that I was deliberately stalling on legislation to complete the James Madison Memorial Building.

The SPEAKER pro tempore. The time of the gentleman has expired.

(By unanimous consent, Mr. RONCALIO was allowed to proceed for 3 additional minutes.)

Mr. RONCALIO. The gentleman from Washington warned further that this would result in bigger bills for the taxpayers.

Let me add then and there that the legislation we are proposing has $5 million locked into it as an excess in case of any additional fees for continuing time. The release went on to say,

> It has been more than a month and a half since House leaders agreed to a compromise. . . .

I now ask my good friend, the gentleman from Washington, who put out this press release what compromise he is talking about.

Furthermore, the press release said the leadership of this House has refused to live up to their part of the deal.

I ask the gentleman from Washington, what kind of back-biting is that, and what deal was not lived up to?

I will yield to the gentleman from Washington for a response.

Mr. PRITCHARD. I will respond at a later time.

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to include at this point the press release referred to.

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

There was no objection.

The press release is as follows:

PRITCHARD CHIDES LEADERSHIP FOR LIBRARY STALL

Congressman Joel Pritchard (R-Wash) today charged the House leadership with deliberately stalling on legislation to complete the James Madison Memorial Library Building, warning that further delay will result in a bigger bill for taxpayers.

It has been more than a month and a half since House leaders agreed to a compromise on their controversial plan to take over the library for office space. "But so far they have refused to live up to their part of the deal," Pritchard said.

Pritchard and a number of co-sponsors introduced legislation December 4 to finish the building as a library. Hearings have not yet been scheduled by the House Subcommittee on Public Buildings and Grounds.

He noted that unless final spending approval is given by Congress by February 21, the lowest bidder will have to pull out of the project. Rapidly rising costs prevalent in the construction industry have pushed the expense of finishing the building up several million dollars since the original bid was submitted.

"The leadership is fully aware of the February 21st deadline," Pritchard said, "and I cannot understand how it can justify slapping the additional bill on the taxpayers."

"Because of upcoming Congressional recesses, there are only nine legislative days left—when both the House and Senate will be in session—until the lowest bidder drops out," Pritchard said. "It is imperative that the committee move on our measure immediately."

Mr. RONCALIO. In any event, Mr. Speaker, we continued our discussions with the gentleman from Michigan (Mr. NEDZI), and the Senator from Nevada (Mr. CANNON), hoping that we could work out, as I said, some possibility of something that we could agree upon, not for Members' offices in the Madison Building, not for a take over of the Madison Building as 196 Members of this body had asked the Speaker, the gentleman from Oklahoma (Mr. ALBERT), to do less than a year ago, but to talk about where we can put these committees, the Joint Committee on Internal Revenue Taxation, who spend every day of their lives working with Prentice-Hall and commerce clearinghouse textbooks that are released from the Library of Congress.

Why could they not be moved out of the two office hallways of the Longworth Building and make room for the Members of the House, most of whom have less than 12,000 square feet for congressional offices, while Members of the other body have five times as much space for each senatorial office? I do not call that a Congress of coequal bodies. This might have been worked out had it not been for those so prone to take advantage of publicity with frontpage rollcalls 2 weeks in a row and the other things that were not of service to the majority and the minority to work out these difficult problems.

This legislation should pass. Of course, there is an overrun. So was the Rayburn Building. So was the FBI building. So was the Kennedy Center, so was the Hirshhorn Building, so was anything else built in the last 20 years.

I leave it to the gentleman from New York (Mr. WALSH) whether this overrun is in order or not. The gentleman had the professionals to examine the items in the report.

I intend to vote for the legislation. I wish it had been offered at the same time as this was gone over with the head of the Library of Congress.

The SPEAKER. The time of the gentleman from Wyoming has again expired.

(By unanimous consent, Mr. RONCALIO was allowed to proceed for 1 additional minute.)

Mr. RONCALIO. Mr. Speaker, I conferred with that distinguished gentleman three times and I found that 50,000 or 60,000 feet of space might have been available for our people. The Library of Congress did not want to compete with this House and they do not wish to cause us any difficulty. I think it ill behooves this body to take advantage of these opportunities to backbite the leadership in an effort to solve these problems. Until every Member of Congress faces up to the proliferation of this body and abolishes half of the committees and half of the subcommittees, we will have to put up with this burden of the shortage of space. Someday we will abolish half our committees and dismiss half of our employees. Then we will not need this additional space.

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

Mr. RONCALIO. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, some of the Members of the House including myself have been somewhat concerned about this "edifice complex" that keeps manifesting itself in so many ways on Capitol Hill. As is pointed out in the gentleman's report accompanying this bill, originally in 1965 this building was envisioned as costing $75 million. Five years ago it went to $90 million. Now we are

being asked for another $33 million and this does not appear to be the end.

The gentleman says there is at least $5 million in this authorization to take care of any cost overruns. Will this cover furnishing the interior of the building once the construction is completed or are you going to come back and ask for more money for ornate desks and chandeliers as in the Rayburn Building?

Mr. RONCALIO. I believe on page 2 and 3 of the report it provides for modeling and carving, design and installation of decorative screen, design model, sculptural fountain, and design and sculpturing of two bronze medallions, architectural and engineering services. There is an itemization of what will be required and that includes a contingency allowance of $5,876,000; but I would not take an oath to the fact they might not be back in 5 or 6 or 7 years asking for a few more dollars for some particular need.

Mr. BAUMAN. If the gentleman will yield further, this bill does contemplate the complete furnishing of the building and there will not be a specific request for desks and things that cost millions of dollars afterward?

Mr. RONCALIO. Let me say that this $33 million includes those items on page 2.

Mr. BAUMAN. I do not see any furnishings listed.

Mr. RONCALIO. I do not see any furnishings, either, in answer to the gentleman from Maryland.

Mr. BAUMAN. This will be an empty building and you will be back again for still more millions of dollars?

Mr. RONCALIO. I leave it to the chairman of the full committee to answer that.

Mr. JONES of Alabama. Mr. Speaker, the question the gentleman from Maryland raises was very thoroughly examined by the committee when we had the Librarian and the Architect of the Capitol before the committee. It was anticipated that it would take approximately 2 years to complete the building and to furnish the building appropriately.

The gentleman from Ohio (Mr. HARSHA), the ranking Republican member, went into that proposition, as I say, very thoroughly and exacted from the Architect of the Capitol the fact that the amount of money of $33 million asked for in this bill would be sufficient to accomplish the completion of the building and also the fixtures and appurtenances thereto.

Mr. BAUMAN. Mr. Speaker, I appreciate that response, and I hope that we can hold the committee and the Library to that.

Is it also true that this facility is to include a rather massive private executive dining room that will not be available to the public? How much will that cost, and why do they need a private dining room in a library?

Mr. RONCALIO. The new building includes a hall which will be a tribute to the fourth President of the United States, James Madison Hall. How much of this is dedicated to the Madison memorial, I do not know.

It will include parking for 385 automobiles, not 1 of which will be allocated to an employee of the House of Representatives. It will include 1,500,000 square feet of space, and not 1 foot of space did we ever demand, but 150,000 square feet of this we hoped could have been worked out had we been given an opportunity to continue our discussions with the Library, with the Senators involved, with some hope that we could have displaced personnel of our committees, and particularly of our Joint Committee on Taxation, Office of Technology Assessment, and Budget personnel, might have been able to move into the building along with the congressional people.

As for the eating facilities, whether they will be open to the public I do not know, but I assume they will be before and after the hours set aside for employees.

Mr. BAUMAN. The only reason I ask this question is that it just seems to me that when we have a $40 million or $50 million cost overrun, we ought to be cutting back on the frills. If an executive dining room costs millions of dollars or hundreds of thousands of dollars and is included in this building it seems to me that it could be better put to uses such as library research and book space.

Mr. RONCALIO. I do not know that I would object to the dining room. It will be a dining room and have facilities for the employees of Congress. That is the only information I can use to answer the gentleman's question.

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

Mr. Speaker, I rise in support of H.R. 11645, a bill to authorize an additional $33 million for the completion of the James Madison Memorial Library annex. This bill was approved by the full Committee on Public Works and Transportation by a unanimous voice vote after receiving the endorsement of the Architect of the Capitol, Mr. George White, and the Library of Congress Librarian, Dr. Daniel V. Boorstin, both of whom appeared before the committee.

This money is needed to complete the interior and related work of the annex. At the present time bids for the completion of the Library have been accepted and with this authorization an award can be given so that the final phase of this project can begin. If the additional funds are not authorized, the bids will expire and new bids must be solicited, which may result in further increases in the cost of this building. At the present time the contractors with bids in for the final phase of this building have agreed to extensions, totaling 6 months, on the award of a contract. The final extension is due to expire February 21. It is obvious there is need to move this bill quickly.

Furthermore, nothing in this legislation authorizes any transfer of space in this building to any other purpose. The building remains intact for library use exclusively.

Mr. Speaker, one of the points that has been raised here today is about contingency fee and the increase of costs that would result if this building is delayed any longer. I would like to point out that we have gone into this very extensively in the committee, and everybody in the construction field is agreed on one thing: In this country we face an escalation of about 9 percent increase in cost of construction a year. So, if we delay this building further, the cost is going to increase to an even greater degree, so I strongly urge enactment of this legislation.

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

Mr. PRITCHARD. Mr. Speaker, I do not want to involve myself into a long debate here over charges or the fact that the gentleman from Wyoming (Mr. RONCALIO) feels I have made unfair charges. I am very sorry if he feels that way. I was concerned because of what I thought was a tentative agreement which was not being implemented and that we were up against this deadline everyone has talked about.

What we want is the Madison Library completed and to be held for the use of the Library of Congress.

This has been a long battle. It started with 199 gentlemen saying they wanted to take it over for use for House offices. We have passed that threat.

Mr. Speaker, I want to compliment the chairman of the full committee, the gentleman from Alabama (Mr. JONES), and the gentleman from Ohio (Mr. HARSHA), the ranking member, who got this bill out and got it out in time. I think the record as to the dealings and all of the controversy is well known by all of the parties, and I do not think anything is served by looking backward.

The main point is that we are going to complete this Madison Library and it is going to be held for the use of the Library of Congress. I am convinced that the people who manage the Library are very, very willing to make some adjustments for those features which will be compatible with the Library of Congress and with Congress.

Mr. Speaker, I want to congratulate those people who have moved this legislation to the floor, and I certainly strongly support it.

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

Mr. PRITCHARD. I yield to the gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO. I thank the gentleman for yielding.

Mr. Speaker, I am grateful to my colleague, the gentleman from Washington, and I appreciate those remarks. I know that we can by working together solve the problems of mutual concern. I would like to say that with cooperation we can all look to the goal mentioned by my colleague, the gentleman from Washington.

Mr. WALSH. Mr. Speaker, before concluding—and I have no further request for time—I would like to express by appreciation to the gentleman from Alabama (Mr. JONES), the chairman of the full committee, and the gentleman from Wyoming (Mr. RONCALIO), the chairman of the subcommittee.

This has been a difficult piece of legislation. They spent a great deal of time on it, and I think we have brought a number of views together in an attempt to provide the best service for the Li-

brary of Congress. I want to compliment the gentlemen and tell them that it was a pleasure to work with them.

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

Mr. RONCALIO. Mr. Speaker, when one observes that this is the third library building on Capitol Hill, and when one observes that we have an incessant, continuing demand for more space for our own facilities, I hope our colleagues and those who love this institution of Congress will recognize the time has come when we must begin a reorganization of our body so that we can better fulfill our jobs. This morning once again for at least the umpteenth time in the last year I found myself having to be in three different places at one time. How many other Members find this same situation, when we have so many committees to serve on. We fail to do our jobs adequately. We quarrel over energy in at least half a dozen committees. It is not in the best interest of this Nation. I hope we can take up a strong reorganization bill to reduce the number of committees, confine ourselves to one committee only, and we will find we will not need so much additional space. Building the library is certainly one of the ways we can help to improve the excellence of our work. It is an outstanding institution in North America.

While private dining rooms are urged by some professional bureaucrats and the building of Taj Mahal's, such as HEW on one side of us, and the Library Building on the other, I nevertheless encourage passage of this bill.

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

Mr. Speaker, I did send out for information on the question raised by the gentleman from Maryland (Mr. BAUMAN) about the cost of furnishings because it was my recollection, when I spoke with the Architect of the Capitol, Mr. White, when he appeared before the committee, that I asked the specific question: "Does this mean that we have a completed building?"

His answer was: "Yes."

Mr. Speaker, this does not include the cost of furnishings, but the Library of Congress does not intend to come back to this committee. It is my understanding that they will go through their own appropriation process and they will not be coming back to this committee. I did want to make the record clear on that point.

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

Mr. WALSH. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, in all probability Library officials are going to come back and ask for many millions of dollars more in order to furnish this expensive building. Whether their request goes through the gentleman's committee or through some other committee is no comfort to the taxpayers of the United States who will foot the bill as usual.

Mr. WALSH. Mr. Speaker, I could not agree with the gentleman more. They are going to get the money to furnish the building from someplace. If we complete the building, we must have furnishings to put in it, so that means we will have to take these actions.

As the building stands now, unless we appropriate the $33 million, it is not going to be finished, and then we would have $90 million down the drain. We have no choice but to proceed with the authorization.

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

Mr. WALSH. I will be glad to yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, one of our great Maryland poets, Ogden Nash, said: "Vice is nice, but incest is best."

It seems to me here on Capitol Hill, when it comes to our own comforts and additional buildings, we set ourselves constantly on this irrational course of constantly spending. We then argue incestuously that we have got to finish the buildings we started no matter what the cost. It appears that this library building is well on the way to surpassing the huge cost of the unlamented Rayburn Building. If the present trend continues, this building may well become the most expensive building since the pharoahs built some of the pyramids.

Mr. WALSH. Mr. Speaker, in defense of what I have said, I will mention that I have some people visiting here from Germany who are very much impressed with the legislative process here in our Capitol and what happens in this country, and in that regard I was talking about this particular bill.

They understand the functions of the Library of Congress very well, and they were impressed that every bit of literature that is written and produced in this country finds its place in the Library of Congress and is preserved there. They feel that $33 million is a small price to pay for what we are going to get out of it, namely preservation of our literary heritage and resources, and I agree with them.

Mr. GRASSLEY. Mr. Speaker, the appropriation authorization to complete the James Madison Library of Congress Building raises two important points:

First, why is it that the original estimated cost of the building and the original appropriation never turns out to be enough to complete the project?

If this were to happen only occasionally, I would think nothing of it. But, it seems like every building constructed in Washington—and particularly those on Capitol Hill—by the Federal Government always exceeds the estimate and usually requires supplemental appropriation. It almost seems as though it is a rule of thumb that it will take more than one pass to complete a project. It is a joke to think that the original authorization will ever suffice.

Additionally, we are now told that this is only enough money to complete the building. Money in addition to this $33 million will be sought to furnish the building in later years.

Second, it disturbs me that there was still talk of turning part of the building over to Congress for office space. Until the building is completed and occupied as a library, I fear we will always have to guard against attempts to steal part of the building for our own snobbish purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Wyoming (Mr. RONCALIO) that the House suspend the rules and pass the bill H.R. 11645.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 11645.

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

There was no objection.

RELEASE OF RESTRICTIONS—ROLLA, MO.

Mr. ANDERSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1313) to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Rolla, Mo., for airport purposes, as amended.

The Clerk read as follows:

H.R. 1313

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 16 of the Federal Airport Act (as in effect on October 6, 1958), the Secretary of Transportation is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (50 App. U.S.C. 1622c), and the provisions of section 2 of this Act, to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated October 6, 1958, under which the United States conveyed certain property to the city of Rolla, Missouri, for airport purposes.

SEC. 2. Any release granted by the Secretary of Transportation under the first section of this Act shall be subject to the following conditions:

(1) The ctiy of Rolla, Missouri, shall agree that in conveying any interest in the property which the United States conveyed to the city by deed dated October 6, 1958, the city will receive an amount for such interest which is equal to the fair market value (as determined pursuant to regulations issued by such Secretary).

(2) Any such amount so received by the city shall be used by the city for the development, improvement, operations, or maintenance of a public airport.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill H.R. 1313 is necessary in order to permit the city of

Rolla, Mo., to use a portion of the airport property—which was conveyed to the city on October 6, 1958 by the United States—for the development of a light industrial park.

Under the deed of conveyance, 1,370 acres of Federal property were turned over to the city of Rolla to be used as an airport. If the lands were not developed or ceased to be used for airport purposes, then the title reverted to the United States. In this instance, more property was conveyed than was reasonably necessary for continued operation of the airport, and the city of Rolla would like to use a portion of the property—345 acres—for the development of a light industrial park.

To permit this activity, H.R. 1313 is necessary in order to grant the Secretary of Transportation authority to release the restrictions in the deed of conveyance. The Federal interests are protected since the Secretary must find that this release will not hinder civil aviation, that fair market value is received for the property, and that the proceeds from the sale or lease of the property will be used for the development, improvement, operation, or maintenance of the airport.

We conducted hearings on this proposal, and received testimony from the sponsor of H.R. 1313, our colleague DICK ICHORD—who presented an outstanding statement on the necessity of inactment of this legislation; from the mayor of Rolla, Herald G. Barnes, Jr., who gave us the necessary background and the need for development of a light industrial park to create jobs, and produce revenues on a portion of the airport property; and from the administration, which supports its enactment.

Mr. Speaker, I would like to take this opportunity to make a special note on H.R. 1313, a bill which would release restrictions on certain airport property conveyed to the city of Rolla, Mo., which we bring to the floor under the suspension calendar today. Our distinguished colleague from Missouri, Congressman DICK ICHORD, has worked long and closely with the Committee on Public Works and Transportation to bring this bill to the House for favorable consideration. I regret to report that Congressman ICHORD had a sudden death in his family over the weekend which precludes his being here today to speak on behalf of this bill.

However, he has provided us with a statement expressing the importance of this bill to Rolla, Mo., and requesting favorable passage of H.R. 1313 by the House. I would state that the Committee on Public Works and Transportation fully recommends passage of H.R. 1313 and the other airport land conveyance bills we have before us today and while I know we all regret the unfortunate circumstances which prevent Congressman ICHORD from being here today to speak on behalf of his bill, I am pleased to share his statement with my colleagues here in the House.

GENERAL LEAVE

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the airport bills to be considered today.

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

There was no objection.

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

Mr. Speaker, I rise in support of the six pending airport bills which would authorize the Secretry to grant releases from certain restrictions on the use of each of the six properties in question in order to enable the communities involved to use portions of the airports for other than airport purposes. As the chairman has said, the deeds of conveyance do not permit the communities to use any of the lands for other productive purposes. These clauses were included in the deeds as required under the old Federal Airport Act.

I would like to emphasize that these bills do not authorize the closure or disruption of aviation activities at the affected airports. They must continue to be operated as airports. They do, however, permit the Secretary to authorize the use of portions of the properties for such compatible and income-producing purposes as industrial sites.

We included provisions in each of the bills to require that the proceeds of the sale or rental of the affected lands be at fair market value. We do not contemplate that anyone will receive a free ride under this legislation. In addition, we stipulated in each of the bills that the proceeds be devoted exclusively to airport purposes. We believe that these conditions are reasonable and fair to all concerned.

I urge my colleagues to support the pending bills. They do not authorize the expenditure of a single dollar of Federal funds—and they have the full support of the administration.

Mr. ICHORD. Mr. Speaker, due to a death in my family this past weekend, I sincerely regret that I cannot be on the House floor today to speak personally on behalf of my bill, H.R. 1313, which would permit the city of Rolla, Mo., to lease certain real property previously conveyed to Rolla under the Federal Airport Act of 1946 for nonairport purposes. Were it at all possible I would be here today to personally advise my colleagues of the immense importance of this bill to the Rolla, Mo., area. In my stead, however, I submit this written statement to my House colleagues and request their favorable passage of this bill.

On October 6, 1958 the Federal Government conveyed land to the city of Rolla, Mo., under section 16 of the Federal Airport Act of 1946, to be used for a municipal airport. Rolla has made excellent use of this land and developed a fine airport which ably serves area residents. However, more land was conveyed to Rolla in 1958 than is required for the airport facility, and the Rolla community would now like to lease a portion of the unused land for development of a light industrial park. Unfortunately, section 16 of the Federal Airport Act of 1946 provided for automatic reversion to the United States of the property conveyed if the property was used for nonairport purposes thereby precluding communities operating such airports to put land not required for airport purposes to beneficial use. Specific legislation, in this case my bill H.R. 1313 on behalf of Rolla, Mo., is, therefore, necessary to allow the Secretary of Transportation to grant releases from this restriction.

This situation is not unique as my colleagues will note from the other bills before it today. These bills call not for preferential treatment but rather equity as the action authorized by these bills merely gives communities the same rights as avaliable to the many airports conveyed under the Surplus Property Act of 1944, as amended.

With specific reference to H.R. 1313, I would note that the Secretary of Transportation fully endorses this bill and states passage would benefit the overall operation of the Rolla National Airport. Indeed, the bill specifies that in leasing any of the unused airport land fair market value must be obtained and used by Rolla for the development, improvement, operations, and maintenance of the airport.

Like many communities, Rolla is a growing, vital area in need of expanded job opportunities to meet the employment demands of their area. Enactment of this legislation would correct a current inequity in Federal law and allow Rolla to attract vitally needed business, provide greater job opportunities, and at the same time improve its present airport facilities. It is an immensely important bill to this area of Missouri, and I urge favorable consideration by my colleagues here today.

Mr. JONES of Alabama. Mr. Speaker, I rise in support of the bill, H.R. 1313 which would release restrictions on the use of certain property conveyed to the city of Rolla, Mo., for airport purposes. Mr. Speaker, under the conditions of this conveyance in which 1,370 acres of Federal property was conveyed to Rolla, this property must be used for airport purposes or all of it would revert back to the Federal Government.

At this time and for the foreseeable future, all of this property is not necessary for the safe and efficient operation of the airport, therefore, in order to gain the most beneficial and economic use of the property, the city of Rolla would like to use a portion, 345 acres for the development of a light industrial park.

In order to do this, the Secretary must grant a release from the restrictions in the deed of conveyance. However, the Secretary is not authorized to grant this release without legislative action.

The bill before us today, H.R. 1313, would permit this action. The interests of the United States are protected since fair market value must be received for any sale or release of this property. And second, the procedes from any sale or release must be used to develop, operate, or maintain the airport.

I support this legislation and urge the House to adopt H.R. 1313.

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

Mr. ANDERSON of California, I have no further requests for time.

The SPEAKER pro tempore. The ques-

tion is on the motion offered by the gentleman from California (Mr. ANDERSON) that the House suspend the rules and pass the bill H.R. 1313, as amended.

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

RELEASE OF RESTRICTIONS—ALGONA, IOWA

Mr. ANDERSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2575) to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Algona, Iowa, for airport purposes, as amended.

The Clerk read as follows:

H.R. 2575

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 16 of the Federal Airport Act (as in effect on March 20, 1947), the Secretary of Transportation is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (50 App. U.S.C. 1622c), and the provisions of section 2 of this Act, to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated March 20, 1947, under which the United States conveyed certain property to the city of Algona, Iowa, for airport purposes.

SEC. 2. Any release granted by the Secretary of Transportation under the first section of this Act shall be subject to the following conditions:

(1) The city of Algona, Iowa, shall agree that in conveying any interest in the property which the United States conveyed to the city by deed dated March 20, 1947, the city will receive an amount for such interest which is equal to the fair market value (as determined pursuant to regulations issued by such Secretary).

(2) Any such amount so received by the city shall be used by the city for the development, improvement, operation, or maintenance of a public airport.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California (Mr. ANDERSON) and the gentleman from Kentucky (Mr. SNYDER) will be recognized for 20 minutes each.

The Chair now recognizes the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I yield myself such time as I may consume, and ask permission to revise and extend my remarks.

The bill before us, H.R. 2575, is necessary to permit the Secretary of Transportation to release the city of Algona, Iowa, from the restrictions which are in the deed of conveyance dated March 20, 1947, in which the Federal Government granted 223 acres to the city to be used exclusively for an airport. Under the terms of the agreement, if the land is not used for airport purposes it would revert back to the U.S. Government.

After constructing an airport facility which ably serves the needs of the local community, the city now has the desire to use a portion of the property—approximately 60 acres—which is currently not utilized or necessary for airport purposes, for industrial development. But, in order to make the most practical and economic use of this property, H.R. 2575 is necessary so that the Secretary can permit this activity.

Our very able colleague, the Honorable BERKLEY BEDELL introduced this proposal, and testified before our subcommittee on its need and the potential benefit to the people of Algona if enacted.

If the property is sold or leased, fair market value must be received and the proceeds must be used to improve, operate, or maintain the airport.

It involves no cost to the Federal Government, and is supported by the administration.

Mr. Speaker, I now yield such time as he may consume to our colleague, the gentleman from Iowa (Mr. BEDELL) who so ably represents this area.

Mr. BEDELL. Mr. Speaker, I rise in support of H.R. 2575, a bill which would authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Algona, Iowa, for airport purposes.

This bill is neither complex nor controversial in nature. It involves no cost to the Federal Government. It simply seeks to correct an oversight in existing law which currently denies a community in northwest Iowa the right, already available to many similar communities throughout the United States, to petition the Secretary of Transportation for permission to use a portion of its airport property for nonairport purposes.

Allow me to explain.

In the immediate post World War II period, the U.S. Government began transferring tracts of surplus Federal property to various communities across the country for use as public airports. This practice proved to be a very beneficial element in the Federal-local partnership, and, in fact, the Federal Aviation Administration reports that there are 638 surplus property airports currently in operation in the United States. Most of these transfers were conducted under the authority of the Surplus Property Act of 1944 or the Federal Property Act of 1946. In order to insure adherence to the original intent of the program, the deeds of conveyance under both these statutes stipulated that any of the land not used for airport purposes would automatically revert to the U.S. Government.

In 1949, in recognition of the desirability of providing some flexibility for adjustment to local conditions, the Surplus Property Act of 1944 was amended to provide the Secretary of Transportation with the authority to grant releases from any of the terms of the original transfer agreement in cases where he should determine that—

The property transferred * * * no longer serves the purpose for which it was transferred, or that such release * * * will not prevent accomplishment of the purpose for which the property was transferred and is necessary to protect or advance the interests of the U.S. in civil aviation.

The effect of this change was to allow communities who receive surplus Government property under the authority of the Surplus Property Act of 1944, as amended, to petition the Secretary of Transportation for permission to use portions of their original allotment for nonairport purposes. It did not, however, provide such recourse to communities who had received similar property under section 16 of the Federal Airport Act of 1946. The city of Algona, Iowa, is one such community that has been unintentionally discriminated against by this legislative oversight.

In 1947, the War Assets Administration transferred 223.1 acres of surplus Government property to the city of Algona for use as a public airport. The city has made good use of this property. It has constructed an excellent airport facility which ably serves the needs of the local community. Now, however, more than 28 years after the Federal bequest, it is clear that this facility does not require the use of all of the acreage originally transferred. And the city of Algona would like to secure permission to use approximately 60 acres of this property for the establishment of an industrial park.

The legislation we are considering today would correct an unintended discrepancy between the Surplus Property Act of 1944, as amended, and the Federal Airport Act of 1946, by providing the Secretary of Transportation with the authority to grant releases from the terms of section 16 of the Federal Airport Act under the same conditions as are currently established in the Surplus Property Act, as amended. In the process, it would allow the Secretary of Transportation to rule on the city of Algona's proposal to use a section of its airport property for economic development.

In reviewing this legislation, there are several important points which should be clearly understood.

First, H.R. 2575 does not constitute "special interest" legislation. It implies no preferential treatment of any kind for the city of Algona. The recourse authorized by this bill is presently available to most communities in similar situations under the Surplus Property Act of 1944, as amended.

Second, there is precedent for this type of legislation. In fact, a similar bill was enacted in 1966 in connection with airport property in Clarinda, Iowa (Public Law 89–649).

Third, H.R. 2575 contains safeguards against possible violation of the Federal interest. The legislation requires that a determination be made by the Secretary of Transportation that the property in question is no longer needed for airport use before the transfer can be implemented. It also requires that the Secretary grant such a release only if the city of Algona agrees to demand fair market value for the land and to use revenues from the sale or lease of the land for airport improvements.

And finally, the legislation will involve no Federal expenditures.

In my view, this legislation is clearly necessary, justifiable, and fair. It simply makes no sense and serves no reasonable purpose to continue to prevent the city of Algona from using a portion of their airport property for industrial growth in their community. I urge my colleagues to vote for passage of H.R. 2575.

Mr. ANDERSON of California. Mr. Speaker, I have no further requests for time.

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

Mr. Speaker, I rise in support of this legislation. We held ample hearings on this matter and I know of no objection to the legislation and not a bit of objection has been expressed.

I have no requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ANDERSON) that the House suspend the rules and pass the bill H.R. 2575, as amended.

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

RELEASE OF RESTRICTIONS—ELKHART, KANS.

Mr. ANDERSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2740) to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Elkhart, Kans. for airport purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 16 of the Federal Airport Act (as in effect on March 11, 1958), the Secretary of Transportation is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (50 App. U.S.C. 1622c), and the provisions of section 2 of this Act, to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated March 11, 1958, under which the United States conveyed certain property to the city of Elkhart, Kansas, for airport purposes.

SEC. 2. Any release granted by the Secretary of Transportation under the first section of this Act shall be subject to the following conditions:

(1) The city of Elkhart, Kansas, shall agree that in conveying any interest in the property which the United States conveyed to the city by deed dated March 11, 1958, the city will receive an amount for such interest which is equal to the fair market value (as determined pursuant to regulations issued by such Secretary).

(2) Any such amount so received by the city shall be used by the city for the development, improvement, operation, or maintenance of a public airport.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California (Mr. ANDERSON) and the gentleman from Kentucky (Mr. SNYDER) will be recognized for 20 minutes each.

The Chair now recognizes the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill (H.R. 2740) would permit the Secretary of Transportation to release restrictions on the use of property conveyed to the city of Elkhart, Kans., for airport purposes.

On March 11, 1958, the Federal Government conveyed 151.7 acres to the city of Elkhart to be used for an airport. In the deed, if the property were used for any other purpose, the title would revert to the Federal Government.

Today, in order to obtain the best practical and economic use of the property, the city of Elkhart would like to use a portion of this property for nonairport purposes.

The bill before us, H.R. 2740, would permit the Secretary to allow the city to use a portion of this property—approximately 35 acres—for its most beneficial use to the community. The proceeds from any sale or lease would be used to further the development, operation, or maintenance of the airport; and the fair market value of the property must be received.

The administration favors this legislation, and its sponsor, our colleague Mr. SEBELIUS, appeared before the subcommittee and stressed the necessity of this proposal to the people of Elkhart, Kans., whom he so ably represents.

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

Mr. Speaker, I, too, support the enactment of H.R. 2740. Our colleague, Hon. KEITH G. SEBELIUS, has worked hard and long on this legislation. It is important to his district and to his great State of Kansas.

Mr. Speaker, I now yield such time as he may consume to the gentleman from Kansas (Mr. SEBELIUS).

Mr. SEBELIUS. Mr. Speaker, first, I want to thank the members of the Public Works Committee, especially the chairman of the subcommittee, Mr. ANDERSON, and the ranking minority member, Mr. SNYDER, for their able help and assistance regarding H.R. 2740. This bill would authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Elkhart, Kans., for airport purposes and I appreciate this opportunity to discuss it in further detail.

In 1958, the Federal Government recognized Elkhart's remote location and the importance of air transportation facilities and deeded the city of Elkhart a portion of USDA property for the development of an airport.

Since the conveyance of the original acreage by the Government, the city of Elkhart and Morton County have acquired approximately 68 additional acres and air easements over the land which were vital to expanded service and improved safety. These expenses and certain airport improvements have been costly and stretched the resources of this rural community. This demonstrates that the local citizens have more than fulfilled their obligation to provide air transportation and service with the property conveyed to them by the Federal Government.

H.R. 2740 would authorize the Secretary of Transportation to grant a release from the reversionary clause contained in the deed of conveyance so that the city of Elkhart may proceed with the utilization of portions of the property for nonairport purposes. This property is so located that it is not needed for airport operations.

Enactment of this bill would still require a determination by the Secretary of Transportation that the property is no longer necessary to accomplish the purpose for which it was originally conveyed and is not necessary to protect or advance U.S. civil aviation. Such a release would allow part of the airport property to be used for leasing and economic development to generate revenue for airport improvements and improved air transportation services. Any sale of such property would be at fair market value and the proceeds would be used for development, improvement, operation or maintenance of the airport.

Elkhart is a community of 2,000 located in the extreme southwest corner of Kansas. Emergency medical care and business and industrial requirements require larger airplanes and costly runway improvements. An active oil and gas producing area is served by this airport.

The Senate passed S. 270, a similar bill, by unanimous consent on June 26, 1975. The Office of Management and Budget has no objection to H.R. 2740. The Department of Transportation has testified in support of this proposal. No new budget authority or increased tax expenditures would be required by enactment of this legislation. H.R. 2740 would simply provide flexibility and authorize the means to improve Elkhart's airport facilities and safety standards at the least public expense.

Your support of this bill will be greatly appreciated.

Mr. JONES of Alabama. Mr. Speaker, I rise in support of H.R. 2740, a bill which would permit the Secretary of Transportation to release restrictions on the use of certain airport property conveyed to the city of Elkhart, Kans.

Under the provisions of the deed of conveyance dated March 11, 1958, the city of Elkhart, Kans., must use the property conveyed for airport purposes. There are certain areas of the property which are not necessary for the safe and efficient use of the airport, and the city of Elkhart would like to put these areas to a better use.

They cannot, however, make the most efficient use of the property without a waiver from the Secretary, who, in turn, cannot release the restrictions without an act of Congress.

The bill before us—H.R. 2740—would permit the release of the restrictions. In this proposal, the interests of aviation and the Federal Government are preserved since first, under the law, the Secretary must find that the property in question is not necessary for the continued safe and efficient utilization of the airport; second, fair market value must be received for the lease or sale of the property; and third, the proceeds from

any sale or lease must be used to develop, operate, or maintain the airport.

I support this proposal, and urge the House to adopt H.R. 2740.

Mr. ANDERSON of California. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ANDERSON) that the House suspend the rules and pass the bill H.R. 2740, as amended.

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

A motion to reconsider was laid on the table.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation be discharged from further consideration of the Senate bill (S. 270) to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Elkhart, Kans, for airport purposes, a bill similar to the bill H.R. 2740 just passed by the House, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 270

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 16 of the Federal Airport Act (as in effect on March 20, 1947), the Secretary of Transportation is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (50 App. U.S.C. 1622c), to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated March 11, 1958, under which the United States conveyed certain property to the city of Elkhart, Kansas, for airport purposes.

MOTION OFFERED BY MR. ANDERSON OF CALIFORNIA

Mr. ANDERSON of California. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDERSON of California moves to strike out all after the enacting clause of S. 270 and insert in lieu thereof the provisions of H.R. 2740, as passed.

The motion was agreed to.

The Senate bill was ordered to be read the 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. 2740) was laid on the table.

GENERAL LEAVE

Mr. SNYDER. 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 Kentucky?

There was no objection.

RELEASE OF RESTRICTIONS—GRAND JUNCTION, COLO.

Mr. ANDERSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3440) to clarify authorization for the approval by the Administrator of the Federal Aviation Agency of the exchange of a portion of real property conveyed to the city of Grand Junction, Colo., for airport purposes, as amended.

The Clerk read as follows:

H.R. 3440

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 16 of the Federal Airport Act (as in effect on September 14, 1951), the Secretary of Transportation is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (50 App. U.S.C. 1622c), and the provisions of section 2 of this Act, to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated September 14, 1951, under which the United States conveyed certain property to the city of Grand Junction, Colorado, for airport purposes.

SEC. 2. Any release granted by the Secretary of Transportation under the first section of this Act shall be subject to the following conditions:

(1) The city of Grand Junction, Colorado, shall agree that in conveying any interest in the property which the United States conveyed to the city by deed dated September 14, 1951, the city will receive an amount for such interest which is equal to the fair market value (as determined pursuant to regulations issued by such Secretary).

(2) Any such amount so received by the city shall be used by the city for the development, improvement, operation, or maintenance of a public airport.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

The Chair recognizes the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on September 14, 1951, the Federal Government granted 321 acres to the city of Grand Junction to be used as an airport. One of the conditions in the deed of conveyance was that the property could not be used for any purpose other than an airport.

Today, the city wishes to trade 21 acres of airport property for a similar sized parcel—of similar value—which is owned by a private citizen. The trade is necessary in order to provide better runway clearances and provide continuity for airport boundaries by making them more nearly conform to runway configuration. This action will improve the operation and the maintenance of the airport.

The author of this proposal, Congressman JIM JOHNSON, appeared at our hearings and made an excellent presentation of the facts involved.

Mr. SNYDER. Mr. Speaker, I want to associate my remarks with those of the chairman of our subcommittee in support of H.R. 3440. It is with great pleasure that I yield to our outstanding colleague, the gentleman from Colorado (Mr. JOHNSON). The untiring efforts of the gentleman from Colorado to advance this legislation are well known to those of us who are members of the Committee on Public Works and Transportation. Its enactment would prove to be extremely beneficial to that part of Colorado represented by the gentleman, I know.

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

Mr. JOHNSON of Colorado. Mr. Speaker, I would like to add my thanks to the chairman and to the ranking member for their cooperation. This is something the people of western Colorado have desired for some time and the people of western Colorado feel a debt of gratitude to both these gentlemen.

Mr. JONES of Alabama. Mr. Speaker, I rise in support of H.R. 3440, a bill to permit the Secretary to release restrictions on the use of certain property conveyed to the city of Grand Junction, Colo., for airport purposes.

This measure is necessary in order to permit the city to trade 21 acres of airport property which was conveyed to the city by the Federal Government on September 14, 1951, for airport purposes. This 21-acre tract is part of 321 acres granted in 1951. The trade, which is for a similar sized parcel of similar value, is necessary in order to provide better runway clearances and to provide continuity for airport boundaries.

The bill before us today is necessary in order to permit this trade and thus improve the operation and maintenance of the airport.

I support this proposal and urge the House to adopt it.

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

Mr. ANDERSON of California. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. MCFALL). The question is on the motion offered by the gentleman from California (Mr. ANDERSON) that the House suspend the rules and pass the bill (H.R. 3440), as amended.

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

The title was amended so as to read: "A bill to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Grand Junction, Colorado, for airport purposes."

A motion to reconsider was laid on the table.

RELEASE OF RESTRICTIONS—CAMDEN, ARK.

Mr. ANDERSON of California. Mr. Speaker, I move to suspend the rules and

pass the bill (H.R. 8508) to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Camden, Ark., for airport purposes, as amended.

The Clerk read as follows:

H.R. 8508

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 16 of the Federal Airport Act (as in effect on August 5, 1954), the Secretary of Transportation is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (50 App. U.S.C. 1622c), and the provisions of section 2 of this Act, to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated August 5, 1954, under which the United States conveyed certain property to the city of Camden, Arkansas, for airport purposes.

SEC. 2. Any release granted by the Secretary of Transportation under the first section of this Act shall be subject to the following conditions:

(1) The city of Camden, Arkansas, shall agree that in conveying any interest in the property which the United States conveyed to the city by deed dated August 5, 1954 the city will receive an amount for such interest which is equal to the fair market value (as determined pursuant to regulations issued by such Secretary).

(2) Any such amount so received by the city shall be used by the city for the development, improvement, operation, or maintenance of a public airport.

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

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California (Mr. ANDERSON) and the gentleman from Kentucky (Mr. SNYDER) will each be recognized for 20 minutes.

The Chair now recognizes the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Speaker, I yield myself such time as I may consume.

The purpose of H.R. 8508, Mr. Speaker, is to permit the Secretary of Transportation to allow the city of Camden to exchange 2 acres of airport property for 1 acre of nonairport property which is necessary for a safety clear zone.

Under the deed of conveyance of August 5, 1954, in which the Federal Government granted the airport property to the city of Camden, the title to the property would revert back to the Federal Government if it were used for nonairport purposes. Thus, in order to permit the exchange of property, this legislation—H.R. 8508—is necessary.

The administration supports this proposal, which was introduced by our very able colleague RAY THORNTON, who represents this particular area.

Mr. Speaker, I now yield to the gentleman from Arkansas (Mr. THORNTON).

Mr. THORNTON. Mr. Speaker, I would like to express my appreciation to the distinguished chairman of the committee and to the distinguished chairman of the subcommittee for their very fine efforts in behalf of this legislation, which is necessary in order to promote the safety of the airport at Camden and to benefit that area of our State.

The need for this bill arises from a Federal Aviation Administration requirement, as a part of a runway improvement program, that the Ouachita/Calhoun County Airport Authority acquire additional land to meet FAA clear zone safety requirements. In order to acquire a 1-acre parcel of land to the north of the airport, which was privately owned and used as a residence, the airport authority negotiated an agreement with the owner to convey in exchange 2 acres of surplus unimproved airport land in the extreme northwest part of the airport property. Those 2 acres had earlier been conveyed to the airport authority by the city of Camden, which in turn had acquired them from the United States as part of an approximately 1,000-acre tract in the years following World War II. In a very real sense the exchange of these 2 acres is essential for airport purposes.

We appreciate the action of the committee and ask that this legislation be given favorable consideration.

Mr. ANDERSON of California. Mr. Speaker, I have no further requests for time.

Mr. SNYDER. Mr. Speaker, I rise in support of this legislation. The chairman has well-explained it and the gentleman from Arkansas (Mr. THORNTON) was before our committee and gave a very comprehensive explanation of the legislation.

Mr. JONES of Alabama. Mr. Speaker, I rise in support of H.R. 8508, a bill which would authorize the Secretary of Transportation to release restrictions on the use of certain property which was conveyed to the city of Camden, Ark., on August 5, 1954, for airport purposes.

The deed of conveyance was made on the condition that the property interest conveyed would revert to the United States if they were not used for airport purposes. In this particular case, the city of Camden would like to exchange approximately 2 acres of airport property for 2 acres of non-airport property in order to establish a necessary safety clear zone. But, since the 2 acres of airport property would "cease to be used for airport purposes," the city cannot exchange this land without a release by the Secretary, who in turn, cannot grant a release without the enactment of H.R. 8508.

I support this measure as in the best interests of the United States, of aviation, and of the people of Camden, Ark.

The SPEAKER pro tempore (Mr. MCFALL). The question is on the motion offered by the gentleman from California (Mr. ANDERSON) that the House suspend the rules and pass the bill (H.R. 8508), as amended.

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

A motion to reconsider was laid on the table.

RELEASE OF RESTRICTIONS—ALVA, OKLA.

Mr. ANDERSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9617) to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Alva, Okla., for airport purposes, as amended.

The Clerk read as follows:

H.R. 9617

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 16 of the Federal Airport Act (as in effect on July 17, 1947), the Secretary of Transportation is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (50 App. U.S.C. 1622c) and the provisions of section 2 of this Act, to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated July 17, 1947, under which the United States conveyed certain property to the city of Alva, Oklahoma, for airport purposes.

SEC. 2. Any release granted by the Secretary of Transportation under the first section of this Act shall be subject to the following conditions:

(1) The city of Alva, Oklahoma, shall agree that in conveying any interest in the property which the United States conveyed to the city by deed dated July 17, 1947, the city will receive an amount for such interest which is equal to the fair market value (as determined pursuant to regulations issued by such Secretary).

(2) Any such amount so received by the city shall be used by the city for the development, improvement, operation, or maintenance of a public airport.

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

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California (Mr. ANDERSON) and the gentleman from Kentucky (Mr. SNYDER) are each recognized for 20 minutes.

The Chair now recognizes the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill, H.R. 9617, is necessary in order to permit the city of Alva, Okla., to use 233 acres of land conveyed by the United States to the city of Alva for purposes other than those for which the land was originally conveyed.

On July 17, 1947, the U.S. Government conveyed 640 acres to the city of Alva, Okla., to be used as an airport. In the deed of conveyance, the parties agreed that should the property be used for a nonairport purpose, then the land would revert back to the U.S. Government.

Today, this creates a problem, as the city of Alva would like to develop some of the airport property and establish an industrial park. Thus, on land actually not necessary for the operation of the airport, the city would like to put that portion to a beneficial use, and create jobs, and generate revenue.

However, this cannot be done unless this legislation—H.R. 9617—is enacted, permitting the Secretary to release the city of Alva from the restrictions con-

tained in the deed of conveyance dated July 17, 1947.

Mr. Speaker, we conducted hearings on this proposal and our colleague, GLENN ENGLISH, who represents that area, made an eloquent and convincing statement of the need for this legislation.

By permitting the city to use a portion of this property for an industrial park, the people of Alva will be in a better position to attract industry, provide jobs, and increase revenues. The interests of the United States and of aviation are protected since fair market value must be used to develop, improve, operate, or maintain the airport.

Mr. Speaker, I yield at this time to the author of this legislation, the gentleman from Oklahoma (Mr. ENGLISH).

Mr. ENGLISH. Mr. Speaker, I would like to thank the members of the Committee on Public Works and Transportation for their assistance on this matter. I certainly feel that this is an action that would be most helpful to the people of western Oklahoma and would certainly be beneficial to the people of the city of Alva.

As the chairman stated, all revenues from this would go to assist the airport in Alva, Okla. I certainly urge its passage.

Mr. SNYDER. Mr. Speaker, this is similar in nature to the other five bills on the schedule. I rise in support of it, and I know of no objection to it. It is a good bill.

Mr. JONES of Alabama. Mr. Speaker, I rise in support of H.R. 2575, a bill to permit the Secretary to release restrictions contained in the deed of conveyance dated March 20, 1947, in which the Federal Government granted 223 acres to the city of Algona, Iowa for airport purposes.

This measure is necessary, Mr. Speaker, in order to permit the city of Algona to use a portion of that property, 60 acres—for its most efficient and beneficial use—in this case light industry, to provide jobs and revenue for the people of this area.

I support this measure and urge my colleagues to adopt H.R. 2575.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ANDERSON) that the House suspended the rules and pass the bill H.R. 9617, as amended.

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

A motion to reconsider was laid on the table.

FEDERAL AVIATION ACT TARIFF CHANGES

Mr. ANDERSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7017) to amend the Federal Aviation Act of 1958 relating to tariff changes, as amended.

The Clerk read as follows:

H.R. 7017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 403(c) of the Federal Aviation Act of 1958 (49 U.S.C. 1373) is amended to read as follows: "No change shall be made in any rate, fare, or charge, or any classification, rule, regulation, or practice affecting such rate, fare, or charge, or the value of the service thereunder, specified in any effective tariff—

"(1) of any air carrier, or foreign air carrier, directly engaged in the operation of aircraft if such rate, fare, or charge is for the carriage of property in air transportation, except after sixty days' notice of the proposed change filed, posted, and published in accordance with subsection (a) of this section; and

"(2)(A) of any air carrier, or foreign air carrier, if such rate, fare, or charge is for the carriage of persons in air transportation, or (B) of any air carrier, or foreign air carrier, not directly engaged in the operation of aircraft if such rate, fare, or charge is for the carriage of property in air transportation, except after forty-five days' notice of the proposed change filed, posted, and published in accordance with subsection (a) of this section.".

(b) The first sentence of section 1002(g) of such Act (49 U.S.C. 1482) is amended by inserting "at least fifteen days before the day on which such tariff would otherwise go into effect" immediately after "and delivering to the air carrier affected thereby".

SEC. 2. (a) The amendment made by subsection (a) of the first section of this Act shall apply to any tariff change filed by any air carrier or foreign air carrier in accordance with section 403(c) of the Federal Aviation Act of 1958 after the thirtieth day after the date of enactment of this Act.

(b) The amendment made by subsection (b) of the first section of this Act shall apply to any tariff change filed by any air carrier for interstate or overseas air transportation in accordance with section 403(c) of the Federal Aviation Act of 1958 after the thirtieth day after the date of enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER. pro tempore. The gentleman from California (Mr. ANDERSON) and the gentleman from Kentucky (Mr. SNYDER) will be recognized for 20 minutes each.

The Chair recognizes the gentleman from California.

Mr. ANDERSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 7017 is designed to insure that customers of airlines receive adequate notice of changes in airline fares.

Under present law, the CAB is permitted to issue its decision on fare changes any time before the effective date of a change. The Board has frequently waited until the last minute to issue its decision, and this has led to public confusion and a need for extra payments or refunds from passengers who purchased tickets in advance.

A recent example of these problems occurred during the last week in January. On Thursday of that week the CAB announced that it would permit a 1 percent fare increase. A number of airlines put the increase into effect on Sunday, only 3 days after the CAB's decision. The last minute CAB decision led to considerable confusion among passengers and travel agents. Passengers who had bought their tickets in advance had to pay an extra fare at the gate.

H.R. 7017 would help avoid these problems by requiring the CAB to issue its decision on fare changes at least 15 days before the effective date of a change.

To insure adequate public notice and adequate time for CAB review, H.R. 7017 would also extend the date for air carriers to file proposed rate changes with the CAB.

The present law requires changes to be filed 30 days before the effective date.

H.R. 7017 would require air carriers to file changes in passenger rates 45 days in advance of the effective date. For freight rates, H.R. 7017 would require direct air carriers to file 60 days in advance of the effective date. Indirect air carriers, who consolidate goods and ship on direct air carriers, would be required to file their rate changes 45 days in advance. The rates of indirect air carriers are largely based on the rates of direct air carriers and the 15 day lag would permit the indirect carriers to respond to changes in direct carrier rates.

Mr. Speaker, I urge passage of this needed legislation.

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

Mr. Speaker, I do rise in support of the pending bill, H.R. 7017. Here we have a very simple bill, one which all will agree is a constructive step. As the chairman has noted, H.R. 7017 provides 15 days of public notice before new air passenger and freight rates can go into effect.

I am sure we all have had occasion to complain about inadequate notice of air fare changes. Heretofore, revised air fares went into effect immediately upon the expiration of the 30-day period for action by the Civil Aeronautics Board—if the Board chose not to act. The public was confronted with an accomplished fact—with no provision for getting the word around prior to the effective date. It seems to me that we are talking about a matter of simple courtesy. Surely it is only fair that the public be given prior notice when air fares are revised.

An important aspect of this bill is the fact that it places air freight forwarders, the so-called indirect carriers, on a par with direct air freight carriers, the airlines, in terms of the effective date of their rate changes. This is accomplished by requiring the direct carriers to file for new rates 60 days in advance of their effective date. The indirect carriers then can recompute their rates and file 45 days prior to the effective date. The result is that the two sets of rates can go into effect on the same date—both with the new 15-day notice period. Heretofore, the indirect carriers were placed in the difficult position of having to recompute their rates after the direct carriers filed theirs. For this reason, under the 30-day provision, the new rates of the indirect carriers could not go into effect until a week or more after the rates of the direct carriers. This simply is unfair and all members of the committee recognize it as a legitimate hardship.

I urge my colleagues to support the pending bill.

Mr. JONES of Alabama. Mr. Speaker, I rise in support of H.R. 7017. Although the subject matter of the bill is technical and complex, the problem it addresses is a real source of annoyance to millions of airline passengers and shippers. Under the present procedures, passengers and shippers frequently have to wait until the last minute to learn whether fare changes proposed by the airlines will take effect. When a proposed change does not take effect, passengers may have to make extra payments at the gate or file for refunds. H.R. 7017 will insure that the Civil Aeronautics Board decides whether to allow a fare charge no later than 15 days in advance of the change. This period of advance notice should reduce considerably the last minute confusion which occurs under the present system.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ANDERSON) that the House suspend the rules and pass the bill H.R. 7017, as amended.

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

A motion to reconsider was laid on the table.

FEDERAL AVIATION ACT — EMERGENCY LOCATOR TRANSMITTERS

Mr. ANDERSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8228) to amend the Federal Aviation Act of 1958 relating to emergency locator transmitters, and for other purposes, as amended.

The Clerk read as follows:

H.R. 8228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 601(d) of the Federal Aviation Act of 1958 (49 U.S.C. 1421), relating to emergency locator transmitters, is amended as follows:

(1) In paragraph (1), immediately before ", minimum standards" insert the following: "and except as provided in paragraph (3) of this subsection".

(2) By adding at the end thereof the following new paragraph:

"(3) The Administrator shall issue regulations which permit, subject to such limitations and conditions as he prescribes in such regulations, the operation of any aircraft equipped with an emergency locator transmitter during any period for which such transmitter has been removed from such aircraft for inspection, repair, modification, or replacement.".

(b) (1) Section 601 of such Act is amended by relettering subsection (d), relating to aviation fuel standards, as subsection (e).

(2) Any reference to such relettered subsection (e) shall be relettered accordingly.

(c) That portion of the table of contents contained in the first section of such Act which appears under the side heading

"Sec. 601. General safety powers and duties."

is amended by striking out

"(d) Aviation fuel standards."

and by inserting in lieu thereof the following:

"(d) Emergency locator transmitters.

"(e) Aviation fuel standards.".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

The Chair recognizes the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 8228, as reported, is to provide the Administrator of the Federal Aviation Administration increased flexibility, without compromising safety, in carrying out the law—first enacted in 1970—which required that emergency locator transmitters be installed on certain civil aircraft.

As reported, the bill requires the Administrator to issue regulations permitting the operation of civil aircraft—which are subject to the requirement—during any period for which the transmitter has been removed for inspection, repair, modification, or replacement.

The Federal Aviation Regulation—FAR—requiring an operable ELT on certain civil aircraft was adopted in response to a mandate from Congress (Public Law 91-596). This regulation, which carried out the intent of Public Law 91-596, prohibits the operation of airplanes subject to the law unless there is an operable automatic type emergency locator transmitter. The mandatory date for compliance was June 30, 1974, in accordance with Public Law 93-239, which extended the original date. There was no provision made in the two statutes to permit the operation of an airplane, subject to the ELT requirement when an installed ELT becomes inoperative. The FAA, then, cannot by regulation provide for flexibility in the ELT requirement.

This lack of flexibility has caused problems. For example, following installation of some 27,000 units built by one manufacturer, a high rate of inadvertent activations was experienced. Examination revealed that internal corrosion was evident, causing the transmitter to activate indicating that an emergency existed. When a number of units were found to be defective, an airworthiness directive—AD—was issued by FAA to require the removal and return to the manufacturer of some 27,000 units. This AD, therefore, in effect, required the grounding of some 27,000 aircraft, since there were not enough units available to replace those removed pending inspection and correction by the manufacturer. Current reports from airplane owners and ELT manufacturers indicate that time required to remove, repair, and reinstall a defective unit runs from 3 weeks to 2 months. The variation is dependent on the location of the owner and the backlog of the manufacturer. The airplanes that may be grounded have a variety of uses. Many are used for business and personal transportation while others are used for pilot training.

Provisions should be made in the law that would allow the continued operation of the airplane while the ELT is being repaired, inspected, modified, or replaced. Such provision in the law as is contained in H.R. 8228 would permit the FAA to maintain an adequate level of safety and to carry out the broad intent of the statutory requirement without causing unnecessary hardship due to inflexibility existing in the present law.

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

Mr. Speaker, this is a good bill. It is a necessary bill. And it does not cost the taxpayers a cent. As the chairman has indicated, H.R. 8228 merely authorizes the FAA Administrator to promulgate regulations under which aircraft which are required to be equipped with emergency locator transmitters—ELT's—may be moved in the event their ELT's have been removed for inspection, repair, modification, or replacement.

I want to emphasize that this legislation does not dilute or otherwise affect the statutory requirement that certain categories of aircraft shall be equipped with ELT's We are simply providing needed flexibility to cover those situations when, under the existing law, an aircraft with an inoperable ELT is in effect grounded. We have discovered that the inflexible statute now on the books has resulted in severe hardship in many cases and we believe that H.R. 8228 will provide the relief which we are convinced is justified by the facts.

All affected parties support this bill—including the FAA, the aviation community, and all members of the Committee on Public Works and Transportation. I urge all of my colleagues to support this constructive solution to a vexing problem.

Mr. Speaker, I would like to take just a moment to say that concerning all of these bills on which we have moved rather rapidly through the House today we held extensive and exhaustive hearings, and we went into the details and rewrote the bills which had to do with waiving the restrictions in order to see that aviation would be protected.

Mr. Speaker, I want to express my personal appreciation to the chairman of the subcommittee, the gentleman from California (Mr. ANDERSON), and the chairman of the full committee, the gentleman from Alabama (Mr. JONES) for the consideration the minority had during the deliberations on these bills. The hearings were fair, and I think they were extensive. I am grateful for their consideration, and I wish to publicly express my appreciation.

Mr. ANDERSON of California. Mr. Speaker, I yield myself 1 minute.

Mr. Chairman, I thank my colleague, the gentleman from Kentucky (Mr. SNYDER), for his remarks, and I want to compliment the ranking minority member for the time, effort, and great expertise he brought in working on these bills. He is the expert; he is the pilot; he has a firsthand, intimate knowledge of

the problems facing the aviation community. I am a layman, so I rely on him and his judgment on many of these problems. So, I want to commend the gentleman for the tremendous cooperation the committee has had from him, and for the knowledge and ability he brings to the committee in the field of aviation.

We did hold extensive hearings, and these measures came out of our committee unanimously.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of California. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, before we take leave of the various bills that have just been considered and passed, I certainly think it would be in order for me as chairman of the Committee on Public Works and Transportation to commend the distinguished gentleman from California (Mr. ANDERSON) and the distinguished gentleman from Kentucky (Mr. SNYDER) and the members of the subcommittee, inasmuch as they have been wholly and totally dedicated to their examinations of the propositions that have been placed before us and that have been considered today.

To me this is a very rewarding and satisfying exhibition of what can be accomplished by Members who are earnest in their efforts and who apply themselves and who bring forward important and significant legislation for the better building of a greater Republic. They are to be commended, and it is a wholesome day for all of us in the House of Representatives to witness efforts such as have been exhibited here today.

Mr. ANDERSON of California. Mr. Speaker, I thank the chairman of the committee, Mr. JONES, for his remarks; but more importantly, I want to thank him for his outstanding leadership and nonpartisan efforts on behalf of this country.

He is an example to all of us, and his attitude toward the many problems which face this Nation serve as an inspiration to all of us in this Chamber.

It is a very real pleasure to serve with my chairman, BOB JONES, and a great experience.

Mr. JONES of Alabama. Mr. Speaker, I rise in support of H.R.8228, a proposal which would permit the temporary operation of aircraft, which are subject to the law requiring an operable emergency locator transmitter, while that transmitter is being inspected, repaired, modified, or replaced.

At present, functioning ELT's are required by law in all U.S. civil aircraft, with certain exceptions such as scheduled airliners, turbojets, and single place airplanes. The locators are used to guide rescuers to the scene of an accident and the FAA now has no option but to ground planes that do not have ELT's in working order.

Because of this requirement, some 27,000 planes were effectively grounded when a number of ELT units built by one manufacturer were found to be defective and all units of that make had to be removed and returned to the manufacturer—who did not have enough units on hand to replace the originals.

Current reports from airplane owners and ELT manufacturers indicate that the time required to remove, repair, and reinstall a defective unit is approximately 3 weeks to 2 months.

The FAA official noted that the planes that have been, and could be, grounded under existing statutory requirements include many that are used for business and personal transportation and for pilot training.

He said:

> Considering the number of aircraft involved and the variety of uses to which they are put, considerable hardship will continue unless a reasonable measure of relief is forthcoming.

Any regulated relaxation of the ELT requirements would be "no greater than is necessary" and that limitation might include a requirement that a plane permitted to operate without a working ELT must be on a visual or instrument rule flight plan.

I wish to commend the members of the Public Works and Transportation Committee for their work on this proposal—especially DALE MILFORD and BARRY GOLDWATER, who brought their expertise and intimate knowledge of the situation to the attention of the committee, and, of course, Mr. ANDERSON, the chairman of the Aviation Subcommittee, and Mr. SNYDER, the ranking minority member of the subcommittee, for their diligence and hard work in producing this legislation which has the support of the aviation community and the administration.

Mr. Speaker, this legislation—H.R. 8228—is necessary to relieve this hardship and I urge the House to adopt this measure.

Mr. GOLDWATER. Mr. Speaker, I want to commend the chairman of our Aviation Subcommittee, Mr. ANDERSON, as well as other subcommittee members, who recognized the serious problems pilots face with the so-called emergency locator transmitter and responded forthrightly and quickly.

This is not a complex bill, but it addresses a very complex problem. Literally thousands of pilots nationwide have been inconvenienced as a result of a technical failure of their ELT equipment. This is a classic example of Congress mandating a standard without first investigating the ability of both industry and the Government to achieve the scientific and technical proficiency necessary to achieve that standard.

Accordingly, the Federal Aviation Administration has no authority to deviate from the mandatory ELT carriage requirements even when good and sufficient technical reasons exist and safety would not be derogated.

On May 19, 1975, I introduced H.R. 7064 for the purpose of giving the FAA the necessary flexibility to administer the ELT requirement. The bill before us today embodies the intent of my original bill, and in my judgment, it offers a reasonable and sound approach to this problem. I urge the passage of H..R 8228.

The SPEAKER pro tempore (Mr. MCFALL). The question is on the motion offered by the gentleman from California (Mr. ANDERSON) that the House suspend the rules and pass the bill, H.R. 8228, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bills, H.R. 1313, H.R. 2575, H.R. 2740, H.R. 3440, H.R. 8508, H.R. 9617, H.R. 7017, and H.R. 8228, which have been passed today.

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

There was no objection.

AGRICULTURAL CENSUS

Mrs. SCHROEDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7824) to amend section 142 of title 13, United States Code, entitled "Census," as amended.

The Clerk read as follows:

H.R. 7824

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 142 of title 13, United States Code, is amended to read as follows:

"§ 142. Agriculture, irrigation, and drainage

"(a) The Secretary shall in 1979, in 1983, and in every fifth year beginning after 1983, take a census of agriculture.

"(b) In conjunction with the census to be taken under subsection (a) of this section in 1979, in 1988, and every tenth year beginning after 1988, the Secretary shall take a census of irrigation and drainage.

"(c) The data collected in each of the censuses taken under this section shall relate to the year immediately preceding the year in which such census is taken.".

SEC. 2. The statistical classification of farms in effect on January 1, 1975, with respect to censuses taken under section 142 of title 13, United States Code, shall be effective through June 30, 1976, and any statistical report issued on or before June 30, 1976, with respect to any such census shall reflect such classification, but may also include additional classifications as deemed appropriate by the Secretary.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Colorado (Mrs. SCHROEDER) will be recognized for 20 minutes and the gentleman from Idaho (Mr. SYMMS) will be recognized for 20 minutes.

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

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

Mr. Speaker, H.R. 7824 has two purposes. First, it changes the timing of the agriculture census so that it will no longer conflict with the taking of the population census. In changing the

date of the agriculture census to years ending in 3 and 8, we will allow the Bureau of the Census to use its limited resources much more efficiently.

Second, this bill would reinstate through June 30, 1976, the Census Bureau's definition of a farm which was in effect prior to August of 1975. At that time, the Bureau of the Census and the Department of Agriculture jointly announced the adoption of a new definition of the term "farm" for census purposes. Under the old definition, a "farm" included any place which produced agricultural goods selling for at least $250 in a year, or any place measuring at least 10 acres and producing at least $50 in agricultural goods. Under the new definition, a "farm" includes only places which produce at least $1,000 worth of agricultural goods a year.

The eventual effects of this change in definition are unknown. The Bureau of the Census makes a point that it is in the business of collecting statistics, and purposefully stays away from making policy decisions. The Bureau of the Census does not make value judgments as to the desirability or the public policy ramifications of dropping up to 400,000 establishments from its official role of farms.

The Bureau of the Census does have an Advisory Committee for the Census of Agriculture, but there is little congressional involvement in that effort.

I believe that the Congress should assert itself in this area, become involved in proposed definitional changes, and make its will felt in terms of policy. Therefore, in order to give Congress sufficient time to assess fully the consequences of the new change in the farm definition, section 2 reinstates this old definition through June 30, 1976.

My subcommittee will be holding further hearings into this matter in the coming months.

For those of us who represent urban areas, I would like to emphasize that what happens to the family farms in the country is of vital concern to everyone. From my own experience, I can assure you that quite a few of my present constituents in Denver are former farmers, many of whom are in Denver because of necessity, not by choice. And, in many instances, it is the Government policy which has driven them off the farm.

This legislation has no effect on the costs of conducting the agriculture census. What section 1 does is simply move up by 1 year the cycle of funding. Finally, the administration supports H.R. 7824 as amended.

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

Mr. ROSE. Mr. Speaker, I want to rise in strong support of H.R. 7824 and to compliment my colleague, the gentlewoman from Colorado (Mrs. SCHROEDER), for her efforts in providing in section 2 of this bill for a little breathing spell on the redefinition of what is a "farm."

The gentleman from Louisiana (Mr. LONG) and the gentleman from Georgia (Mr. YOUNG) came before my Subcommittee on Family Farms and Rural Development and pointed out to the members of my subcommittee that if this redefinition of what is a farm is allowed to go through, 570,000 farms in this country will be redefined out of existence.

Mr. Speaker, 25 percent of the farms in my State of North Carolina will be redefined out of existence. As unusual as it may seem, when we eliminate all of the farmers below $1,000 a year in income, the average income of the American farmer takes an amazing $2,000 a year statistical leap.

There are many of us who are concerned that those who are not counted in rural America will soon not be remembered. By adding section 2 to this bill, the gentlewoman from Colorado (Mrs. SCHROEDER) and her subcommittee are giving those of us in agricultural committees and other committees of this Congress just a little added breathing time to look at what the ramifications will be of redefining what is a farm.

Mr. Speaker, I happen to believe very strongly that the family farm is a way of life in this country. Especially in the South, which I am so familiar with, literally thousands and thousands of our people do not make very much in agriculture and do not produce $1,000 worth of products for sale outside of what they give to their family; and we need, in my opinion, to reconsider them as farmers as much as we consider the corporate farms, the high-efficiency farms that are throughout this great Nation of ours and are seemingly being called on more and more to serve the American dollar.

Mr. Speaker, I thank the gentlewoman from Colorado (Mrs. SCHROEDER) for this proposition, and I hope that my colleagues will strongly support it.

Mr. ROUSSELOT. Mr. Speaker, H.R. 7824 amends section 142 of title 13, United States Code, to provide for the census of agriculture to be taken in 1979, then in 1983, and every fifth year thereafter and for the census of irrigation and drainage to coincide with the census of agriculture in 1979 and in 1988, and every 10th year.

An amendment to H.R. 7824 was adopted in committee which suspends the Bureau of Census' new definition of farm until July 1, 1976. The Bureau's new definition increases from $250 a year to $1,000 the amount of farm products which must be produced during a year to qualify as a farm. Since the new definition received considerable criticism from Members of Congress, this provision will give the Congress the necessary breathing spell to make its own determination as to the advisability of changing the definition of a farm.

The major purpose for this legislation is to change the agricultural census date so that by 1982 the data produced from the census of agriculture will coincide with economic census data taken that year and every fifth year thereafter. The Bureau of the Census has assured us that there is no intention to combine the census of agriculture and the economic censuses, but rather to merely conduct them concurrently so as to provide data for the same calendar year. This would provide data for the same reference period and permit data users to trace the flows of agricultural activity through the production, manufacturing, and distributive channels of the economy in a more meaningful fashion. These data, we are advised, are essential to a better understanding of how the changing economic structures affect the traditional agricultural production universe. The Bureau of the Census intends to match and link suppliers and services for the agricultural sector with agriculture production, and in turn, the production with the processing and marketing of agricultural commodities.

Taking the census of agriculture in the same year as the economic censuses will enable the Bureau to use its resources more effectively. Under the present law, the agriculture census taken in years ending in 0, for calendar years ending in 9, create priority conflicts in the use of personnel and equipment because of competition with the decennial censuses of population and housing. This will not be the case when the agriculture censuses are taken concurrently with the economic censuses. The sheer magnitude of a decennial census in handling literally the millions of pieces of paper associated with such a massive undertaking creates such a demand for computer capacity that the maximum resources of the Bureau must be made available in order to meet the stringent time schedules. By shifting the timing of the agriculture census to coincide with the economic censuses, there will be no conflict as the economic censuses workload demands are less taxing on the Bureau's capacity. Moreover, it will facilitate the shifting of personnel from one census program to another as different census workloads peak and subside.

In short, Mr. Speaker, this legislation provides for a more efficient Bureau of the Census, and I fully endorse the passage of H.R. 7824.

Mr. DERWINSKI. Mr. Speaker, I rise in support of H.R. 7824, a bill to change the years in which the agriculture census is conducted. This is an administration request and money is provided in the President's fiscal year 1977 budget.

Under existing law, the agriculture census is conducted every 5 years—with years ending in 5 and 0. This bill changes that to years ending in 3 and 8, except the next agriculture census will be conducted in 1979.

The reasons for the change are twofold. First, the change would avoid the tremendous workload occasioned by the taking of the agriculture census in the same year as the decennial census. Second, the change would provide agricultural data covering the same year as the data compiled in the economic census of manufacturing, mining, and industry, and thereby provide comparable data for evaluation of the Nation's economic and agricultural status.

In addition, this measure would be of added benefit to the Bureau of the Census, if and when a mid-decade census bill is enacted into law.

Another provision of the bill suspends a new definition of the term, "farm," for census purposes, and replaces it with the definition which was in effect on January 1, 1975.

This amendment was adopted in committee in recognition of a number of

complaints raised by Members of Congress who objected to the change in definition and the procedure used in changing the definition because they were not informed in advance.

This amendment will allow the respective committees of Congress charged with the jurisdiction of census matters a reasonable period of time, until July 1, 1976, in which to study the possible effects of this change in the definition of a farm.

Mr. Speaker, the administration supports this bill. Therefore, since there is some urgency that we pass this bill today because it must be signed into law by the end of February if the new time schedule is to be implemented at the Bureau of the Census, I urge prompt approval.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. SCHROEDER) that the House suspend the rules and pass the bill H.R. 7824, as amended.

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

The title was amended so as to read: "A bill to amend section 142 of title 13, United States Code, to change the date for taking censuses of agriculture, irrigation, and drainage, and for other purposes."

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

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

Pursuant to the provisions of clause 3 (b), rule XXVII, the Chair will now put the question on each motion, on which further proceedings were postponed, in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 11233, by the yeas and nays;
H.R. 11455 (de novo); and
H.R. 11645, by the yeas and nays.

EXTENSION OF LIBRARY SERVICES AND CONSTRUCTION ACT

The SPEAKER. The unfinished business is the question of suspending the rules and passing the bill, H.R. 11233.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Indiana (Mr. BRADEMAS) that the House suspend the rules and pass the bill, H.R. 11233, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 378, nays 7, not voting 47, as follows:

[Roll No. 56]

YEAS—378

Abdnor
Abzug
Adams
Addabbo
Alexander
Allen
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Archer
Armstrong
Ashbrook
Ashley
AuCoin
Badillo
Bafalis
Baldus
Baucus
Beard, R.I.
Beard, Tenn.
Bedell
Bell
Bennett
Bevill
Biaggi
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill
Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burton, John
Burton, Phillip
Butler
Carney
Carter
Chappell
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collins, Ill.
Conable
Conlan
Conte
Conyers
Corman
Cornell
Cotter
Coughlin
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Dent
Derrick
Derwinski
Devine
Dickinson
Diggs
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Duncan, Oreg.
Duncan, Tenn.
du Pont
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Emery
English
Erlenborn
Evans, Colo.
Evans, Ind.
Evins, Tenn.
Fary
Fascell
Fenwick
Fisher
Fithian
Flood
Florio
Flynt
Foley
Ford, Mich.
Ford, Tenn.
Forsythe
Fountain
Fraser
Frenzel
Frey
Fuqua
Gaydos
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Gradison
Grassley
Green
Gude
Guyer
Hagedorn
Haley
Hall
Hamilton
Hammer-schmidt
Hanley
Hannaford
Harkin
Harrington
Harris
Hawkins
Hays, Ohio
Hébert
Hechler, W. Va.
Heckler, Mass.
Hefner
Heinz
Helstoski
Hicks
Hightower
Hillis
Holland
Holt
Holtzman
Howard
Howe
Hubbard
Hughes
Hungate
Hutchinson
Hyde
Jacobs
Jarman
Jeffords
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kasten
Kastenmeier
Kazen
Kelly
Kemp
Ketchum
Keys
Kindness
Koch
Krebs
Krueger
LaFalce
Lagomarsino
Landrum
Latta
Leggett
Lehman
Lent
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Long, Md.
Lott
Lujan
McClory
McCloskey
McCormack
McDade
McEwen
McFall
McHugh
McKay
McKinney
Macdonald
Madden
Madigan
Maguire
Mahon
Mann
Martin
Matsunaga
Mazzoli
Meeds
Melcher
Meyner
Mezvinsky
Michel
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Montgomery
Moore
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nix
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Hara
O'Neill
Passman
Patman, Tex.
Patten, N.J.
Patterson, Calif.
Pattison, NY.
Perkins
Pickle
Pike
Poage
Pressler
Preyer
Price
Pritchard
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Richmond
Riegle
Rinaldo
Risenhoover
Roberts
Robinson
Roe
Rogers
Roncalio
Rooney
Rose
Rosenthal
Roush
Rousselot
Runnels
Ruppe
Russo
St Germain
Santini
Sarasin
Sarbanes
Satterfield
Scheuer
Schneebeli
Schroeder
Schulze
Sebelius
Seiberling
Sharp
Shipley
Shriver
Sikes
Simon
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Solarz
Spellman
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steelman
Steiger, Wis.
Stokes
Stuckey
Studds
Sullivan
Symington
Talcott
Taylor, Mo.
Thompson
Thone
Thornton
Traxler
Treen
Tsongas
Ullman
Van Deerlin
Vander Jagt
Vander Veen
Vanik
Vigorito
Waggonner
Walsh
Wampler
Waxman
Weaver
Whalen
White
Whitehurst
Whitten
Wiggins
Wilson, C. H.
Wilson, Tex.
Winn
Wirth
Wolff
Wright
Wydler
Wylie
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—7

Bauman
Burlison, Mo.
Collins, Tex.
Crane
McDonald
Shuster
Symms

NOT VOTING—47

Aspin
Barrett
Bergland
Bolling
Bonker
Buchanan
Burke, Fla.
Byron
Carr
Cederberg
Drinan
Eilberg
Esch
Eshleman
Findley
Fish
Flowers
Hansen
Harsha
Hayes, Ind.
Henderson
Hinshaw
Horton
Ichord
McCollister
Mathis
Metcalfe
Mills
Ottinger
Pepper
Pettis
Peyser
Rhodes
Rodino
Rostenkowski
Roybal
Ryan
Sisk
Steed
Steiger, Ariz.
Stephens
Stratton
Taylor, N.C.
Teague
Udall
Wilson, Bob
Young, Alaska

The Clerk announced the following pairs:

Mr. Eilberg with Mr. Harsha.
Mr. Rodino with Mr. Horton.
Mr. Barrett with Mr. Bob Wilson.
Mr. Drinan with Mr. McCollister.
Mr. Mills with Mr. Hansen.
Mr. Metcalfe with Mr. Fish.
Mr. Roybal with Mr. Eshleman.
Mr. Udall with Mr. Buchanan.
Mr. Taylor of North Carolina with Mr. Burke of Florida.
Mr. Stratton with Mr. Steiger of Arizona.
Mr. Rostenkowski with Mr. Young of Alaska.
Mr. Carr with Mr. Esch.
Mr. Bergland with Mr. Findley.
Mr. Byron with Mr. Cederberg.
Mr. Aspin with Mr. Bonker.
Mr. Ichord with Mr. Mathis.
Mr. Ottinger with Mrs. Pettis.
Mr. Pepper with Mr. Peyser.
Mr. Hayes of Indiana with Mr. Henderson.
Mr. Flowers with Mr. Ryan.
Mr. Sisk with Mr. Steed.
Mr. Stephens with Mr. Teague.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRADEMAS. 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, H.R. 11233, and also on H.R. 11045, and to include extraneous matter.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to the provisions of clause 3(b)(3) of rule XXVII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on all the additional motions to suspend the rules on which the Chair has postponed further proceedings.

INDIANA DUNES NATIONAL LAKESHORE ACT AMENDMENTS

The SPEAKER. The unfinished business is the question of suspending the rules and passing the bill (H.R. 11455).

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina (Mr. TAYLOR) that the House suspend the rules and pass the bill (H.R. 11455).

The question was taken.

Mr. SKUBITZ. 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 272, nays 118, answered "present" 1, not voting 41, as follows:

[Roll No. 57]

YEAS—272

Abzug
Adams
Addabbo
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Ashley
AuCoin
Badillo
Baldus
Baucus
Beard, R.I.
Bedell
Bennett
Biaggi
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brodhead
Brooks
Brown, Calif.
Buchanan
Burke, Calif.
Burke, Mass.
Burlison, Mo.
Burton, John
Burton, Phillip
Byron
Carney
Carr
Chappell
Chisholm
Clausen, Don H.
Clay
Cleveland
Cohen
Collins, Ill.
Conte
Conyers
Corman
Cornell
Cotter
Coughlin
Daniels, N.J.
Danielson
de la Garza
Delaney
Dellums
Dent
Derwinski
Diggs
Dingell
Dodd
Downey, N.Y.
Duncan, Oreg.
Duncan, Tenn.
Early
Eckhardt
Edgar
Edwards, Calif.
Emery
Erlenborn
Evans, Colo.
Evans, Ind.
Fary
Fascell
Findley
Fisher
Fithian
Flood
Florio
Foley
Ford, Mich.
Ford, Tenn.
Fraser
Frenzel
Fuqua
Giaimo
Gibbons
Ginn
Gonzalez
Green
Gude
Haley
Hall
Hamilton
Hammer-schmidt
Hanley
Hannaford
Harkin
Harrington
Harris
Hawkins
Hays, Ohio
Hébert
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Hicks
Hightower
Hillis
Holland
Holtzman
Howard
Howe
Hubbard
Hyde
Jacobs
Jeffords
Jenrette
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Jordan
Karth
Kasten
Kastenmeier
Kazen
Keys
Koch
Krebs
LaFalce
Lagomarsino
Leggett
Lehman
Lent
Levitas
Litton
Lloyd, Calif.
Long, La.
Long, Md.
McClory
McCloskey
McCormack
McDade
McFall
McHugh
McKay
McKinney
Macdonald
Madden
Maguire
Matsunaga
Mazzoli
Meeds
Melcher
Meyner
Mezvinsky
Mikva
Miller, Calif.
Mineta
Minish
Mink
Mitchell, Md.
Moakley
Moffett
Mollohan
Moorhead, Pa.
Morgan
Mosher
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Natcher
Neal
Nedzi
Nix
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Hara
O'Neill
Ottinger
Passman
Patman, Tex.
Patten, N.J.
Patterson, Calif.
Pattison, N.Y.
Perkins
Pickle
Pike
Poage
Preyer
Price
Pritchard
Railsback
Rangel
Rees
Regula
Reuss
Richmond
Riegle
Rinaldo
Roberts
Roe
Rogers
Roncalio
Rooney
Rose
Rosenthal
Roush
Ruppe
Russo
St Germain
Santini
Sarasin
Sarbanes
Scheuer
Schroeder
Sebelius
Seiberling
Sharp
Shipley
Sikes
Simon
Slack
Smith, Iowa
Solarz
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steelman
Steiger, Wis.
Stokes
Stuckey
Studds
Sullivan
Symington
Talcott
Taylor, N.C.
Thompson
Traxler
Tsongas
Ullman
Van Deerlin
Vander Jagt
Vander Veen
Vanik
Vigorito
Waxman
Weaver
Whalen
White
Wilson, C. H.
Wilson, Tex.
Wirth
Wolff
Wright
Yates
Yatron
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—118

Abdnor
Allen
Archer
Armstrong
Ashbrook
Bafalis
Bauman
Beard, Tenn.
Bell
Bevill
Brinkley
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill
Burgener
Burleson, Tex.
Butler
Carter
Ciancy
Clawson, Del
Cochran
Collins, Tex.
Conable
Conlan
Crane
D'Amours
Daniel, Dan
Daniel, R. W.
Davis
Derrick
Devine
Dickinson
Downing, Va.
du Pont
Edwards, Ala.
English
Fenwick
Flynt
Forsythe
Fountain
Frey
Gaydos
Gilman
Goldwater
Goodling
Gradison
Grassley
Guyer
Hagedorn
Hefner
Holt
Hughes
Hungate
Hutchinson
Jarman
Johnson, Colo.
Johnson, Pa.
Jones, Okla.
Jones, Tenn.
Kelly
Kemp
Ketchum
Kindness
Krueger
Landrum
Latta
Lloyd, Tenn.
Lott
Lujan
McDonald
McEwen
Madigan
Mahon
Mann
Martin
Michel
Milford
Miller, Ohio
Mitchell, N.Y.
Montgomery
Moore
Moorhead, Calif.
Myers, Ind.
Myers, Pa.
Nichols
Pressler
Quie
Quillen
Randall
Rinehoover
Robinson
Rousselot
Runnels
Satterfield
Schneebeli
Schulze
Shriver
Shuster
Skubitz
Smith, Nebr.
Snyder
Spence
Symms
Taylor, Mo.
Thone
Thornton
Treen
Waggonner
Walsh
Wampler
Whitehurst
Whitten
Wiggins
Winn
Wydler
Wylie
Young, Fla.

ANSWERED "PRESENT"—1

Evins, Tenn.

NOT VOTING—41

Aspin
Barrett
Bergland
Bolling
Burke, Fla.
Cederberg
Drinan
Eilberg
Esch
Eshleman
Fish
Flowers
Hansen
Harsha
Hayes, Ind.
Henderson
Hinshaw
Horton
Ichord
McCollister
Mathis
Metcalfe
Mills
Pepper
Pettis
Peyser
Rhodes
Rodino
Rostenkowski
Roybal
Ryan
Sisk
Spellman
Steed
Steiger, Ariz.
Stephens
Stratton
Teague
Udall
Wilson, Bob
Young, Alaska

The Clerk announced the following pairs:

Mr. Rostenkowski with Mrs. Pettis.
Mr. Stephens with Mr. Young of Alaska.
Mr. Rodino with Mr. Peyser.
Mr. Udall with Mr. Horton.
Mr. Teague with Mr. Harsha.
Mr. Eilberg with Mr. Esch.
Mr. Aspin with Mr. Cederberg.
Mr. Flowers with Mr. Burke of Florida.
Mrs. Spellman with Mr. Fish.
Mr. Sisk with Mr. Eshleman.
Mr. Ryan with Mr. Hansen.
Mr. Ichord with Mr. Bob Wilson.
Mr. Hayes of Indiana with Mr. Steiger of Arizona.
Mr. Drinan with Mr. McCollister.
Mr. Bergland with Mr. Stratton.
Mr. Barrett with Mr. Roybal.
Mr. Mills with Mr. Metcalfe.
Mr. Pepper with Mr. Mathis.
Mr. Steed with Mr. Henderson.

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LIBRARY OF CONGRESS MADISON MEMORIAL BUILDING

The SPEAKER. The unfinished business is the question of suspending the rules and passing the bill, H.R. 11645.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Wyoming (Mr. RONCALIO) that the House suspend the rules and pass the bill, H.R. 11645, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 342, nays 48, not voting 42, as follows:

[Roll No. 58]

YEAS—342

Abdnor
Abzug
Adams
Addabbo
Alexander
Allen
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Armstrong
Ashley
AuCoin
Badillo
Bafalis
Baldus
Baucus
Beard, R.I.
Bedell
Bell
Bennett
Bevill
Biaggi
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Carr
Carter
Chappell
Chisholm
Clausen, Don H.
Clawson, Del
Cleveland
Cochran
Cohen
Collins, Ill.
Conable
Conlan
Conte
Conyers
Corman
Cornell
Coughlin
Crane
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Dent
Derrick
Derwinski
Dickinson
Diggs
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Duncan, Oreg.
du Pont
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Emery
English
Erlenborn
Evans, Colo.
Evans, Ind.
Evins, Tenn.
Fary
Fascell
Fenwick
Findley
Fisher
Fithian
Flood
Florio
Flynt
Foley
Ford, Mich.
Ford, Tenn.
Forsythe
Fountain
Fraser
Frenzel
Fuqua
Gibbons
Ginn
Goldwater
Gonzalez
Goodling
Gradison
Green
Gude
Hagedorn
Haley
Hall
Hamilton
Hammer-schmidt
Hanley
Hannaford
Harrington
Harris
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Hefner
Heinz
Helstoski
Hicks
Hightower
Hillis
Holland
Howard
Howe
Hubbard
Hughes
Hungate
Hutchinson
Hyde
Jarman
Jeffords
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.

Jones, N.C.	Morgan	Sharp
Jones, Tenn.	Mosher	Shipley
Jordan	Moss	Shriver
Karth	Murphy, Ill.	Shuster
Kasten	Murphy, N.Y.	Sikes
Kastenmeier	Myers, Pa.	Simon
Kazen	Natcher	Slack
Kelly	Neal	Smith, Nebr.
Kemp	Nedzi	Snyder
Ketchum	Nichols	Solarz
Keys	Nix	Spellman
Koch	Nolan	Staggers
Krebs	Nowak	Stanton,
LaFalce	Oberstar	J. William
Lagomarsino	O'Brien	Stanton,
Landrum	O'Hara	James V.
Leggett	O'Neill	Stark
Lehman	Ottinger	Steelman
Lent	Passman	Steiger, Wis.
Levitas	Patman, Tex.	Stokes
Litton	Patten, N.J.	Stuckey
Lloyd, Calif.	Patterson,	Studds
Lloyd, Tenn.	Calif.	Sullivan
Long, La.	Pattison, N.Y.	Symington
Long, Md.	Perkins	Talcott
Lujan	Pickle	Taylor, Mo.
McClory	Pike	Taylor, N.C.
McCloskey	Poage	Thompson
McCormack	Pressler	Thone
McEwen	Preyer	Thornton
McFall	Price	Traxler
McHugh	Pritchard	Treen
McKay	Quie	Tsongas
McKinney	Railsback	Ullman
Macdonald	Rees	Van Deerlin
Madden	Regula	Vander Jagt
Madigan	Reuss	Vander Veen
Maguire	Richmond	Vanik
Mahon	Riegle	Vigorito
Mann	Rinaldo	Waggonner
Martin	Risenhoover	Walsh
Matsunaga	Roberts	Wampler
Mazzoli	Robinson	Waxman
Meeds	Roe	Weaver
Melcher	Rogers	Whalen
Meyner	Roncalio	White
Mezvinsky	Rooney	Whitehurst
Michel	Rose	Whitten
Mikva	Rosenthal	Wiggins
Milford	Roush	Wilson, Tex.
Miller, Calif.	Runnels	Winn
Mineta	Ruppe	Wirth
Minish	Russo	Wolff
Mink	St Germain	Wright
Mitchell, Md.	Santini	Wylie
Mitchell, N.Y.	Sarasin	Yates
Moakley	Sarbanes	Yatron
Moffett	Satterfield	Young, Fla.
Mollohan	Scheuer	Young, Ga.
Moore	Schroeder	Zablocki
Moorhead,	Schulze	Zeferetti
Calif.	Sebelius	
Moorhead, Pa.	Seiberling	

NAYS—48

Ambro	Giaimo	Montgomery
Anderson,	Gilman	Mottl
Calif.	Grassley	Murtha
Archer	Guyer	Myers, Ind.
Ashbrook	Harkin	Obey
Bauman	Hays, Ohio	Quillen
Beard, Tenn.	Holt	Randall
Byron	Holtzman	Rousselot
Carney	Jacobs	Schneebeli
Clancy	Jones, Okla.	Skubitz
Clay	Kindness	Smith, Iowa
Collins, Tex.	Krueger	Spence
Cotter	Latta	Symms
Devine	Lott	Wilson, C. H.
Duncan, Tenn.	McDade	Wydler
Frey	McDonald	
Gaydos	Miller, Ohio	

NOT VOTING—42

Aspin	Hayes, Ind.	Rodino
Barrett	Henderson	Rostenkowski
Bergland	Hinshaw	Roybal
Bolling	Horton	Ryan
Burke, Fla.	Ichord	Sisk
Cederberg	McCollister	Steed
Drinan	Mathis	Steiger, Ariz.
Eilberg	Metcalfe	Stephens
Esch	Mills	Stratton
Eshleman	Pepper	Teague
Fish	Pettis	Udall
Flowers	Peyser	Wilson, Bob
Hansen	Rangel	Young, Alaska
Harsha	Rhodes	Young, Tex.

The Clerk announced the following pairs:

Mr. Mills with Mr. Bob Wilson.
Mr. Eilberg with Mr. Steiger of Arizona.
Mr. Rangel with Mr. Peyser.
Mr. Metcalfe with Mr. McCollister.
Mr. Rostenkowski with Mr. Horton.
Mr. Pepper with Mr. Burke of Florida.
Mr. Aspin with Mr. Young of Alaska.
Mr. Bergland with Mrs. Pettis.
Mr. Drinan with Mr. Eshleman.
Mr. Barrett with Mr. Hansen.
Mr. Ryan with Mr. Fish.
Mr. Udall with Mr. Cederberg.
Mr. Rodino with Mr. Esch.
Mr. Steed with Mr. Harsha.
Mr. Ichord with Mr. Henderson.
Mr. Hayes of Indiana with Mr. Mathis.
Mr. Roybal with Mr. Stephens.
Mr. Stratton with Mr. Teague.
Mr. Sisk with Mr. Young of Texas.

Messrs. GIAIMO and McDONALD of Georgia changed their votes from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. SPELLMAN. Mr. Speaker, I would like to point out for the RECORD that I was unavoidably detained and missed the vote on H.R. 11455, the Indiana Dunes bill. Had I been present, I would certainly have voted for the bill.

VILLAGE VOICE EXCLUSIVE CHEAPENS HOUSE SELECT COMMITTEE WORK

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

Mr. McCLORY. Mr. Speaker, it must have shocked every Member of this House to learn that what purports to be an official House document should appear in an antiestablishment New York tabloid called the Village Voice.

Without giving any authenticity to any part of the so-called suppressed report, I would only like to comment that what the staff of our committee put out—and the narrative to which a majority on the House Committee on Intelligence gave their approval—was, in my opinion, well suited for publication as a cheap paperback volume.

I am sure we could agree that what appeared yesterday in the Village Voice is in even a cheaper—and more degrading form.

Of course, the main headline is a flat lie. This House voted 246 to 124 to withhold publication of the committee's report until certain conditions were met—conditions testing the honor and respect which to me are essential elements of this body.

Let us remind ourselves that the secret information entrusted to a committee of this House for purposes of our investigation was provided pursuant to a solemn agreement, which the committee members voted upon and approved.

By renouncing, or circumventing that agreement, we are witnessing completely unjustified damage to the entire intelligence community—we are adversely affecting our foreign relations, we are risking the safety of foreign nationals who have cooperated with us—and we are endangering our entire national security.

The deliberate and admitted inclusion of classified information in the select committee's draft report has brought shame and dishonor to this body, and has cheapened the noble and sincere efforts of all who have sought to cleanse and strengthen our intelligence community.

What seems to be even more reprehensible and disgraceful is the reported attempted peddling—for cash—of a document not worthy of being released for publication.

It is, indeed, a sad day when a yen for a headline—or a political advantage—will result in clandestine dealings with personalities and information which are vital to our national welfare.

Let me point out that the leaks, and the present divisive and bitter controversy, would never have occurred if the majority of this committee and the staff had not deliberately and knowingly included classified information in our committee's draft report.

This action—in violation of our agreement, which enabled us to get the classified information in the first place and for the limited purposes of our investigation—is the evil, the inexcusable cause for the leaks, and accounts, in the end, for the alleged peddling of our draft report to a New York tabloid—for cash.

REPRESENTATIVE SHIRLEY PETTIS PROVIDES LEADERSHIP ON THE FUNDAMENTAL ISSUE OF BOTH 1776 AND 1976: HOW TO PRESERVE THE PEOPLE'S ECONOMIC FREEDOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 30 minutes.

Mr. KEMP. Mr. Speaker, we will hear and read much during our Bicentennial about the courses of the American War for Independence.

We will hear and read much about the issue of freedom of speech; of assembly; of worship; of the press; of the right to bear arms; of the right of the people to be secure in their homes; of open trial by jury and peers. In short, of all the rights synthesized into our Bill of Rights—a document which came almost a decade and a half after the Declaration of Independence.

But we must never forget that the authors of our Declaration of Independence, the Articles of Confederation, the Constitution, and the Bill of Rights believed—as the Declaration sets forth—that our rights are indivisible. That means, quite simply, that they cannot be separated. That they are all intertwined—tied together by our concepts of freedom. That if you destroy one right, you jeopardize all others. That you cannot tinker with economic rights without tinkering with political rights. They knew this.

It is in this context that I have found remarks on the importance of the American experience, given by our colleague, the distinguished gentlewoman from California, SHIRLEY PETTIS, to be profound, indeed. She goes straight to the

heart of the matter: the character and role of economic freedom and its concommitant, political freedom.

As she says at the beginning of those remarks:

For at the risk of sounding "unpatriotic" just two months before the start of our bicentennial—I must point out the historical—yet unromantic truth—that the American revolution was not fought over the issues of freedom of speech—or assembly—or worship—or of a voice in how this land was to be governed—even though the leaders of the time claimed it was. Nor if we go back further in history—was this Nation founded for these same reasons and causes.

No—what dragged this Nation into bloodshed and stirred its populace into action—were not these lofty goals—but the basic issue of the Government's confiscating the people's economic freedom to prosper or to fail by their own initiative.

This freedom to fail or prosper—or as we know it—the free enterprise system—is what lured people to emigrate to this country in the first place. The promise of the right to own and dispose of property—to be individually free to be industrious and productive—to live in a land which abided by the unwritten proposition that government and the economy were separate—these were the promises which brought our forefathers to this land—and when reneged upon—drew them into war against their Mother Country—England.

Mr. Speaker, Congresswoman PETTIS' remarks are worthy of the careful consideration and reflection of every Member of this House. To those who have become accustomed to the stereotypical view of the American War for Independence—as rewritten by the revisionist historians in the past 40 or more years—it is, indeed, refreshing to read this accurate and moving portrayal of what the American Revolution in 1776 was really all about. And what it—in 1976—must still be about, if we are to preserve freedom.

Congresswoman PETTIS' remarks follow:

WHAT AMERICANS WANT

By the time we Americans finish celebrating our Nation's 200th birthday next year—we will all have been inundated by a succession of patriotic speeches—Bicentennial minutes—and historical quotes.

By this time next year—each of us will be familiar to some degree—with the history of the events surrounding the American Revolution and the drafting of the Declaration of Independence and the Constitution. And most of us will be able to quote from memory—the words of Jefferson—Washington—Adams—Franklin and the other revolutionary patriots.

It seems more than a little ironic then—at the very same time when we are commemorating the founding of a most unique system of government—that so many in Washington should be pressing for an end to what started this Nation in the first place.

For at the risk of sounding "unpatriotic" just two months before the start of our Bicentennial—I must point out the historical—yet unromantic truth—that the American Revolution was not fought over the issues of freedom of speech—or assembly—or worship—or of a voice in how this land was to be governed—even though the leaders of the time claimed it was. Nor if we go back further in history—was this Nation founded for these same reasons and causes.

No—what dragged this Nation into bloodshed and stirred its populace into action—were not these lofty goals—but the basic issue of the government's confiscating the people's economic freedom to prosper or to fail by their own initiative.

This freedom to fail or prosper—or as we know it—the free enterprise system—is what lured people to emigrate to this country in the first place. The promise of the right to own and dispose of property—to be individually free to be industrious and productive—to live in a land which abided by the unwritten proposition that government and the economy were separate—these were the promises which brought our forefathers to this land—and when reneged upon—drew them into war against their mother country—England.

For nothing was as precious to these individuals as the opportunity to direct the course of their own livelihoods. And when the government began taking away that right—they rebelled. Because in essence—the majority of the people reasoned: "If the government denies us economic freedom—our means of survival—they own means to steal the other freedoms as well." As author Benjamin Rogge wrote in the Freeman:

"Give me control over a man's economic actions, and hence . . . except for a few occasional heroes, I'll promise to deliver to you men who think and write and behave as you want them to."

These patriots knew only too well the consequences of government interference in the economic system. They had learned from the experiences of the earliest settlers of the Massachusetts and Virginia colonies what happens when government legislates communal ownership of the means of production.

Wrote Virginia's Captain John Smith (and Governor Bradford up north said essentially the same):

"When our people were fed out of the common store and laboured jointly together, glad was he who could slip from his labour, or slumber over his taske he cared not how, nay, the most honest among them would hardly take so much true paines in a weeke, as now for themselves they will do in a day."

Out of that "social experiment" came the concept of private enterprise and a very healthy respect for personal initiative.

Unfortunately—somewhere between then and now—that respect has floundered—and perhaps even died.

It would be too easy to stand here today and fix the blame on one source or another for the strong attack on the foundations of the American free enterprise system which we are witnessing in Washington. But it seems that whenever our economy appears to falter—whether through inflation or unemployment—the people who should know better—the elected representatives of government—begin to press forward with ideas and plans which our Founding Fathers abhorred.

Don't misunderstand me. I'm not saying that the majority in Congress sit down collectively and decides to look for new ways to attack and destroy the free enterprise system. Actually—the attack on the free enterprise system is more of a by-product of the temper of the times—rather than a direct result of any planned action.

In this Congress one of the chief causes of this phenomenon is the widespread belief that the Federal Government can solve all of our major problems simply by legislating them away. If that means massive new spending programs—well, so-be-it. We can always pay for them by adding to the Federal deficit or increasing taxes in business. That's a very dangerous way to approach our problems—but it's exactly the kind of economic philosophy we're dealing with in this Congress.

Dangerous because the majority in Congress has chartered a course to continue outrageous deficit spending at the expense of the productivity of the American free enterprise system.

It took 186 years for this nation to reach a $100 billion budget. It took only another 9 years to reach a $200 billion budget. It took 3 more years to reach a $300 billion budget, and at the rate we are going within just a few short years—over fifty-five percent of the total private income of America will be taken by government in the form of taxes at one level of the government or another.

The Congress has already committed itself to a deficit in this fiscal year of at least $76.4 billion—$7.6 billion over the target it set for itself last spring. A deficit which promises to drive up interest rates and unemployment levels—and drive down available capital for private individuals and businesses.

Let me explain how this process works. When government spends more than it takes in—it still must pay its bills. It pays those bills through borrowing funds from the same financial institutions that lend them out privately—to business—to contractors—to prospective home purchasers—et cetera. The more capital government takes out of the markets—the less remains.

Thus—competition for the dollars remaining allows those institutions to set higher rates of interest. This—in and of itself—reduces the amount of speculative capital—because those with speculative ventures cannot nearly as well afford to pay the higher rates of interest. The effect is higher interest rates—and when business—contractors—home purchasers—and so forth—cannot borrow—recession is the inevitable result—meaning the loss of productivity and jobs.

Unlike you and me—the Federal Government has another way to pay off a portion of its new debt by "monetizing" it—a process by which the Federal Reserve system extends credit to its member banks—through "high-powered" money devices. If the money supply increases faster than production—higher prices are always the result. The net result of this Government action is quite likely to surface in a return to double-digit interest and inflation rates—of a magnitude which will make us think of 1974 nostagically.

There is an alternative though—if this Congress is willing to go through the tough soul searching that's necessary to bring it off.

I'm talking about taking a serious look at the approximately 975 Federal domestic programs which account for a large portion of the bulging Federal budget—with an eye toward cutting out the waste in existing spending programs and restraining the impulse to create new ones that we can't afford.

I'm also talking about dispelling the politically popular notion that you can tax and regulate the life out of the free enterprise system and still expect it to provide the jobs and incomes for the presently unemployed in this country. It just doesn't work that way.

There are some encouraging signs on the horizon, though. I am specifically referring to the President's recent proposal for individual and corporate income tax cuts Under his plan—individual income taxes would be permanently reduced by $20.1 billion—about $12.7 billion more than this year's temporary cuts.

Additionally—the President has recommended reducing the maximum corporate tax rate from forty-eight percent to forty-six percent and making permanent this year's increase in the investment tax credit from seven percent to ten percent—as a means for companies and plants to "regain their footing and to hire more employees in the future."

I am also encouraged by the President's call for an overhaul of the various regulatory agencies of the Federal Government—a move which I feel is necessary to strengthen the Nation's economy through greater reliance on competition in the marketplace.

Both of these proposals are needed to restore a sense of confidence in the economic system—which when it is allowed to function properly—has brought more benefits to

more people at home and throughout the world than any other system since recorded history began.

I am terribly concerned though—when I hear my colleagues on the majority side claim that the President's proposal that Congress agree to set a $395 billion limit on Federal spending for fiscal 1977 in order to balance the tax-cuts—is "totally preposterous."

I am discouraged and greatly concerned—when I hear my colleagues talk of more Federal regulations—increased price controls—and the creation of a national economic planning board—which would increase and centralize the Federal government's control over the nation's economy.

I am discouraged and worried when I hear talk of reducing the individual's role in this country—and expanding the government's interference in the economic affairs—in the private economic lives—of the people.

Somewhere along the line—and it had better be soon—those of us who believe in the free enterprise system—people such as yourselves—are going to have to start doing a far better job of communicating with the majority in Congress and the people who elect congressmen and senators. Convincing these people—in language that doesn't require a master's degree in economic or corporate finance in order to be fully understood—that this Nation needs a strong free enterprise system. For free enterprise is less easily understood by those who see it as just some vague force that always seems to be causing higher prices. In their minds—the logical solution is to demand that the government do something about it.

We must convince—these people—that no matter how well intentioned or how well administered the programs of government may be—they can never duplicate the efficiency—productivity—and diversity of the economic marketplace—a marketplace composed of the countless millions of decisions made every day by American people on whether or not to produce or to purchase—how to organize their affairs to provide for their own welfare—when to cut costs and when to invest.

We must convince these people—that what is needed is to let this economy of ours get moving again. We must encourage people to work—to invest—to take risks. We must encourage investors to run the risk of investing in new capacity—we must encourage businessmen to run the risk of new product lines—and encourage the working man and his family to run the risk of investing in a new home—or maybe in his company's stock. We must—to put it simply—encourage America to restore its faith in itself—its self-esteem.

The American people do not want to line up for the dole—they just want jobs. The American people do not demand, or even want—their government to throw money at them. They are not insisting that the government solve their problems. Rather—the American people are looking to their government to let them solve their problems and to provide some assurance that they will not—once at work to solve their problems—have the rug pulled out from beneath them by a new edict from on high. They want some assurance that whatever success they achieve will not be penalized and that their government will allow risks to be run and the rewards to be kept.

The American people are not crying to be protected from their own individual errors—just from errors inflicted upon them.

The temper of the times in Washington needs to be carefully watched—watched because it appears that in the heat of political passions which abound on Capitol Hill—that many of my colleagues' memories of the fundamentals on which this Nation was founded—are beginning to fade.

A good many years ago—around the time when the Declaration of Independence was signed—John Randolph foresaw this danger and put it this way:

"The people of this country—if ever they lose their liberties—will do it by sacrificing some great principle of government to temporary passion."

My hope is that this current passion will quickly pass.

Thank you.

H.R. 3249, THE FINANCIAL DISCLOSURE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 5 minutes.

Mr. KASTENMEIER. Mr. Speaker, public financial disclosure by elected and high ranking Government officials is an idea whose time has come.

A financial disclosure law can help alleviate one of the Republic's more pressing and acute problems. That problem, in brief, is the widespread deterioration of the public's confidence in Government and in the persons who serve in elected or appointed offices. The polls indicate that the public agrees with the observations that too many political leaders are "just out for their personal financial gain," and that "quite a few of the people running the Government are a little crooked." Financial disclosure is important, not as a device to prosecute wrongdoing, but as a statement recognizing the public's right to have access to basic information regarding any outside financial interests of Government officials, and with financial disclosure, I believe that citizens will have the best assurance that their Government leaders are not using their offices for personal aggrandizement. I applaud the President and Mrs. Ford for their public disclosure, last week, of their personal net worth and financial affairs, and I feel that most Government officials will find that financial disclosure will be a benefit to them for it will relieve them of the burden of suspicion which today is so often attached to public acts.

An increasing number of States now require financial disclosure by State officials, and, in some instances, even local officials are covered by State law. The effort to obtain public financial disclosure on the Federal level, however, is lagging behind the actions taken by these States. If we are to begin to take those steps necessary to restore the faith of those who once had faith in us, then one of those steps we must take is the enactment of financial disclosure legislation.

Mr. Speaker, the Financial Disclosure Act, H.R. 3249, which Congressman ALAN STEELMAN and I have introduced, has been cosponsored by 162 Representatives. The following is a list of our colleagues who have cosponsored this legislation.

LIST OF COSPONSORS

Bella Abzug, New York.
Brock Adams, Washington.
Joseph Addabbo, New York.
Jerome Ambro, New York.
Glenn Anderson, California.
John Anderson, Illinois.
Thomas Ashley, Ohio.
Les AuCoin, Oregon.
Herman Badillo, New York.
Alvin Baldus, Wisconsin.
Max Baucus, Montana.
Edward Beard, Rhode Island.
Berkley Bedell, Iowa.
Alphonzo Bell, California.
Charles Bennett, Florida.
Edward Biester, Pennsylvania.
Jonathan Bingham, New York.
James Blanchard, Michigan.
Michael Blouin, Iowa.
Richard Bolling, Missouri.
Don Bonker, Washington.
William Brodhead, Michigan.
George Brown, California.
Clair Burgener, California.
James Burke, Massachusetts.
Yvonne Brathwaite Burke, California.
John Burton, California.
Phillip Burton, California.
Bob Carr, Michigan.
Shirley Chisholm, New York.
Thad Cochran, Mississippi.
William Cohen, Maine.
John Conyers, Michigan.
James Corman, California.
Robert Cornell, Wisconsin.
Norman D'Amours, New Hampshire.
Ronald Dellums, California.
Christopher Dodd, Connecticut.
Thomas Downey, New York.
Robert Drinan, Massachusetts.
John Duncan, Tennessee.
Pierre du Pont, Delaware.
Robert Edgar, Pennsylvania.
Don Edwards, California.
David Emery, Maine.
Glenn English, Oklahoma.
Marvin Esch, Michigan.
Edwin Eshleman, Pennsylvania.
David Evans, Indiana.
Dante Fascell, Florida.
Millicent Fenwick, New Jersey.
Paul Findley, Illinois.
Hamilton Fish, New York.
Floyd Fithian, Indiana.
James Florio, New Jersey.
William Ford, Michigan.
Edwin Forsythe, New Jersey.
Donald Fraser, Minnesota.
Don Fuqua, Florida.
Benjamin Gilman, New York.
Willis Gradison, Ohio.
Gilbert Gude, Maryland.
Tim Hall, Illinois.
John Hammerschmidt, Arkansas.
Mark Hannaford, California.
Tom Harkin, Iowa.
Michael Harrington, Massachusetts.
Herbert Harris, Virginia.
Augustus Hawkins, California.
Ken Hechler, West Virginia.
John Heinz, Pennsylvania.
Henry Helstoski, New Jersey.
Elwood Hillis, Indiana.
Frank Horton, New York.
Carroll Hubbard, Kentucky.
William Hughes, New Jersey.
Andrew Jacobs, Indiana.
James Jeffords, Vermont.
John Jenrette, South Carolina.
Robert Kastenmeier, Wisconsin.
Martha Keys, Kansas.
Edward Koch, New York.
John Krebs, California.
John LaFalce, New York.
William Lehman, Florida.
Norman Lent, New York.
Jim Lloyd, California.
Marilyn Lloyd, Tennessee.
Paul McCloskey, California.
Mike McCormack, Washington.
Matthew McHugh, New York.
Edward Madigan, Illinois.
Andrew Maguire, New Jersey.
Spark Matsunaga, Hawaii.
Romano Mazzoli, Kentucky.
Lloyd Meeds, Washington.
Ralph Metcalfe, Illinois.
Helen Meyner, New Jersey.
Abner Mikva, Illinois.
George Miller, California.
Norman Mineta, California.

Donald Mitchell, New York.
Parren Mitchell, Maryland.
Joe Moakley, Massachusetts.
Anthony Moffett, Connecticut.
Charles Mosher, Ohio.
Ronald Mottl, Ohio.
Stephen Neal, North Carolina.
Lucien Nedzi, Michigan.
Robert Nix, Pennsylvania.
Richard Nolan, Minnesota.
James Oberstar, Minnesota.
Richard Ottinger, New York.
Jerry Patterson, California.
Edward Pattison, New York.
Peter Peyser, New York.
Larry Pressler, South Dakota.
Richardson Preyer, North Carolina.
Joel Pritchard, Washington.
Albert Quie, Minnesota.
Tom Railsback, Illinois.
Charles Rangel, New York.
Henry Reuss, Wisconsin.
Frederick Richmond, New York.
Donald Riegle, Michigan.
Matthew Rinaldo, New Jersey.
Robert Roe, New Jersey.
Paul Rogers, Florida.
Benjamin Rosenthal, New York.
Martin Russo, Illinois.
Jim Santini, Nevada.
Paul Sarbanes, Maryland.
James Scheuer, New York.
Patricia Schroeder, Colorado.
Keith Sebelius, Kansas.
John Seiberling, Ohio.
Philip Sharp, Indiana.
Paul Simon, Illinois.
Stephen Solarz, New York.
Gladys Spellman, Maryland.
Fortney Stark, California.
Alan Steelman, Texas.
William Steiger, Wisconsin.
Gerry Studds, Massachusetts.
Burt Talcott, California.
Charles Thone, Nebraska.
Bob Traxler, Michigan.
Paul Tsongas, Massachusetts.
Morris Udall, Arizona.
Guy Vander Jagt, Michigan.
Richard Vander Veen, Michigan.
Joseph Vigorito, Pennsylvania.
William Walsh, New York.
Henry Waxman, California.
James Weaver, Oregon.
Charles Whalen, Ohio.
William Whitehurst, Virginia.
Charles Wilson, Texas.
Larry Winn, Kansas.
Timothy Wirth, Colorado.
Lester Wolff, New York.
Antonio Borja Won Pat, Guam.
Gus Yatron, Pennsylvania.
Clement Zablocki, Wisconsin.
Leo Zeferetti, New York.

A CHALLENGE TO BICENTENNIAL CANDIDATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. VAN DEERLIN) is recognized for 15 minutes.

Mr. VAN DEERLIN. Mr. Speaker, for those of us who think of economics in political, rather than personal terms—and none of my colleagues, I imagine, wonders where he will be seeking food or shelter next month—it is well to be reminded of fellow citizens who may not share our contentment. Millions of Americans are scarcely better off in today's recession than were their fathers and mothers in depression days 40 years ago.

Not all of them are black. Yet inflation and a declining job market inevitably hit hardest among blacks and other minorities, too often the "last hired, first fired."

The Los Angeles Times asked the black author, James Baldwin, to comment on their plight. Mr. Baldwin, whose celebrated books include "The Fire Next Time" and, most recently, "If Beale Street Could Talk," responded with a particularly moving, highly personal testament in the Times of Sunday, February 1. I ask unanimous consent to include it in the RECORD.

A CHALLENGE TO BICENTENNIAL CANDIDATES

(By James Baldwin)

One grows up early on my street, and so I started looking for you around the time that I—and later my brothers—began selling shopping bags, shining shoes, scavenging for wood and coal, scavenging, period. I was about seven, certainly no more than that, and, as my brothers approached this august and independent age, they joined me in the streets.

My father, before me, also looked for you, for a long while. He gave up, finally, and died in an asylum: Perhaps I use the word "asylum" with some bitterness. My father was a big, strong, handsome, healthy black man, who liked to use his muscles, who was accustomed to hard labor. He went mad, and died in bedlam because, being black, he was always "the last to be hired and the first to be fired."

He—we—therefore, spent much of our lives on welfare, and my father's pride could not endure it. He resented, and eventually came to hate, the people who had placed him in this condition and who did not even have the grace or courage to admit it.

My father wasn't stupid and, God knows, he wasn't lazy. But his condition, against which I watched him struggle with all the energy that he had, was blamed on his laziness: And his wife, who knew better, and his children (who didn't) were assured, merely by the presence of the welfare worker, of his unworthiness. No wonder he died in an American asylum—and at the expense, needless to say, of the so victimized American taxpayer. (My father was also an American taxpayer, and he paid at an astronomical rate).

FREEDOM FROM THE PAST?

I gather, from the speeches I read and hear, and I see, in the sullen bewilderment in the faces of all the American streets, that the principal gift the Bicentennial candidate can offer the American people is freedom from the poor—a stunning gift indeed for so original a people, a people whose originality resides entirely and precisely in the poverty which drove them to these shores. It is like offering the American people, on their birthday, freedom from the past and freedom from any responsibility for the present: For the poor are always with us; and they can also be against us.

The Bicentennial candidate is to offer for our birthday freedom from the discontented, freedom from the criminals who roam our streets; he is to offer, out of such a dangerous history, at so dangerous a time, nothing less than freedom from danger. America's birthday present, on its 200th birthday, is to be the final banishment of the beast in the American playground.

The niceties of rhetoric, the pretense of democracy, and the explosive global situation prevent the candidate from identifying this beast too precisely, but real Americans know that the American taxpayer is being ruined by the worthless and undeserving poor. You can vote with your feet in this country (so someone said to my father, somewhere between the Reconstruction and the First World War): If you don't like it in this state, move. And so my father did, Dear Candidate, possibly looking for you. All the way from the Southern cottonfields, to the ghettoes, factories, prisons, and riots of the North, real Americans know that the American taxpayer is being ruined by the Indian/Chicano/Mexican/Puerto Rican/black. These dominate the welfare rolls, and the prison populations, and roam, and make unlivable, the streets of the American cities.

A COSTLY POLICY

I am saddened indeed to be forced to recognize that my father's anguish—to say nothing of my brothers'—has cost the Republic so dearly. I should have thought it cheaper, on the whole, for the American taxpayer to have found a way of allowing my father—and my brothers—to walk on earth, rather than scraping together all those pennies to send a man to walk on the moon. Man cannot live by nuclear warheads alone; so I would have thought. I would have thought that the ceaseless proliferation, the buying and selling and stockpiling of weapons was a far more futile and expensive endeavor than the rehabilitation of our cities. Cities, after all, are meant to be lived in, and weapons are meant to kill.

I may be somewhat bewildered by the passion with which so many labor for death against life. I could have hoped that pride in America's birthday might have invested the citizens of the great republic with such pride in their children that they would resolve, at last, and, God knows, not a moment too soon, to educate these children, and build schools and create teachers for that purpose.

The coalition of special interests which rule the American cities, and the collusion between these interests and the boards of education is responsible for the disaster in the schools. Or, in other words, schools are located in "neighborhoods" and neighborhoods are created—or, more precisely, in human terms, destroyed—by those who own the land and who are determined to preserve, out of a cowardice called nostalgia, the status quo.

Perhaps it is not too much to ask of the ex-governor of New York, he of the merry wink, and the casual billions, exactly why the reclamation of the land, in Harlem, began with the destruction of the black nationalist bookstore, on 125th St. and Seventh Ave., and, catty-corner from it, on 125th St. and Seventh Ave., the destruction of the Hotel Theresa. These two institutions were, in Harlem, what in Africa is called the "palaver tree," the place where we discussed and attempted to reclaim our lives. For my father, of course, the "palaver tree" would have been another place, the Lafayette Theatre, long before it was destroyed. For my younger brothers and sisters, and my nieces and my nephews, it was the balcony from which Fidel Castro spoke: spoke, Dear Candidate, to them, from the balcony of a Harlem hotel. The listening crowd knew nothing of Cuba, and couldn't have cared less about communism: But they knew that someone was speaking to them.

WHAT ARE WE PROTECTING?

It would seem to me that the American social disaster is a tremendous burden on the American taxpayer. It is an investment on which his only return is chaos.

Of course, the candidate will answer, his unhappy priorities are dictated by the responsibility of protecting the "free world."

If the candidate really believes this, and is not merely wondering on what unhappy market he can dump our excess Coca Cola, I challenge him to take a look at what he thinks he is protecting. I dare the candidate to take to the "chitterling" or the "fried chicken" or the Muslim or the Baptist or the Holy Roller circuit: to walk, not ride, through the black streets of Washington, D.C. and Watts and Detroit and Chicago and San Francisco and Boston and Philadelphia and Pittsburgh and Baltimore, and, yes, Atlanta,

and Cleveland, and Gary, and Jackson, and New York. I dare him to teach to, speak to, not merely bow before, any class in any school in any ghetto.

I challenge the candidate to visit Harlem Hospital, and then stand in the streets and explain to the Harlem populace how Harlem Hospital comes about. I challenge the candidate to justify the methadone program. I challenge him to visit the prisons of this country, from hamlet to hamlet and coast to coast, even daring to go so far as to question Sen. Eastland's plantation: and not to wait, as in the case of the late, and much lamented J. Edgar, until he is safely dead.

I challenge the candidate to love the country which he claims to love to the entire extent of love: to face it, this present chaos, and help the country to face itself, and, for the sake of all our children, to change it.

NUCLEAR SAFETY: NEED FOR CONTINUING CONCERN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) is recognized for 5 minutes.

Mr. DOMINICK V. DANIELS. Mr. Speaker, it is not often that young scientists of exceptional promise abandon thriving careers in a symbolic protest against technology. But when four such scientists resign their positions with Government and industry within a 2-week period, citing safety concerns as their prime motivating factor, I believe we should take this matter quite seriously.

And, since the technology being protested is nuclear power, I believe there is even more reason for congressional concern.

Mr. Speaker, I wonder how many of my colleagues remember the House debate on the extension of the Price-Anderson Act? Colloquies that developed on that legislation frequently cited the fine safety record of the nuclear industry, and that the insurance subsidy was really a pro forma matter—a tacit congressional recognition that nuclear power is inherently safe and this insurance is required for nuclear accidents that are only remotely possible.

I listened very carefully to solemn pronouncements of safety by my pronuclear colleagues, and I am sure that they are convinced that this technology and the fruits that we derive from it are worth the risk. I am also well aware of the good safety record of commercial reactors—a fact that enabled me to vote in support of the legislation. However, I must admit that I am still troubled by the disparity in the industry position. On the one hand it says that it is safe, and that accidents requiring Price-Anderson coverage are very remote. On the other hand, it says that it cannot buy sufficient insurance in the private sector—apparently because of the insurance industry's lack of complete confidence in the safety of nuclear power.

With the House debate on nuclear insurance still fresh in my mind. I read an article in the Sunday New York Times on the issue of nuclear safety. I was not comforted by what I read, and I believe my colleagues would be interested in the perceptions of the author, Robert Gillette, on this complex and serious problem.

Mr. Speaker, the article from the Sunday New York Times follows:

THE AGE OF NUCLEAR ENERGY: A PROLONGED ADOLESCENCE

(By Robert Gillette)

Nuclear power by any measure is an awesome technology. Not even the men and women who design, build, regulate and operate power reactors are immune to the emotions these half billion-dollar machines can engender.

Most of them seem to react with a sense of pride in the mastery of nature's darker forces and of confidence in the reliability of these great congeries of concrete, steel and radioactive fuel. Yet for some, awe gives way to a deeply felt fear that, where a modern 1,000-million-watt atomic plant is concerned, simple and perhaps inevitable human error may lead to catastrophe. Such would seem to be the case for Dale Bridenbaugh, Richard Hubbard and Gregory Minor, the engineers who recently quit their jobs at General Electric's nuclear division—and for Robert D. Pollard, one of the Federal Nuclear Regulatory Commission's 48 project managers who followed suit a few days later.

These four engineers were not the first, and they are probably not the last, to renounce promising careers to tell the public that nuclear power is unsafe, or at any rate not safe enough. David E. Lilienthal, the first chairman of the Atomic Energy Commission, was an early skeptic: "What public policy demands or justifies going ahead with a program in which there are still unresolved risks to human health and safety?" Mr. Lilienthal asked in 1963.

In the late 1960's, John Gofman and Arthur Tamplin, two scientists at the Atomic Energy Commission's Lawrence Radiation Laboratory at Livermore, Calif., became celebrated if embittered critics of nuclear power. In 1972 a small band of A.E.C. safety researchers appeared in public hearings to voice concern about the adequacy of emergency cooling equipment then being used in large new power reactors. Still others in the industry and in government have covertly supplied newspaper reporters and groups of critics, such as the Union of Concerned Scientists, with technical advice and embarrassing documents.

What is the public to make of these acts of technological apostasy?

A cynic might say that jeopardizing one's job security may testify to a man's sincerity but not necessarily to his prescience. Yet there is no disputing that 30 years into the nuclear age this once-promising technology remains burdened with a host of unresolved problems. Mr. Pollard and the three General Electric engineers invoked the leading ones in explaining their public resignations: What to do with nuclear waste that remains lethal for centuries? How to mitigate the risks of theft and sabotage in a plutonium economy? And, most important, how to settle the scores of engineering questions that still cloud the day-to-day operation of the nation's 57 licensed nuclear power reactors?

Although some progress has been made in calculating the real risks involved in these problems, their urgency is still a matter of subjective engineering judgment: The best that can be said is that honest engineers disagree wildly. But it is worth asking why, at this late stage, the debate is still going on.

There are several answers. For one, the current debate began belatedly. The basic directions of American nuclear power development were set in the late 1940's and early 1950's, long before battles over pesticides and other forms of pollution had sensitized the public (to say nothing of government) to the adverse affects on big technology. Nor was public participation in the making of arcane technological policy as much in fashion then as it is now. For example, Glenn Seaborg, Atomic Energy Commission chairman from 1961 to 1971, has noted that in the 1950's, when it came time to decide which of several reactor technologies was to be emphasized by civilian power programs, the choice was left up to industry. Industry (mainly General Electric and Westinghouse) chose to scale up water-cooled reactors originally developed for nuclear submarines, not because this technology was not appropriate, but because it was the most familiar.

Reactor safety was always of interest to the old Atomic Energy Commission. But in 1966, safety became the subject of an important internal argument. Ironically, this argument began with Consolidated Edison's application for a permit to build the Indian Point No. 2 reactor, the plant that is a focus of Mr. Pollard's concern.

Located only about 24 miles from New York City, Indian Point Plant No. 2 was among the first of a large new generation of power reactors whose ability to withstand a major "loss of coolant" accident without a catastrophic melting of its radioactive core was only dimly understood. Nevertheless, the A.E.C. granted Con Edison its permit, then set about assessing the safety engineering questions it raised.

From there it was all downhill. The A. E. C.'s safety research program, afflicted with declining budget and growing tensions between headquarters and the national laboratories, stagnated. By the early 1970's, the Atomic Energy Commission had accumulated a list of 139 unsettled safety questions, 44 of which it designated as "very urgent."

The Atomic Energy Commission, of course, was disbanded in late 1974 and the new Nuclear Regulatory Commission assumed its responsibilty for safety research. The new commission's research budget has risen to $100 million this year, industry is spending $60 million more on commercial reactor safety, and some critics acknowledge that the Federal program's management is much improved. Even so, a study by the respected American Physical Society last year disclosed deficiencies as well as a continuing paucity of hard experimental evidence to back industry's assertions that reactor safety systems are adequate. This sparsity of data, and a consequent heavy reliance on computer simulation of reactor accidents, is a major worry of Mr. Pollard and the General Electric engineers.

NEW DESIGNS, NEW PROBLEMS

Not all the unsolved problems that worry them are part of a decade-old backlog, however. Like the aircraft industry, nuclear power is an evolving technology; new designs raise new problems or reveal previously unsuspected flaws in older plants. Until last year, for instance, hardly anyone would have guessed that a workman with a candle could start an electrical fire that would knock out two of the nation's largest reactors and narrowly miss causing a disastrous meltdown Yet that is precisely what happened to the Tennessee Valley Authority's Browns Ferry plant near Decatur, Ala. Mr. Minor says that his faith in the redundancy of nuclear safety systems evaporated with that fire. Says Mr. Pollard, "In so many near accidents we've had, what caught us up was something no one had thought of."

In effect, they are saying that reactor designs have evolved faster than have the abilities of scientists and engineers to understand their frailties.

Other engineers counter that designs are "conservative" enough to tolerate human error and to compensate for uncertainties in a reactor's performance. To that, Mr. Pollard and other critics contend that not enough experimental evidence exists to know whether design assumptions are really conservative or not.

Even so, Mr. Minor, for one, is not unsym-

pathetic with Nuclear Regulatory Commission, a new agency eager to prove its mettle, and one which the nuclear industry has criticized for precipitous action in closing down nuclear plants deemed unsafe.

"They're under tremendous pressure to make difficult decisions in a complex environment," Mr. Minor says. "They are under pressure from utilities and reactor vendors to keep plants on line, from the President to speed things up, and from environmental groups to slow things down. I don't envy them."

CONTINUE SOCIAL SECURITY A MONTH AFTER DEATH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. NEAL) is recognized for 5 minutes.

Mr. NEAL. Mr. Speaker, I have today introduced legislation to provide that an individual's entitlement to benefits under title II of the Social Security Act shall continue through the month of his or her death, or of the insured individual's death in the case of a dependent, instead of terminating with the preceding month, unless the resulting delay in survivor eligibility would reduce total family benefits.

Mr. Speaker, the present law contains inequities which would be corrected by enactment of my bill. For example, present law provides that if a husband receiving social security benefits should die on or after April 1, the widow would be required to return the entire check for the month of April.

Other of my colleagues have proposed that the benefits for the month in which death occurs should be prorated. My bill would permit the survivor to retain the check for the entire month.

There are several reasons for this act of seeming generosity. First, the period immediately following the death of a loved one is a time of deep grief and mourning, when survivors frequently are not competent to transact business or accept added responsibility. Second, the survivors usually are burdened also with extraordinary expenses such as the funeral costs and hospital bills of the decedent. Third, the closest survivor most often is elderly or infirm, frequently is in financial straits, and must rely on social security benefits for survival. Therefore, to require return of the final social security check often deprives the survivor of his or her only cash on hand.

We rectify this hardship when we permit the survivor to retain the benefits received at the beginning of the month of death. We can do that by simply declaring that the insured individual shall be deemed to have died the month following the actual month of death.

That provision would not apply, however, in the case of any person if their application with respect to the month of the insured individual's death would reduce the total of the benefits payable under this title for such month.

Mr. Speaker, this legislation is sorely needed by elderly Americans and others who find, alas, that the cost of living is made more painful by the cost of dying.

AUTHORIZING APPROPRIATIONS FOR THE BOARD FOR INTERNATIONAL BROADCASTING—RADIO FREE EUROPE AND RADIO LIBERTY—FOR FISCAL YEARS 1977 AND 1978

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FASCELL) is recognized for 10 minutes.

Mr. FASCELL. Mr. Speaker, at the request of the executive branch, I am introducing today a bill to authorize appropriations for the Board for International Broadcasting for fiscal years 1977 and 1978.

As drafted by the executive branch, this bill would provide an authorization of $53,385,000 for fiscal year 1977 and "such sums as may be necessary" for fiscal year 1978 to support the operations of Radio Free Europe, Radio Liberty, and the Board for International Broadcasting. In addition, the bill contains certain proposed clarifying amendments and reflects changes brought about by the consolidation of the radios' operations and management.

The Subcommittee on International Political and Military Affairs of the Committee on International Relations will hold hearings on this legislation and, in due course, will submit its recommendations. Until our subcommittee reviews and acts upon this legislative request, therefore, I am not committing myself at this time to support any specific figure or provision contained in this bill.

The executive communication and the text of the bill I am introducing today are as follows:

BOARD FOR INTERNATIONAL BROADCASTING,
Washington, D.C., February 9, 1976.

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

DEAR MR. SPEAKER: There is transmitted herewith proposed legislation to make required amendments to the Board for International Broadcasting Act of 1973 and to authorize appropriations for the Board to carry out its responsibilities as specified in that Act.

The bill provides for authorization of appropriation for the Board's operations during Fiscal Year 1977 and 1978 and reflects amendments to clarify sections of the Act. Some of those changes are required by the consolidation of the Radios' operations and management.

A section-by-section analysis explaining the proposed legislation is enclosed.

The Board has been informed by the Office of Management and Budget that there is no objection to the presentation of this proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Respectfully submitted,
WALTER R. ROBERTS,
Executive Director.

H.R. 11926

A bill to amend the Board for International Broadcasting Act of 1973 and to authorize appropriations for fiscal years 1977 and 1978 for carrying out that Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877(a)), as amended, is further amended as follows:

SEC. 1. Section 3(b) is amended—

(a) by striking out "shall consist of seven members, two of whom shall be ex-officio members" in the first sentence of paragraph (1), and inserting in lieu thereof "shall consist of six members, one of whom shall be an ex-officio member";

(b) by striking out "the chief operating executive of Radio Free Europe and the chief operating executive of Radio Liberty shall be ex-officio members of the Board" in the fourth sentence of paragraph (1), and inserting in lieu thereof "the chief operating executive of Radio Free Europe and Radio Liberty shall be an ex-officio member of the Board";

(c) by striking out "Ex-officio members of the Board shall serve on the Board during their terms of services as chief operating executives of Radio Free Europe and Radio Liberty" in paragraph (4), and inserting in lieu thereof "The ex-officio member of the Board shall serve on the Board during his term of service as chief operating executive of Radio Free Europe and Radio Liberty";

(d) by striking out "Ex-officio members of the Board" in the third sentence of paragraph (5), and inserting in lieu thereof "The ex-officio member of the Board".

SEC. 2. Section 4(a) is amended by striking out "on or before the 30th day of October, summarizing the activities of the Board during the year ending the preceding June 30," in paragraph (8) and inserting in lieu thereof "on or before the 31st day of January, summarizing the activities of the Board during the year ending the preceding September 30."

SEC. 3. Section 8 is amended to read as follows:

"Sec. 8. There are authorized to be appropriated, to remain available until expended: (1) $53,385,000 for fiscal year 1977 and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law and for other nondiscretionary costs, and (2) such sums as may be necessary for fiscal year 1978.

LITHUANIAN INDEPENDENCE DAY: REAFFIRMING THE FIGHT FOR FREEDOM

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, it is a great honor for me to join Lithuanian-Americans throughout the country in the recognizing of February 16, the 58th anniversary of the establishment of the independent Republic of Lithuania.

The history of the Lithuanian people is one of constant struggle against overwhelming oppression. Their history reveals not only a quest for liberty, but the real, continuing struggle to regain the freedom that was lost.

During the Middle Ages, Lithuania was a powerful and independent state, halting for centuries the German drive to the East. At the same time, Lithuanians established and cherished individual freedoms and as one scholar noted:

They blessed their subjects with more human freedoms than in neighboring countries. They encouraged education and toleration, and they played their part in the general development of European civilization.

Although Lithuania was established as an independent state in 1795, they were not strong enough to resist Russian occupation. The Tsarist Government began an intensive and deliberate campaign to eradicate the Lithuanian language and culture, which lasted until 1905. It is a tribute to the Lithuanian spirit that after almost a century and a half of trying, this campaign was abandoned as hopeless.

The advent of World War I brought both tragedy and triumph to the Lithuanian people. Russian and German armies used Lithuania as a battlefield. However, with Russia convulsed by internal turmoil and Germany also collapsing from within, the time was ripe for Lithuania to reassert its independence. On February 16, 1918, a council of delegates proclaimed an independent Lithuania based on democratic principles. In September of 1921 Lithuania was admitted to the League of Nations. Independence, however, was short-lived. Repeating the experience of World War I, first Russian and then Nazi troops engulfed the small republic during World War II. Lithuania suffered an overwhelming loss of life in that period.

Lithuania suffered the loss of 45,000 people as a result of Russian and Nazi executions and warring. Almost all Lithuanian Jews were executed by the Nazis.

After the war, Russia once again adopted a policy of repression through terrorism and deportation. The Soviet Union made a concerted effort to destroy the unique cultural and ethnic identity of the Lithuanian people. Between 1944 and 1950, 350,000 Lithuanians were deported. Imported were Russians from all areas. Despite this monumental effort to eliminate the Lithuanian national character, the Lithuanian spirit lives. The fight to regain their freedom continues.

Whether it is Alexandr Solzhenitsyn or Leonid Pluyshch, the spirit of resistance remains strong. The Soviet Union can never conquer the spirit of free people, especially Lithuanians. We salute the Lithuanians for their courage and determination, and we honor their fight for freedom. It can only end in victory.

SHOULD WE TREAT OVER HALF OF AMERICANS, AGE 18–25, AS CRIMINALS? WE DO NOW!

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I would like to report to my colleagues the latest evidence concerning the health effects of and public attitudes on marihuana. Last month, the New York Academy of Sciences Conference on Chronic Cannabis Use brought together 100 researchers from 10 countries. Thirty scientific papers were presented and the main conclusion of the findings should come as no surprise to anyone familiar with the issue of marihuana:

> Marijuana has no apparent significant adverse effect on the human body or mind or on their functions.

One study disputed the contention that college students who are chronic marihuana users suffer a loss of motivation. There was found no significant dropout differential between marihuana users and nondrug users. There was also found little disparity in clarity of occupational goals or grade point average in the two groups tested. Another study refuted the assertion that decriminalization would encourage marihuana use. The Drug Abuse Council found that when Oregon eased its marihuana laws to permit possession of 1 ounce or less of marihuana, the number of users did not increase significantly.

The latest Harris poll on marihuana has come up with some surprising results. First, about half the country favors the Oregon law approach. Three of the four sections in the country support the decriminalization of marihuana. Only the South remains firmly opposed to the Oregon approach. And I am very pleased to report that, according to the latest Daily News poll, New Yorkers favor Governor Carey's Oregon-like decriminalization proposal by 52 percent to 37 percent.

Perhaps most significantly, the American people now recognize alcohol as more dangerous than marihuana, a complete turnabout since the question was asked in 1969. And no wonder. For all the scare talk about marihuana's effect on sex drive and performance, research on this subject has been inconclusive. However, a study in New York has shown that prolonged drinking of alcohol alters male sexual behavior by stimulating the liver to drastically step up its destruction of the male sex hormone, testosterone. I suppose it is no surprise, then, that 73 percent of the country view alcohol as a very serious problem. While heavy drinking obviously is a serious threat to a person's health, we would not consider criminal penalties for the Nation's 8 million alcoholics. Why do we continue, on the other hand, to regard marihuana users as criminals? Last year, over 400,000 persons were arrested in this country for possession of marihuana—the vast majority of whom were in possession of very small amounts of marihuana.

Fifty-three percent of Americans between the ages of 18 and 25 have tried marihuana. Considering the research refuting any ill effects of marihuana use and the increasing acceptance of the American people that we should not jail marihuana users, I think it important that the Congress take the lead in easing the laws concerning possession of small amounts of marihuana. Six States have already changed their laws along the lines of the Oregon approach and more are sure to follow. A national law would act as a catalyst for further easing of the criminal sanction in States. The Javits-Koch bill, H.R. 6108, would impose a civil fine for possession of up to 1 ounce of marihuana in Federal jurisdictions.

The Washington Post editorial of Friday, February 13, points out the situation as it stands today:

> As far as is known, the most serious consequence of smoking marijuana is the danger of arrest.

I think it is about time that we ended that negative effect. It serves no useful purpose to jail marihuana users. It only wastes law enforcement resources and needlessly gives arrest records to otherwise law-abiding young people. The Congress should be leading instead of lagging.

THE PRESIDENT'S MEDICARE PROPOSAL—FALSE ADVERTISING

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, the change that the President has proposed be made in medicare to increase patient participation in the program has been billed as improving benefits, but in fact would work a hardship on the majority of medicare recipients. Under the President's plan, the elderly would indeed be participating more fully in the program—they would be paying more of their hospital and doctor bills. The offsetting new benefits in the area of catastrophic care would provide additional benefits for few; the less than 1 percent of the current beneficiaries requiring more than 75 days of hospitalization. It would increase costs in the first 2 months of medical care so that the number reaching the limits of $500 for hospital and extended care bills and $250 for doctor's services for medicare patients would rise to 3 million.

The President has talked a lot about his proposal's protection against catastrophic illness. But little publicity has been given to the $1.3 to $1.6 billion his proposal is designed to save the Federal Government. In short, medicare is going to cost the elderly some $1.3 to $1.6 billion a year if the President's plan is adopted and provide a $1.1 to $1.4 billion rebate in the form of catastrophic coverage. The budget saving would be achieved by requiring a 10-percent coinsurance charge for services to elderly people who are sick. Over half of the 24 million elderly covered by the medicare program would pay more for health care under this proposal. It is calculated that this new "protection" would help fewer than 1 percent of current beneficiaries, those requiring more than 75 days of hospitalization. There should be increased coverage for those with high medical costs such as kidney dialysis patients, but this protection should be provided by the Government and not provided in exchange for a cutback in overall benefits.

To illustrate what the President means when he says the "fees for short-term care will go up somewhat," I am including the following calculations. The average covered hospital stay in fiscal year 1974 was 12 days for an aged medicare beneficiary. Under present legislation a person who stayed this length of time with $500 in physician charges would only pay $268 for the 1977 deductible. The Congressional Research Service projects that under the President's proposal, this same person would pay a total of $450. This assumes hospital costs of $150 per day. The deductible for doctor's bills would be increased from $60 to $77 in calendar years 1977 and 1978 and thereafter at the same rate as retirement

and disability social security benefits increase. The 20 percent existing coinsurance charge on doctor's bills would remain on medicare-determined reasonable charges.

The sleeper in this whole plan is the administration's scheme to hold down increases in medicare reimbursement. In fact, it is predictable that this provision for limiting increases in physicians' charges for 1977 to 4 percent and increases in hospital, nursing home, and home health per diem on per visit costs to 7 percent will have the opposite effect on patient fees. It is more likely that patients will be billed additional sums on an out-of-pocket basis. Rather than halting rising costs by imposing across-the-board controls, it would shift the financial burden from the Federal Government to the elderly.

Additional effects of the proposed limits to reimbursement could be to reduce availability of health services to the elderly poor, for the plan provides a clear financial incentive to discriminate against them. This could result in second-class health care for the elderly. Furthermore, studies show that if coinsurance and deductibles are high enough to cut down utilization—the elderly may fail to get timely care for conditions that could become more serious and require expensive hospitalization.

As prime sponsor of the National Home Health Care Act, I am concerned that the President's proposal adds inducements to institutionalized extended care. At a time when alternatives to nursing homes are being explored, this proposal would impose a new 10-percent coinsurance charge for home health care beneficiaries, while maintaining the ceiling of 100 days for the benefit period. In contrast, the 100-day limitation on extended care in skilled nursing homes has been lifted. The coinsurance formula for skilled nursing homes would be revised to 10 percent of charges.

Finally, I take this opportunity to again state my support for the national health security proposal which I have cosponsored. This offers a more comprehensive and equitable approach to catastrophic as well as more routine preventive medical services.

THE FEDERAL ELECTION COMMISSION AND CAMPAIGN REFORM

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, last month's Supreme Court decision dealt a very serious blow to the effort to secure and maintain meaningful election and campaign finance reform. As the New York Times so properly editorialized on February 4:

> By abolishing all restraints on political expenditures by individuals and organizations, the Supreme Court in its decision . . . opened wide the doors to a return of the evils that the 1974 Federal Campaign Reform Law was intended to prevent.

Although the Court did uphold a number of important sections of the 1974 law—such as a limit on the size of contributions, full disclosure of campaign contributions and public financing for Presidential candidates—there is no entity empowered to carry out these provisions; the Federal Election Commission has been left sterile because the Supreme Court found that the commissioners were appointed unconstitutionally.

The FEC's continued existence is vital if campaign spending is to be properly monitored and if the campaign laws are to be administered in an impartial and nonpartisan manner. Certainly this agency must be permitted to continue its work with minimal disruption and dislocation, most particularly as we are soon to be in the midst of Presidential, senatorial, and congressional campaigns. To revert to the former system would be a serious mistake and would negate whatever reform has been achieved to date.

In order to correct this situation, I am introducing legislation which reconstitutes the Federal Election Commission by having the President appoint the six commissioners with the advice and consent of the Senate.

Beyond a simple restructuring of the FEC, however, this bill—which was originally offered by our colleague from Massachusetts (Mr. STUDDS)—also provides for the comprehensive public financing of both primary and general elections for the House and Senate. One of the worst flaws in our political system is the excessive influence of money on our electoral process and the degree to which special monied interests receive special treatment as a result. A number of measures calling for public financing which I have sponsored are pending before congressional committees and I very strongly believe there must be public financing for House and Senate candidates as well as for the Presidency. The Supreme Court upheld the constitutionality of public financing for Presidential campaigns and the House must take affirmative action to apply this to congressional campaigns without further delay.

One important reason for acting on this with urgency is that the Supreme Court ruling allowed acceptance of public financing as the only constitutional vehicle for limiting campaign expenditures, and thus effectively taking the insidious and corrupting influence of private money largely out of our democratic processes.

Finally, this comprehensive measure increases to 60 days the time prior to an election in which a Federal legislator can utilize the frank for a mass mailing if that Member is a candidate for office in that election. I have long felt that incumbency gives a distinct advantage in an election and certainly one aspect which has been most widely utilized is the congressional frank. I believe that increasing the period of time in which the frank can be used before an election by an additional month will help to lessen this advantage by an incumbent, though I personally would extend the franking privilege and free media coverage to all candidates and will deal with this in separate legislation.

I commend Congressman STUDDS for his initiative in this area and I am pleased to serve as a cosponsor of his bill. I am hopeful that the appropriate committees will take prompt and affirmative action on this measure in order that effective reforms can be achieved at the earliest possible date.

JOBS AND THE ENVIRONMENT

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, there is currently a popular misconception which would have it that environmental protection and pollution abatement programs eliminate jobs. In fact, a number of recent studies indicate that jobs can be and are being created directly as a result of such programs.

An article which provides an excellent summary of the best available materials on the subject appears in the April issue of the Sierra Club Bulletin. As author Heffernan points out, the number of jobs lost, or estimated as expected to be lost, is quite small—50,000 to 125,000—especially when compared to the 500,000 jobs which have been exported by the multinational corporations during the past decade. On the positive side, several hundred thousand people are employed in manufacturing, operating and maintaining pollution abatement equipment.

I would like to commend the Heffernan article to my colleagues.

In addition, I would like to call to the attention of the Members a briefing on jobs and the environment to be held next Monday, February 23, by the Environmental Study Conference, which I chair. Representatives of organized labor, the Commerce Department and the Council on Environmental Quality will participate in a panel to be chaired by our colleague, Representative HENRY S. REUSS. The briefing will be at 2 p.m. in 2175 Rayburn.

The article follows:

JOBS AND THE ENVIRONMENT

(By Patrick Heffernan)

For the past decade, American business has been telling the American worker that any serious attempt to reduce pollution and improve the quality of life is going to cost his job. Enforcing standards for clean air, water, and amenities, the story goes, will raise prices, close plants, and divert the investment capital needed to keep America employed. Corporate executives, such as those at U.S. Steel, have backed up these claims with threats of shutdowns and layoffs whenever state and federal agencies have started to get tough with specific polluting facilities. Such threats are especially effective today, as indicated in a recent Time-Yankelovich survey, which found that 25 percent of all Americans are afraid of losing their jobs.

This is a fear that many elements of business and labor have translated into demands that we relax pollution standards and open up our coasts and wetlands to massive energy development, all in the name of lower prices and more jobs. Actually, environmental standards and programs, rather than eliminating jobs, are currently significant sources of employment. They will become major generators of new jobs in the next few years.

Nevertheless, environmental leaders have been hard put to deal with the jobs question. The corporate strategy of pitting environmentalists against the poor, the worker, and the consumer has been especially effective

with politically powerful labor unions. With the current rate of inflation and rising unemployment, any program accused of costing jobs is under heavy attack. Environmentalists in the past have stressed the long-term benefits of a clean and healthy environment, but information now available shows that a national commitment to the goals of restored environmental quality will at once create millions of jobs and reduce our demand for energy and raw materials.

In 1972, Chase Econometrics reported in their summary of The Economic Impact of Pollution Control that an increase in short-term employment can be expected as pollution-control equipment is installed from 1975–77 or 1978. The studies, commissioned by the Environmental Protection Agency (EPA) and the Council on Environmental Quality (CEQ) covered air and water pollution, noise and radiation control, solid-waste disposal and recovery, and the reclamation of strip-mined lands. The consultants estimated that employment would first rise slightly as investments were made in environmental controls, dip by less than oen percent after installation was completed, and then level off in 1982. The study was a macroeconomic analysis, a broad look at the impacts on the nation's economy using mathematical models.

Jobs lost through specific plant shutdowns (less than 70 plants by 1974) and jobs gained through nonindustrial programs, such as mass transit and recreation, were not considered. Economists at Chase and the EPA stress that the figures are not meant to be precise predictions and do not take into account future technological breakthroughs and unexpected changes in the economy. However, the 1972 Chase study demonstrated that business could not support its claims of massive unemployment resulting from pollution-control efforts. A realistic estimate of potential jobs resulting from environmental programs has to be pieced together from dozens of scattered manpower studies in state and federal agencies and private industry.

The number of jobs that have been created to renew and protect the environment topped one million this year, according to EPA estimates, and may double by 1976 if current programs are continued. To date, less than ten percent of the required investment has been made to meet pollution-control standards, meaning that the next three or four years will see billions of dollars invested and millions of new jobs created in manufacturing, construction, research, and other areas.

The largest single source of environmental jobs is the Federal Water Pollution Control Act of 1970. The EPA estimates that more than 25,000 employers now engage some 150,000 people in operating and maintaining water-pollution-control equipment in accordance with the act's standards. Over 400 private companies manufacture water-pollution-control systems and parts, employing an additional 20,000 persons, according to the Journal of the Water Pollution Control Federation. Deputy EPA Director John Quarles told a congressional committee last October that over 55,000 construction workers were on the job installing waste-water treatment facilities across the nation. This number is more than doubled by the private and municipal crews that are now laying the sewer lines and connections to the new plants.

Altogether, a total work force of 220,000 to 250,000 is employed in the effort to clean up the nation's waters. EPA estimates that 123,000 new jobs will be added this year to those in equipment manufacturing and operation, 70,000 in installation construction, and 109,000 in operation and maintenance of publicly owned facilities—a total of 300,000 new jobs. EPA and private industry estimate that by the end of the next year over a half million persons will be employed in building, installing, and operating water-pollution-control facilities, the second largest publicworks program in the nation. EPA expects investment and employment in water-pollution-control programs to increase until 1977 or 1978, eventually reaching a total of $30 billion in equipment purchases and operating payroll.

Ironically, there is a shortage of labor in the existing plants despite the nation's current eight-plus percent unemployment. Authorities in the EPA's Office of Education and Manpower Planning report that many positions as treatment plant operators are unfilled. One EPA staffer complained that the budget for many training programs will run out this year, and that standards may not be met because of a lack of trained people to fill the jobs.

Solid-waste control and resource recovery represent the nation's second largest source of environmental jobs, with nearly a 100,000 people employed (including truck drivers), according to EPA's Task Force Study Preview on Issues and Manpower Training. The CEQ estimated in its Fourth Annual Report on Environmental Quality that the resource-recovery and collection industry spent almost $4 billion in operations and maintenance in 1973, creating a sizeable payroll in collection, disposal, and recycling. The CEQ is optimistic that solid-waste recovery employment will jump 20 percent by the end of 1975, and that many of the new jobs will be in resource recovery and in energy generation using solid waste. This optimism is based on the rising cost of conventional disposal methods plus the increased value of the recovered resources and the potential energy that can be developed from the nation's solid waste.

At least 18 cities are now designing energy-recovery facilities that will use solid waste as fuel. Thirty other cities began reviewing plans for similar plants last April, representing a potential energy conversion of over 36,000 tons of refuse a day. Construction of all 30 plants would require an investment of $4.6 billion and thousands of new jobs in collection and plant operation. The EPA estimates that by 1980, 48 major population regions can recover 1,259 billion BTU's of energy from their solid waste, and that 42 such regional plants are now being considered for completion by the end of the decade. On a smaller scale, Oregon has demonstrated the employment potential of not creating the waste in the first place with that state's now-famous bottle bill. The recycling of beverage containers in Oregon resulted in a net gain of 365 jobs.

Meeting the standards of the Clean Air Act promises to generate the nation's second largest investment in pollution-control equipment and may become the third largest major source of environmental jobs. The Cost of Clean Air, a report to Congress, estimated that the nation will invest a total of $47 billion in controlling air pollution by 1979, including over $23 billion for truck and auto devices. Operations and maintenance payrolls and expenditures are expected to reach a total of $89 billion by 1982, indicating that the manufacturing, installation, and operation of air-pollution-control equipment will become a major source of jobs for the environment by the end of the decade.

Estimates of the amount of employment these expenditures will generate are not available because of the difficulty of predicting air-pollution-control technology and future solutions to the problems of auto emissions. However, the Task Force Preview report calculated that there are 5,400 persons working in the manufacturing and operation of controls, and that this total may jump to over 70,000 by 1976, as plants gear up to meet standards. Already the construction industry is seeing operating engineers, plumbers, pipefitters, and laborers on the job installing new lead-free gasoline tanks and equipment in 110,000 service stations across the nation. Other occupations required in air-pollution control range from scientists and engineers to carpenters and mechanics.

Control of pesticide pollution, noise, and the supply of pure water currently employs 73,000 persons, according to the EPA. This number will rise to 95,000, EPA sources say, adding over 23,000 new jobs to the economy. Many of these new jobs, especially in water and wastewater treatment, will require only a high school diploma or two years of junior college.

JOBS AND THE URBAN ENVIRONMENT

Improving our quality of life, especially in the urban environment where over 70 percent of America lives, offers an exciting promise of new jobs. Meeting the nation's low- and moderate-income housing goals, developing fuel-saving transportation systems, rehabilitating and restoring urban neighborhoods, will all provide badly needed jobs in the cities. A serious commitment to these programs, as well as to the job of protecting the environment, constitutes a difficult major reordering of national priorities. But the evidence indicates that such a reordering will pay off with a net gain in employment in both the short and long run, plus tremendous savings in energy and raw materials.

One of the major goals of environmentalists has been the creation of practical alternatives to the automobile. The initial thrust was the reduction of auto emissions, but as the damage freeways and other auto support systems have caused became apparent, mass transit was recognized as necessary to save fuel, land, and the integrity of our cities. Now, over $20 billion is invested in highway-construction programs by federal, state, and local governments each year. In the 18 years since the establishment of the Highway Trust Fund in 1956, the taxpayers have spent $275 billion on highway construction. By contrast, funds for mass transit available under the 1974 transit assistance bill provide only $3.3 billion a year.

Dr. Bruce Hannon, in the Center for Advanced Computation at the University of Illinois, calculated that a shift of $5 billion annually from the Highway Trust Fund to rail and transit construction would result in a 3.2 percent increase in the number of transportation-construction jobs. Using the same formulas, a Sierra Club economist calculated that a complete shift of Highway Trust Fund expenditures to railroad and transit construction would result in a net gain of over 33,000 jobs a year. He also calculated that some 87 million barrels of oil would be saved each year by the changeover, reducing our balance-of-payments deficit by over half a billion dollars.

Whether or not these jobs will be created is doubtful. Our national priorities have recognized the need for rail, bus, and transit facilities. The 1975–80 Department of Transportation (DOT) Mass Transportation Financing Plan calls for a yearly expenditure of $5.9 billion until 1980 to meet the nation's transit needs—a total of $35 billion. However, the department reported in February that their Fiscal Year '75 budget allocated only $1.5 billion to transit and estimated only $1.6 for Fiscal Year '76, far short of what the agency itself knows is required. Full DOT appropriations would create over 8,000 new construction jobs each year and add 24,000 new buses to the nation's fleets. The latter would give Detroit a healthy shot in the arm by requiring the tooling up to reduce the present nine-month wait for the delivery of a single urban bus. (Los Angeles alone is planning on ordering 1,100 new buses for its transit plan.)

Other programs such as Dial-Ride, subscription commuter buses, and Seattle's Free Bus are being slowly implemented across the country despite a lack of funds. Most of the smaller flexible systems are labor-intensive

and energy-saving. Dr. Hannon reported that the construction of rail and transit systems such as these would reduce the amount of energy used in transportation construction by 61 percent. Energy savings in the form of reduced fuel use would continue year after year.

Funding and providing urban transportation systems would constitute a major step toward rebuilding our cities, taking the growth pressure off surrounding suburbs and farms. But without additional housing in the urban core and nearby residential areas, the urban environment will continue to remain one of the worst places in the country to live, regardless of its transportation system.

Housing has always presented a problem to environmentalists. Everyone needs it, and it has to be built somewhere. But the demands of the construction industry on the nation's forests have resulted in thousands of acres of clear cuts. The building boom of the early 1970's consumed land at a phenomenal rate, especially in farming areas. At the same time, housing in the cities became even scarcer. Urban renewal programs destroyed 337,000 more units than they created, and much of what was built was priced out of reach of those who most needed it. Urban housing construction dropped from a high 24 percent of the nation's total in 1964 to a low of 15 percent last year. Worse yet, there was a net decrease in the number of low- and moderate-income units for rent or for sale. There has been no "trickledown" housing in the cities for several years, and the National Association of Homebuilders is predicting an 11 percent drop in the urban housing building next year. At the same time, thousands of units of substandard housing are abandoned each year in the central cities, creating overnight slums. At one point the National Urban Coalition estimated that as many as 10,000 units were being abandoned a day in the nation, mostly in large housing projects. President Nixon called for the rehabilitation of 595,000 units of abandoned and substandard housing between 1969 and 1974 in his Annual Housing Reports. The nation saw only 313,000 units restored, a shortfall of over 279,000.

The situation exists in the construction of low- and moderate-income homes for subsidy programs. The national goal called for building 2.6 million units from 1969–1974, the period of the building boom. The construction industry saw greener pastures in the suburbs, building almost two million units each year, but completing only 1.5 million of the needed subsidized homes in America's cities. The one million plus units shortfall represents crowded ghettos in every city in the country.

With unemployment in the construction industry as high as 30 percent or more in some areas, according to California Builder, meeting these shortfalls and going on to meet the current goals would go a long way toward putting the industry back on its feet and people back on the job. According to the Department of Labor, over two million man-years of construction would be generated in a national effort to build the 1.1 million units of subsidized housing required to meet the 1969–1974 housing goals. The current national housing goals call for 595,000 new units of subsidized urban housing, and meeting this figure would create 1.1 million jobs a year, more than enough to put "help wanted" signs up in every city. The National Urban Coalition estimated the cost of this effort was $17.5 billion in 1971. The Homebuilders Association puts the current figure at closer to $21 billion, half the cost of the B–1 bomber.

In addition to human needs, the rehabilitation of homes that are abandoned or substandard is also appealing in terms of the environmental goals of preserving open space and agricultural land and reducing dependency on the automobile. Builders and developers say it is very time consuming and not really profitable, but if the beauty and charm of our city neighborhoods are to be retained, a national drive to meet our national rehabilitation goals must be mounted.

One city that has tackled the problem is Pittsburgh, Pannsylvania. ACTION Housing, Inc., a nonprofit corporation, established to rehabilitate the city's vandalized ghetto neighborhoods, teamed up with a new construction firm to rehabilitate over 2,200 units in five years. The contractor, AHRCO, Inc., was founded especially to rehabilitate housing and show that it can be done with local skills and at a profit. Milton Washington of AHRCO estimates that over 50 new racial minority contracting firms have been established in Pittsburgh to work in rehabilitation. AHRCO has a staff of 80 and hires as many as 500 local workers, 90 percent black, to complete "rehab" projects. AHRCO has set up a training program in "rehab" construction techniques and graduated over 100 working apprentices, most of whom were formerly unemployed.

A sister organization in the same city, the Pittsburgh History and Landmarks Foundation, has demonstrated that restoring historically valuable buildings is not only more aesthetic than tearing them down, but cheaper. The foundation has restored 80 architecturally and historically significant homes, mostly in black ghetto areas, and rented them out to low-income families who maintain the buildings. The foundation has also used local minority workers and has convinced one construction union to let its older men work for the foundation on the painstaking restoration at reduced wages. Since these workers do not want to perform at the pace demanded by corporate employers, they are happy to volunteer under a new contract. The Urban Coalition reports similar projects in ten cities across the nation, but many of these are retrenching for lack of funds.

Using the Pittsburgh experience as a rule of thumb, a low estimate of the number of construction jobs that would be generated if the nation met its rehabilitation goals would exceed 100,000 a year. Altogether, jobs generated by the construction and rehabilitation of housing in urban neighborhoods, in line with the national goals, would total over six million jobs by 1978, or 1.2 million a year.

Environmental Investment and Inflation

The expenditure required to meet the goals of clean air and water and a healthy environment have been summarized in the table. These figures are estimates based on a Chase Econometrics study for the EPA, published in the Fourth Annual Report on Environmental Quality. They should not be regarded as exact predictions, but rather as estimates of the magnitude of investment involved. The CEQ estimates that the 1974 investment in pollution-control equipment and payroll amounted to 0.7 percent of the Gross National Product and should increase to 1.4 percent by 1976. Private pollution-control investment will amount to approximately three percent of gross domestic private investment and six percent of all business investment in plant and equipment. These percentages indicate that environmental investment will remain a small but significant sector of the economy, reflecting the true cost of production. It will not curtail other investments, as business spokesmen have claimed. This was proved by a Bureau of Economic Analysis survey that revealed only two percent of firms installing pollution-control equipment reported their other investments were curtailed. EPA consultants noted that much of the new investment in equipment was in the form of process changes that also improved the productivity of the plants.

Who will pay the cost is a question that is frequently raised about protecting the environment. EPA staff and Chase Econometrics consultants estimated that the cost of pollution control raised the Consumer Price Index in 1974 by one-half of one percent, or less than three percent of the total price increases for the year. By comparison, fuel price boosts accounted for 22 percent of the year's cost-of-living increases. In the long run, the total expenditure of $194 billion for pollution abatement and environmental protection may raise the Consumer Price Index by 1.04 percent, with some prices going up as much as ten percent. A study sponsored by the EPA and the Public Interests Economics Center indicated that most pollution-control costs will be passed on to consumers in the form of slightly higher prices and slightly higher taxes, assuming no change in current profit and tax policies. But these increases are not inflationary.

They represent real value received for the money spent. Better health, longer lasting products and homes, better car mileage, more crop production, and less pollution damage are the result—are all concrete benefits whose value can be and has been calculated. And, of course, the benefits of a beautiful environment are priceless.

One cost that environmentalists must consider, however, is the cost in human terms of those jobs that will disappear as a result of pollution-control programs. The EPA maintains an Economic Early Warning System to predict and monitor the impact of its programs on facilities that must close or lay off workers as a result of regulations. To date, only 69 plants have closed as a result of federal enforcement actions, involving 12,000 workers. EPA estimates most of these found work in other plants that expanded their share of the market as the result of competitors' closing. Many of the plants that closed were also the marginal profit makers that would have closed in the near future anyway. Some firms found it more profitable to cut payrolls in old, less efficient polluting plants and shift production to newer facilities with better productivity and pollution controls.

An estimated 50,000–125,000 workers are expected to be laid off by 1976 because of environmental regulations, according to the *Economic Impact of Pollution Control* summary of reports. This is far less than the 500,000 jobs multinational corporations exported to foreign nations in the late 60's and early 70's. Many of those workers will be quickly rehired in other plants, but the hardship this causes, even temporarily, allows business leaders to blackmail environmental programs. No American worker should suffer because of a lack of environmental responsibility on the part of his or her employer.

Environmental support for legislation compensating these workers should be a top priority. The labor unions' first responsibility is, properly for the security and wages of their members. But once paycheck protection and job security and opportunity are guaranteed, labor can work closely with environmentalists on pollution control as they have on workplace safety. At the same time, environmentalists should research and stress the jobs for the environment that are being created by their programs. As America's GNP continues to fall in what seems to be the coming steady-state economy, environmental protection will loom larger and larger as a major employer, one that saves energy and raw materials, and produces real benefits for all people.

OPEN LETTER TO GEORGE MEANY

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, once again,

I am submitting an editorial by Earl W. McMunn, director of public affairs of the Harvest Publishing Co., entitled, "Open Letter to George Meany."

This article appeared in the Ohio Farmer last month and I hope all Members of Congress will take the time to read through it and consider the very important points Mr. McMunn made:

LET'S REASON TOGETHER: OPEN LETTER TO GEORGE MEANY

(By Earl W. McMunn)

DEAR GEORGE: We've never met, but I address you as a friend since we seem to share a common goal. I'm concerned about rising living costs and the threat of runaway inflation. You must be too. You said as much when you shut off our grain shipments to Russia last summer "to protect American consumers against rising food prices."

That move didn't halt inflation because you attacked the wrong culprit. American farm production was not at fault. We grow enough grain to feed our people with vast tonnages left over. We must export if we are to buy oil and other products from abroad. Exports also provide off-farm jobs which help keep the U.S. economy strong.

Don't let last summer's failure discourage you George, because you have another chance. This time you can play the game in your own ball park where you have the home-team advantage.

Perhaps you didn't know that farmers get less than 40 percent out of every food dollar. More than 60 percent is the off-farm cost of getting food from farms to consumers. And, labor accounts for more than half of the 60 percent. Let's look at that side of the question for a change.

There is general agreement that labor is entitled to a just return for services rendered. But, labor increases which are greater than gains in productivity are bound to be inflationary. Your experts have no doubt explained this basic economic fact to you.

According to new reports, this is to be a year of fateful negotiations in labor circles. The country faces the heaviest bargaining schedule in more than a decade, with 4 to 5 million workers involved in labor contract talks. Every citizen will be affected by the outcome of those negotiations.

As you know, last year's contract settlements averaged increases of about 10 percent during the first year of operation. This, in spite of the fact that productivity gains in industry were much less—probably no more than 1.5 to 3 percent. This year's demands appear to be even higher. Here's your opportunity. You can use your influence to head off contract provisions which create more new inflation.

Some of the most inflationary demands are coming from the Teamsters Union. Perhaps you don't see eye-to-eye with Frank Fitzsimmons on every issue. But here must be an area where you can cooperate. No doubt he shares your concern about the rising cost of living.

I understand the Teamsters are asking for wage and fringe benefits increases that could boost labor costs as much as 50 percent over the next 3 years. Wage demands alone would add something like $2.50 an hour during the contract period. That's on top of the $7 an hour now earned by the average hourly driver. Another dollar an hour is demanded for payments to pensions, health and welfare funds.

No thinking person can contend that farm price increases are inflationary, while labor increases which exceed gains in productivity are not. Remember, labor is now getting almost as much out of every food dollar as producers of farm products. Thanks to your power and the power of other labor leaders, wage rates move in one direction. That direction is upward. Farm prices, in contrast, move up and down, in response to the market demand.

There's another area where your influence can be decisive. This is in Congress where fiscal responsibility must start if we are to curb inflation. Already, we have watered down the value of our dollars with a public debt totaling well over half a trillion dollars. A quarter of this year's almost four-hundred-billion-dollar budget will be put "on the cuff."

Deficit spending, as you know, is a major cause of our inflation which has averaged about 5.5 percent per year over the past decade. New York City has demonstrated that overspending leads to bankruptcy. Need we repeat this folly on a national scale?

You hold the key to actions by Congress. Were not many of its members elected with your help and support? If you speak, they will listen and respond to your bidding.

The chart on this page should be of special value to you. Between 1960 and 1975, personal incomes for the people of this country soared an astounding 300 percent. During most of that time the percentage of income spent for food was in a steady decline. You will note that in 1960 consumers were spending about 20 percent of their income for food. In 1972 they were spending little more than 15 percent. Even now, it is only about 17 percent. Improvement in farm productivity was a major reason. Does this not tell you something about the folly of trying to "help consumers" by holding down farm income?

No doubt you can use this chart to persuade other labor leaders that they should moderate their demands to protect consumers against rising living costs. Also, you can use it in telling members of Congress why you want them to curb deficit spending.

George Washington was the Father of our Country and George Meany can be its Savior. Washington was "first in war, first in peace and first in the hearts of his countrymen." Now the opportunity is yours to gain a hallowed place in history by restoring the nation to economic health. "George Meany—Savior of America!" Doesn't that give you a spine-tingling feeling of patriotism? Here's your chance, George. Immortal glory can be yours. Don't blow it!

KENNAN DEBATES KISSINGER ON CONTAINMENT OF SOVIETS

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, yesterday being a legal holiday, many Members may have been away from Washington and missed the interesting debate printed in the Washington Post, in which George F. Kennan responded to Secretary Henry Kissinger's February 3 speech on containment of the Soviet Union. Because of the importance of these two somewhat differing points of view about this vital subject, I am offering both statements for inclusion in the RECORD following these remarks.

Secretary Kissinger has used the Angolan issue to articulate the theory that the United States should always respond to Soviet moves outside the immediate Soviet orbit. He has castigated Congress for halting "national action" in the middle of a crisis.

The Secretary's choice of words is interesting. One wonders how there can be "national action" by the U.S. Government on a matter as grave as involvement in a war of such importance without prior approval of the Congress. As far as I am concerned, and I am sure for many other Members, the congressional vote against funding U.S. involvement in Angola was on the basis that the administration had failed to come to Congress and request such funds prior to any commitment to such involvement.

Had such approval been sought in June, before the administration made its unilateral decision to step up U.S. support for certain Angolan factions, it might well have been a different story. By the time the vote was taken in the House last month, it was already obvious that the Angolan situation was hopeless and that the administration's determination to pour more money into Angola would have had no significant effect on the course of events in that country.

Nevertheless, Secretary Kissinger argued that continued authority to spend the taxpayers' money in Angola would have strengthend his hand diplomatically. Without challenging his position, I would simply note that many of the Secretary's problems stem from the fact that he is more at home dealing with the Soviets than working within the constitutional mandate that Congress, and Congress alone, has the authority to authorize U.S. participation in war.

While Mr. Kennan's statement does not deal with specific problems related to Angola, he adds some very necessary—and all too frequently neglected—considerations to Secretary Kissinger's speech. In my view, Mr. Kennan's most important point is that if we are to succeed in containing Russian expansion:

> We will need the support of world, or at least regional, opinion; and we must be careful not to forfeit this by casting ourselves in the same light as our opponents. People are of course sensitive to the show of strength; but they are sensitive to other things, too.

Indeed, the words just quoted highlight what seems to have been the greatest weakness in our Nation's foreign policy in recent years, and particularly in the years of Henry Kissinger. To believe that the United States can go it alone or rely purely on military power is to exhibit a profound misunderstanding of what this country stands for. In our 200 years as a nation, our commitment to decency and humanitarian principles has been our greatest foreign policy asset. What better time than now to renew that commitment?

The referred to article appears as follows:

[From the Washington Post, Feb. 16, 1976]

CONTAINMENT OF THE KREMLIN

(NOTE.—The issue of how to deal with the Soviet Union is here explored by two of the Americans most intimately involved in it since World War II. Secretary of State Henry Kissinger, whose remarks are excerpted from a speech on Feb. 3, argues that "It is our responsibility to contain Soviet power . . ." George F. Kennan, the former State Department planner credited with authoring the original doctrine of "containment" in 1947, at our invitation responds.)

KISSINGER

"For the first time in history the Soviet Union can threaten distant places beyond the Eurasian land mass—including the United States."

The issue of how to deal with the Soviet Union has been a central feature of Ameri-

can policy for three decades. What is new today is the culmination of 30 years of postwar growth of Soviet industrial, technological and military power. No American policy caused this. No American policy could have prevented it. But American policy can keep this power from being used to expand Soviet influence to our detriment.

In the period after World War II, our nightmare was that the Soviet Union, after consolidating its occupation of Eastern Europe, might seek to spread its control to other contiguous areas in Europe and Asia. Our policies therefore sought to build alliances and positions of military strength from which we could contain and isolate the Soviet Union.

These policies served us and our allies well. Soviet expansion was checked.

Then, gradually, with the acquisiton of nuclear technology and the transformation of the international system through decolonization, the Soviet Union began to emerge as a first class military power.

For the first time in history the Soviet Union can threaten distant places beyond the Eurasian land mass—including the United States. With no part of the world outside the range of its military forces, the U.S.S.R. has begun to define its interests and objectives in global terms. Soviet diplomacy has thrust into the Middle East, Africa and Asia.

Coping with the implications of this emerging superpower has been our central security problem for the last several years. This condition will not go away. And it will perhaps never be conclusively "solved."

It is our responsibility to contain Soviet power without global war, to avoid both abdication, as well as unnecessary confrontation. This can be done, but it requires a delicate and complex policy. We must strive for an equilibrium of power, but we must move beyond it to promote the habits of mutual restraint, coexistence and ultimately, cooperation.

The policies pursued by this administration have been designed to prevent Soviet expansion, but also to build a pattern of relations in which the Soviet Union will always confront penalties for aggression, and also acquire growing incentives for restraint. These goals are well within our capabilities. Soviet power is evolving with considerable unevenness. Soviet society is no longer totally cut off from contact with, or the influences of, the world around it, nor is it without its own needs for outside relationships. It is the great industrial democracies, not the Soviet Union, that are the engines of the world economy and the most promising partners of the poorer nations.

The industrial democracies, if they face their challenges with confidence—if they do not mesmerize themselves with the illusion of simple solutions—possess vast strengths to contain Soviet power and to channel that power in constructive directions.

Angola represents the first time that the Soviets have moved militarily at long distance to impose a regime of their choice. It is the first time that the United States has failed to respond to Soviet military moves outside the immediate Soviet orbit. And it is the first time that Congress has halted national action in the middle of a crisis.

When one great power tips the balance of forces decisively in a local conflict through its military intervention—and meets no resistance—an ominous precedent is set, of grave consequences even if the intervention occurs in a seemingly remote area. Such a precedent cannot be tolerated if a lasting easing of tensions is to be achieved. And if the pattern is not broken now, we will face harder choices and higher costs in the future.

To claim that Angola is not an important country, or that the United States has no important interests there, begs the principal question. If the United States is seen to waiver in the face of massive Soviet and Cuban intervention, what will be the perception of leaders around the world as they make decisions concerning their future security? And what conclusions will an unopposed superpower draw when the next opportunity for intervention beckons?

If our divisions paralyze our international efforts, it is America as a whole that will suffer. We have no more urgent task than restoring the partnership between the American people, the Congress and the executive.

Debate is the essence of democracy. But restraint is the cement of national cohesion. It is time to end the self-torment and obsession with our guilt which has threatened to paralyze us for too many years.

Let us learn—even in an election year—the self-discipline to shape our domestic debates into a positive, not a destructive, process.

KENNAN

"First of all, it is important to recognize that not all places and regions are of equal importance from this standpoint."

Secretary of State Kissinger's thoughtful and statesmanlike speech represents a welcome and useful contribution from the official side to a public discussion of problems of foreign policy which has long lacked just this sort of steadying.

He pointed to some very real and important differences between the situation that confronted this country in its relationship to the Soviet Union in 1947, when the term "containment" first came into use, and the situation that confronts it today. The reference to the greatly increased military strength, particularly naval and amphibious strength, of the Soviet Union can be readily accepted even allowing for the measure of exaggeration which always seems to creep into American statements of this nature. It is also perfectly true that the Soviet Union has a far greater capacity for making this strength felt in regions far from its own shores than was the case 30 years ago. Nothing, finally, could be more true than that Washington, as well as Moscow, must find means of dealing with individual conflicts of interest between the two peoples by means short of all-out war, or even of the serious risk of war.

Nevertheless, when it comes to this complicated problem of Soviet expansionism, or the appearance of it, there are certain nuances and reservations that could usefully be added to what Dr. Kissinger had to say.

First of all, it is important to recognize that not all places and regions are of equal importance from this standpoint. There are some, such as Korea and Cuba, that are of high strategic importance in the sense that they affect the interests of this country and other great powers in an intimate and sensitive way. There are others which have what might be called a local strategic importance, especially from the standpoint of their immediate neighbors, but are of minor significance from the standpoint of the world balance of power. The two must not be equated.

Second, one is obliged to consider the nature of such gains as a great power—in this instance, the Soviet Union—might hope to make through an attempt to establish influence in a region far from its shores. There are many variations of the colonial and neocolonial relationship—and not all of them are greatly advantageous to the dominant external power. Short of total occupation of the territory and suppression of the indigenous government, the attempt to turn the resources of that territory to the exclusive benefit of the outside power is subject to a host of complications. Available evidence suggests that Cuba, for example, has been for years a financial stone around the Soviet neck. While it is certainly important to prevent the Soviet Union or any other great power from gaining positions on other continents from which world peace could be threatened or world stability seriously impaired, there is no reason the United States should feel itself obliged to protect any other power from the assumption of responsibilities that are going to be an awkward burden to it.

Third, most careful attention has to be given to the nature of the tools or the allies we have to work with. What happens if direct intervention is barred and our efforts are restricted to the attempt to assist an existing political faction in a foreign territory? The limits of the quality of that faction as a military and political competitor within the territory affected become the limits of the effectiveness of our own action. If there is any one factor, the ignoring of which has gone farthest to frustrate previous efforts of this sort on our part, it is this. It is not everyone who can be made successful, even with the greatest effort of outside aid.

Finally, there is the recognition that what we wish will not, in many instances, be anything we can hope to achieve with our efforts alone. For this, we will need the support of world, or at least regional, opinion; and we must be careful not to forfeit this by casting ourselves in the same light as our opponents. People are of course sensitive to the show of strength; but they are sensitive to other things, too.

These observations are offered not by way of rebuttal to the very solid appreciations brought forward in the Secretary's speech but to emphasize the point that, even departing from these sound insights, this government has still to evolve principles and methods for asserting its influence in overseas territories which would save it from the sort of failures it has experienced in the past—not just in Vietnam but elsewhere as well.

LEGISLATION TO PROHIBIT OIL OR GAS EXPLORATIONS UNDERNEATH WATERS WHICH HAVE BEEN DESIGNATED FOR MILITARY TRAINING AND TESTING

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SIKES. Mr. Speaker, I am introducing a bill today to prohibit exploratory or production drilling for energy resources on Outer Continental Shelf lands underlying waters of the Gulf of Mexico which are reserved for defense training and testing. This prohibition can be waived by the certification from the President that exploratory or production training on energy resources are essential to the national defense of the United States. or when the military department concerned no longer requires the land for defense training or testing.

During the past several years, the Department of Defense, the Department of the Interior and the Federal Energy Administration have made arrangements for exploration for oil off the coast of Florida in areas where the Air Force and the Navy were conducting extensive training and research activities. Under pressure, the services agreed to a restriction of the ranges which were in use and certain areas of the ranges were made available for commercial exploration. These arrangements limited the areas available to the defense forces and present areas are considered minimal for their requirements in other words. The ranges now maintained by the Department of Defense for use for testing and

training by the military forces are essential for programs involving modern, sophisticated weapons, whether for offense or defense.

After the Department of Defense granted permission to allow commercial exploration of several tracts of offshore fields in and near the Eglin Armament Development and Test Center Range and other military installations, no discovery indication of the presence of oil under the surface was made despite very extensive explorations. The commercial firms doing the exploratory drilling have given up most of their lease rights because they no longer see a potential for discovery of oil in this area. The FEA, however, continues to have an interest in further exploration in this area and is seeking additional exploration in the test ranges.

The correspondence I have recently received from the Department of Defense indicates that the Department may yield to the requests of the Department of the Interior and the Federal Energy Administration for further oil explorations in the Gulf of Mexico and that the new exploratory wells will be in the area previously set aside for defense purposes. This additional exploration would be at government expense. No funds are presently available for this purpose and I consider it unwise that appropriations be made for this purpose.

I consider additional explorations in areas clearly reserved for defense ranges would be in a clear violation of all existing agreements between the Department of Defense and the Department of the Interior and a definite threat to defense training and testing activities. Further exploration involving the present ranges which are reserved for military services could be highly limiting and detrimental to the effectiveness of training and testing involving both offensive and defensive weapons.

I urge my colleagues to support this legislation to insure the continuation of the essential testing and training programs that are conducted in these areas. These programs are vital to our national defense and must be allowed to continue without interference.

A SOCIETY TOO WEAK TO PUNISH VIOLENT CRIME IS DOOMED TO AN EVER-INCREASING CRIME RATE

(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 march of the antigun elements is again evident in the Halls of Congress. Since the passage of the 1968 Gun Control Act, they have prodded time and again for more militant legislation. Some are well meaning, conscientious individuals. There also are some who, for reasons of their own, want to take weapons away from all law-abiding, responsible citizens. They would accomplish this by oppressive legislation, including registration and licensing at high cost which, in effect, would leave only the criminal in possession of weapons with which to carry on his trade against a largely unarmed society.

These things also are clear. There is an increasing crime rate in America. The police obviously are unable to cope effectively with this growing threat to personal security and property. There is no apparent improvement in the operation of the courts which free one criminal after another almost as fast as they are apprehended. There is continuing overconcern with the criminal and apparent indifference to the plight of his victim. It should be very certain that antigun legislation now will worsen rather than improve this unhappy picture. Nevertheless, antigun elements continue their chant for additional antigun laws and the militant leftist press solidly sides with them. Regretfully, they have the support of those well-meaning individuals who are very sincere in feeling that more gun control means less crime, a situation which additional gun legislation has never produced.

It appears that Congress soon will have to face the reality of new antigun bills on the floor of the House and Senate. It is time to study the facts and strip away the dross of sentimentality with which the antigun advocates seek to obscure their motives.

All of this well stated by Merrill W. Wright, president of the National Rifle Association, in an editorial which appeared in the February 1976 issue of the American Rifleman. I submit it for printing in the RECORD, and I strongly urge that it be read and re-read:

A 1976 MESSAGE FROM THE NRA'S PRESIDENT: "A SOCIETY TOO WEAK TO PUNISH VIOLENT CRIME IS DOOMED TO AN EVER-INCREASING CRIME RATE"

On the 200th anniversary of these United States, all Americans pause to look back in time to the days our country began. On this occasion we reflect not only on the hardships of those days, but also on the great strengths of character, the high moral values, that brought our founders to victory in the birth of a great nation. The signers of the Declaration of Independence pledged to each other their "lives, and *sacred honor*." And while we consider the old moral codes, let us think, too, about the old rates of crime. Those founding fathers met crimes of violence with swift and stern justice. They faced violent crime squarely, not as people who feared crime, but as a people who would not tolerate crime.

Let us, today, not debate the narrow question, "should there be capital punishment?," but rather the broader question, "should justice be sure and swift?" To relieve our crime problem, we must convict the guilty. The rights of the victims must be recognized. Let me state a basic truth which must be remembered, *"a society too weak to punish violent crime is doomed to an ever-increasing crime rate."*

The absurd notion that we can curb crime by restricting legitimate gun ownership would have brought responses ranging from jeers to profanity from those early Americans. They would have asked, with stinging realism, "Who do you think you're fooling?" They would have dismissed such nonsense faster than you could dump tea in Boston harbor.

Modern Americans who are the realistic intellectual descendants of those early patriots, regardless of their own race, creed or ancestry, likewise refuse to be fooled by the anti-gun argument. Asked the clean, clear, unbiased question, "What steps do you think should be taken to reduce crime?" only 11% of Americans sampled in a recent major survey came up with gun control as their first recomendation. Three times as many favored more severe punishment of criminals.

The old-timers had the courage to control crime and criminals. Where did we lose that courage? Today we pamper and release and dismiss and parole, and we are up to here in crime!

We have listened to the appeasers and to "soft justice" thinking for most of the 20th Century. Our reward has been costly. Who dares walk the streets of any major American city after dark? Isn't it time to return to a way that worked? Let us demand Bicentennial Crime Control! Let us today demand that the convicted criminal be kept apart from his victims, the rest of our society! We need only insist that the "repeater" criminal be barred from us, and our homes, and our valuables.

In our Bicentennial year, we may well remember that the old values may well be good values. When you remember the worth of it all, and have the will to enforce it, then we can really cut crime, because *"with no free criminals, there can be no crime."*

MERRILL W. WRIGHT,
President, National Rifle Association.

SPEECH OF HON. MARK ANDREWS TO THE NATIONAL LIMESTONE INSTITUTE, JANUARY 27, 1976

(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, I am pleased to submit for printing in the CONGRESSIONAL RECORD a speech given by our distinguished colleague from North Dakota, the Honorable MARK ANDREWS, on January 27, 1976, at the 31st Annual Convention of the National Limestone Institute.

Those of us privileged to serve with Mr. ANDREWS know of his outstanding abilities and his great contributions to the work of the Congress. He enjoys the very high regard of his colleagues on both sides of the aisle. It is difficult to praise any man more highly than this.

The National Limestone Institute is one of the most respected organizations in the Capital area. For years it has enjoyed the confidence of the Congress. The message given by Mr. ANDREWS is one that is well worth the conscientious study of the Members of this great body:

Today we had, of course, Jim Lynn, Bill Simon, and the others talking on our foundation hearings this morning on the budget. The reason, however, for my being unable to stay and take part in the lunch and run a more, shall we say, normal schedule this noon, is the fact we just happen to have two rather important pieces of legislation up on the Floor. Now Bob Koch picked this day about three or four months ago. But today, we just happen to have, starting at noon, the veto override on the HEW Appropriations Bill, and I happen to be a member of the committee, of course. And then following that little gem, we just happen to have the Defense Appropriations Bill that's been hung up for three months fighting a provision about whether or not we should aid a country called Angola. So, you know we've got two real doozies back-to-back this noon. So when I leave early, you'll understand why. Mary and I look forward to joining you this evening, and I hope we can do it on a much more relaxed basis.

Congress is making any number of decisions. Someone told me at a seminar last night that good judgment comes from ex-

perience and experience comes from bad judgment. I don't know what this all means about some of the decisions we make in Congress and in business, but I think we have to realize that our actions today are based on what we remember that went before. And we're projecting those actions into the future, so as we build on the past, we can build a stronger and a better America for tomorrow.

Both as a farmer and as a Congressman, I deeply appreciate the opportunity to discuss a few things with you today. The years before I came to Washington in 1963, I made full and complete use of the Department of Agriculture's Conservation Programs, as did most of the farmers in my home state. It was mentioned in the introduction that I am a farmer. I am. My name is still on the notes at the bank back there. Shortly after we got a pay raise in Congress about eight or ten years ago, we had a farm forum back home. We had the usual question and answer session. There must have been 450 farmers there. The first question that came up, "What are you gonna do with that $10,000 raise you got?" You think for a minute, "how do you justify it? I really didn't vote for it because I don't think that Congress deserves one until they at least balance the budget." But I thought quick and I said, "Well, I'll keep right on farming as long as it lasts." And everyone understood just exactly what I said.

Now, back home I've used these Conservation Programs as most of our farmers have. I'm a third generation farmer. My son is now out on the farm with his wife, and they are the fourth generation on that particular land. We realize that we have to keep that land in shape. If we don't, our family farm suffers. But it's more important than just our farm and the farm of our neighbors. The resources of this Nation suffer. That Conservation Program was a Godsend to all of us from the Great Plains area. While I used the program, and appreciated its value, I was only dimly aware of the internal battles that went on down here in Washington to preserve and expand the program. Now, as a Congressman, I understand only too well.

Your great president and my close, personal friend, Bob Koch and I have gone through some pretty tough battles to save this Program (ACP). We've lost a few, haven't we, Bob? But, with your fine counsel and the great cooperation of your organization, we've managed to win most of the fights. You'll be glad that Jamie Whitten was up there today pounding Jim Lynn over the head, wondering why they deleted for the, I think it's the 14th or 15th time in a row, the ACP Program. Now, I've only served under four Presidents, two different political parties, but each one of them has cut out the ACP Program and each time the Congress has put it back in again with the help of your organization. There are few national organizations that I deal with on the Hill whose integrity and effectiveness I value more.

Since we farmers in North Dakota use little, if any, of your product—actually our soils are far more "limey" than most any soils in the whole Country—you may wonder why I maintain such a close relationship with Bob Koch and your organization. It's very simple. Aglime is fundamental to all soil conservation in the humid areas of this Nation. Without it, legumes couldn't be grown productively and we'd have to use a whale of a lot more nitrogenous fertilizers which, today are in very, very short supply, and at prices you wouldn't believe, unless you're out on the farm and then you'd know what has happened to those prices lately. But Bob Koch and your organization took a larger look at this whole national Conservation Program. The farmers in the South fighting acid soil conditions desperately need your product. Up in the great treeless prairies of the Great Plains we need other types of Conservation practices. Shelter belts, for instance, reducing the wind sweep that comes across those prairies is one of the key conservation practices that we use. It's just a simple matter of working together for mutual benefit. These programs aren't any rip-off. They talk about the great plus that the farmer gets and how this is really a welfare program. Well, that's a bunch of garbage.

Let me explain to you that tree planting program, for instance. If we go out to plant trees, we order the trees from the local soil conservation service. The government grows them; they come in and plant them; and they charge us $60 an acre or so for planting them. Then they turn around and give us a payment of $60 an acre, so we end up exactly even, except for one big thing. We've donated the land in perpetuity you might say, for the location of that shelter belt. So in order to have a shelter belt, the farmer breaks even, donates five or six acres of his land for all time, to building a stronger conservation base for this country. And the same thing, of course, with aglime. Without it, the soils can't be kept in as good a shape for posterity as they can be otherwise. So these are contributions not to the immediate present, but to the future, and for ongoing generations to benefit by.

Let me tell you something that your organization and many other people have done, both in and out of Congress: what you've done is something the whole Nation can be proud of. Of all the single programs we've had for agriculture down through the years, and there have been many, the one program that's most responsible for the incredible and consistent farm productivity—abundance—is this Conservation Program. Since this is the Bicentennial Year of our independence as a free Nation, I don't think it inappropriate to review a little history. You know, 200 years ago we were a Nation of farmers. Some 95% of the people lived off the land. It wasn't until well after the turn of this century that city and urban citizens began to outnumber farmers. Today, in 1976, less than 5% of our 215 million citizens live on farms. While the census bureaucrats seem to keep changing the definition formula of who is a farmer and who isn't, I believe the latest figure is somewhere over two million farmers. But this figure is misleading because in terms of actual production and volume of cash marketing, less than a million farmers today produce 85% of all of our food and fibre. But even if the figure is 5%, there are very few districts—only eleven congressional districts out of the 435—that have more than 20% farmers in them. So agriculture is outnumbered, you might say, eleven to 424.

We have to tell our story based on what we're doing for the Nation, not what we need for ourselves as one small segment of the Nation's economy. I think that we ought to point out that by producing that basic necessity, food, with only five percent of the people, we free up 95% of our people to produce the bathtubs, and the TV sets, and the automobiles and all of the other things that go to give us a high standard of living. And you can look at any Nation in the world, and if they've got an efficient agriculture, where a small percentage of the people are engaged in agriculture producing an abundance, that's the Nation that has the highest standard of living. What do we produce? Our farmers produce enough to make this Nation of 215 million people the best-fed Nation in the world and at prices the very lowest in the world. In addition, this year, the USDA estimates that we ship at least $23 billion in food to other nations. Twenty-two billion dollars in the form of outright commercial sales; and $1 billion in the form of the Food for Peace Program. This is going to be the fourth consecutive year that our farm exports have exceeded $20 billion. Agriculture is the largest exporter of all of our industries.

I happen to be on the Subcommittee that funds the Commerce Department, the State Department, the Justice Department, and a few other agencies as well—the Federal Trade Commission, the FCC, and a host of others. We have some interesting hearings there. I'm also the only farmer on that Subcommittee, and it doesn't normally deal with agriculture. I have a habit every now and then of asking the people in the Commerce Department whose job is to stimulate overseas trade: "Say, what is the biggest export dollar earner in this Country?" They of course have to admit its agriculture. And then I say, "Well, why don't we have agricultural attaches in all of the countries around the world trying to stimulate more sales?" The country in this world that has the greatest population, China, opened two years ago their doors to us for a semi-embassy. And the State Department hustled up their striped-pants boys and went over, but they didn't have one agricultural expert in the bunch. Not one. The Department of Commerce, when I asked them, "Who have you got in this overseas sales shop of yours that has any expertise in agriculture?" And they found one fellow whose father was born on a farm in Iowa, but had moved to town and he graduated from Harvard. Now there was their farm expert.

It's amazing what farmers do in spite of the misunderstanding that run around this country about agriculture in general. Consumers complain and not too long ago, we had the march on Washington. People were complaining that the price of beef was too high and that the general food prices were too high. Even the bakers, those friends of the farmers, said "You know, if the price of wheat goes up much more"—and it was then selling for about $5 a bushel— "we're going to have to charge $1 for a loaf of bread." Remember that? It got on every television show and every major newspaper around. $1 for a loaf of bread because wheat has reached $5 a bushel. Now all of you gals that spend some time in the kitchen know what goes into a loaf of bread: flour, and that's about all. That's almost the total ingredient of a loaf of bread. And before you can get a dollar's worth of wheat in a loaf of bread, wheat would have to sell for $68 a bushel. Nobody thought about that, you know. At $5 a bushel there is only 6¼¢ worth of wheat in a loaf of bread. Interestingly enough, the loaf of bread went up, and up, and up, as wheat went up somewhat. Well, wheat's down now, 30% from what it was a couple of years ago. Is your loaf of bread in the grocery store down? No. in fact, it kept going up—all blamed on the farmers.

The consumers continually say, "Well, you know, it's you folks in government." I went on a television show with one of these consumer leaders and the best advice I get, of course, comes from my wife. I went on this NBC outlet on the East Coast—Dimension Washington—and I was going to be interviewed by a panel of news hawks and people down here along with this consumer leader. And my wife told me before I went, "Now remember, whatever you do, don't lose your temper, because this other one is a gal and it's not gonna come off too well if you lose your temper." Well, I didn't lose my temper. As a matter of fact, I bit my tongue once or twice, but early into the program, she looked at me and said, "You know, you farmer-Congressmen are always trying to make it soft for the farmers. You're always trying to take care of them; you're always protecting them. You don't let us buy these meats from overseas that are so much cheaper because you want to protect the domestic farmer." I said, "Young lady, I'll have you know that today, and I have the prices, today's price of beef in Canada is about 10% higher than ours; in London it was 110% higher; in Paris it was 130% higher; and in Tokyo, Japan, it was 400% higher than in

the United States." Our consumers, even at the height of the consumer revolt, were getting meat cheaper than consumers any place else. And then she began thinking and she smiled and came back at me. She said, "Well, Congressman," totally reversing her field, "that's all right, but you have to realize that the people in other countries can afford to pay more for their food because they don't have to maintain the second car, and the house on the beach like our family does." Right away this news hawk, very much the liberal, very much pro-consumer, was on my side. The head of the financial page of the Washington Star became on my side, and I got 25 minutes on television to tell the story of the American farmer. So kindness, in that case, did pay off.

One of the things that consumers ought to realize, too, that they overlook, is that Japan didn't buy our farm goods because of some action of the government. As I said earlier, it is in spite of government activity that people in foreign countries buy our farm goods. Why did the Japanese buy your farm goods? Well, three years ago, the consumers of America, on their own free accord, decided to buy some $4 billion more products than the Japanese bought from us. They bought the Toyotas, they bought the Hondas, they bought the cameras—the cameras that have been taking these pictures are probably Japanese cameras—they bought the hi-fi sets that teenagers have in their bedrooms and drive us out of our heads, you know, turning it on too high. Your T.V. set probably says on the back, "Made in Japan." The American consumers consciously bought $4 billion more products from Japan than Japan bought from us. Why? Because they were better; because American industry has priced itself really out of the market, and for a host of other reasons. But they bought them. And that gave the Japanese $4 billion of our dollars in their pocket! What did the Japanese do? The Japanese took a look at what these dollars would buy. What's the best bargain? And they found it, of course, in what we have overlooked for far too long as Americans: American food. So they came in to buy the soybeans; and to buy the meat; and to buy the wheat. And that caused the demand. They bought a whale of a lot more the year of the Russian wheat sale than the Russians bought.

Overseas demand came not because of the Russian wheat sale, per se, but because American consumers bought overseas goods. Perhaps because they were higher quality, produced at lower cost, and for other reasons. But this gave the other countries the purchasing power. Their use of this purchasing power was a salute really to the productive efficiency and uniqueness of the American farmer.

Let me remind you, also, that it was our farm exports that bailed us out of the energy crisis a year and a half ago. A crisis that still continues since we are now importing almost 40% of all the crude oil we need in this country. If I've said it once, I've said it at least 500 times in the past two months, if George Meany and some of the other labor bosses only knew what a great disservice they were doing to their own people and to the Nation in trying to stop shipments of food to other countries and imposing their powerful political clout to get embargoes declared which wrecks our reputation as dependable suppliers of food. Mr. Meany should know that without the imported oil to run the factories and the electric turbines, we wouldn't just have the 8% unemployment that we were worrying about in the hearings this morning. Unemployment, like inflation, would increase to the double-digit level. If we didn't have the 22 billion dollars of farm exports we had last year, we couldn't have paid the additional 22 billion dollars that the Arabs asked for their oil. The one just about exactly balanced out the other. This Country is a country that depends on energy for job opportunities. The AFL-CIO has a good stake in energy. If those oil imports that amount to 40% of our energy needs couldn't be paid for, and they couldn't have been paid for without agricultural exports, then George Meany's card-carrying labor members would really be in tough shape. In place of trying to put a yoke on the exportability of farm products he ought to be patting the farmers on the back for the contribution they have made to the Nation's economy.

A deplorable lack of understanding exists in this Country about most of the major issues. Not just of food, which I think is one of the most powerful instruments we have to achieve an enduring world peace, but a lack of understanding of the whole range of the basic economic principles that our society and economy have been building on for 200 years. There's a lack of understanding about how our government works—both the good and the bad parts of it. Where do we place the blame? I don't think you can point a finger at any person or institution and say truthfully he is to blame. Certainly we all share that blame. Community-spirited groups, the J.C.'s and other organizations always say get out to vote. That's good, I guess. But what happens if you go to the poll and get a choice between two "dolts", which often happens, you know. You've got to take part in politics to make sure you get a couple of good candidates, so when you go to vote you have a choice! It's up to all of us.

You have to realize that our Country is really a do-it-yourself kit. They gave us a Constitution and a government that works if we participate. When we don't participate we create a vacuum that a few pressure groups move into and take over. When the system moves in the direction we don't want it to move in, we've really got nobody to blame but those of us, ourselves, who didn't take part because we were too busy with our family, with our business, with our church. That makes a pretty good three-legged stool. Without any one of them, things don't work too well. But take a look at Russia—take a look at China—where the government went awry. What happened to the families? What happened to the churches? And what happened to the businesses? So its dreadfully important that we do take part in politics and in our government so that we can continue, in the next hundred years, to build on the lessons we've learned in the last 200 years and that we don't shift in a direction of the government taking over more and more, and leave us with less and less input.

I think we have to recognize that the downgrading of agriculture, which is really the subject of my speech, overlooks some of our unique opportunities as Americans. 2,000 years ago at the time of Christ, there were 250 million souls on this earth. It took us 1830 years before we reached one billion people in this world. Then it took us another 100 years to get the second billion, then another 30 years to get the third billion, another 15 years to get the four billion people that we now have. We know, estimates tell us, that we'll double that—we'll go from four billion people to eight billion people—by the year 2010. We'll add more people on this earth in the next 35 years than we have in all recorded history. And of course, the challenge is: how do we feed them? How do we feed 8 billion people on the face of this earth? Well, actually, we ought to put it a little differently. We ought to point out—and this is a statement of fact—if we don't feed them, they won't be here! And that's a pretty grim thing to think about, too.

I was appointed by the Speaker, along with Tom Foley, to represent the House at the Food and Agriculture Organization Meeting in Rome. We met there with underdeveloped countries from all over the world—countries that are trying to pull themselves up by their own bootstraps—that are looking for leadership, looking toward the Western World or toward the Communist World. As they make choices day-by-day, week-by-week, month-by-month, our agricultural productivity gives us the opportunity to assert moral leadership that no other nation has. If we're only wise enough to recognize what this God-given gift of food abundance can do for us.

Twelve years ago we had a young president by the name of Jack Kennedy. There was a change in the Russian Kremlin—the hierarchy. Some of the people who were willing to accommodate the West came up to power. They had a consumer problem in Russia in 1963. They weren't getting fed well and it manifests itself a little differently in a communist country than it does in a capitalistic society, I can assure you. But it manifests itself nonetheless. They were putting pressure on their leaders because they wanted a better standard of living and it began with food—the most basic of all necessities. And those people in the Kremlin approached the President of the United States, "Can you help us; can you sell us some wheat?" And he thought, "What a wonderful way to show that our system works; what a concrete way to bridge the gap that has been built up between our two cultures." Let's not kid ourselves; they are never going to be our friends. But we can sure get them more dependent on us and that means that they're moving into a less hostile posture then they've been before.

The deal was beginning to take place, and then came the tragic assassination in Texas. We were plunged in the Congress of the United States into debate on Christmas Eve of 1963 and the decision was, do we or do we not sell wheat to Russia? Not a give-away program, to sell it to them for gold. Gold they then wouldn't have to make mischief someplace else. That's history now, but that vote lost and misunderstanding won out. That summer our children were coming back from the County Fair, which is all of five miles from the farm and they said, "Daddy, what's a conscious communist?" And I said, "Well, I suppose a conscious communist is a little worse than an unconscious one, why?" They said, "Daddy, there is a person in a booth at the Fair passing out literature saying you're a conscious communist." I said, "Why?" My daughter said, "Well, because you advocated we should sell wheat to Russia."

Tempers were really running hot at that time. We didn't sell the wheat to Russia. The people that were looking toward the West in the Kremlin were removed from power and went wherever they go over there, to Siberia, I guess. Russia took a distinctly more warlike attitude towards us in the years after that, and we got mired down in Vietnam. History books tell us probably a lot of this was due directly to this shift in policy in the Kremlin. After ten years in Vietnam, we had a President of another political party, who opened gates to the Russians and the Chinese. They had a new group in the Kremlin then, again, including some willing to build bridges between the countries. Again the consumers revolt in Russia. This time we sold them the wheat. Through selling the wheat we got better understanding.

It isn't Russia that we need better understanding with. It is a whole host of countries around the world, who know that if they don't have the help of our agricultural abundance, their futures are mighty short indeed. With the help of your industry and with the understanding of Americans everywhere, in the cities and on the farms, we can build in this next hundred years that are ahead of us an even stronger foundation for a government of all of the people, by showing that our system does work for the people, it does function better than any other and it does have a heart. Not just as a system that donates our abundance, but a system that

makes available in world trade our abundance of food.

This is a story really that we've got to look on with a great deal of pride today. This is a story that those of you in the aglime business can feel very proud that you've played an immeasurable part in over the last many decades. And this is why it is a great privilege for me to be with you this noon and why I wish I could spend more time with you. Good luck to you in your meeting. I'll look forward to being with you this evening. Thanks so very much.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. BURKE of Florida (at the request of Mr. RHODES), for today on account of illness.

Mr. DRINAN (at the request of MATSUNAGA), for today and tomorrow, on account of official business.

Mr. ESHLEMAN (at the request of Mr. HYDE), for remainder of this week, on account of illness.

Mr. HORTON (at the request of Mr. RHODES), for today and the balance of the week, on account of official business.

Mr. PEPPER (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. RODINO (at the request of Mr. O'NEILL), for today, on account of illness.

Mr. TEAGUE (at the request of Mr. O'NEILL), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HAGEDORN) to revise and extend their remarks and include extraneous material:)

Mr. KEMP, for 30 minutes, today.

Mr. MCCLOSKEY, for 60 minutes, today.

Mr. ARCHER, for 60 minutes, March 9, 1976.

(The following Members (at the request of Mr. MCHUGH) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. KASTENMEIER, for 5 minutes, today.

Mr. VAN DEERLIN, for 15 minutes, today.

Mr. DOMINICK V. DANIELS, for 5 minutes, today.

Mr. DODD, for 5 minutes, today.

Mr. VANIK, for 10 minutes, today.

Mr. NEAL, for 5 minutes, today.

Mr. FASCELL, for 10 minutes, today.

Mr. ADAMS, for 60 minutes, February 18, 1976.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. O'BRIEN, to extend his remarks just prior to the vote on S. 2117.

Mr. JONES of Alabama, immediately preceding the remarks of Mr. RONCALIO today on H.R. 11645.

(The following Members (at the request of Mr. HAGEDORN) and to include extraneous matter:)

Mr. KEMP in three instances.

Mr. MCKINNEY.

Mr. KELLY in three instances.

Mr. CRANE.

Mr. HAGEDORN.

Mr. LAGOMARSINO.

Mr. BROOMFIELD.

Mr. GILMAN.

Mr. DEL CLAWSON.

Mr. DERWINSKI in three instances.

Mr. HILLIS.

Mr. FORSYTHE.

Mr. KETCHUM.

Mr. WIGGINS in six instances.

Mr. LOTT.

(The following Members (at the request of Mr. MCHUGH) and to include extraneous matter:)

Mr. ROSENTHAL in three instances.

Mr. COTTER.

Mr. FAUNTROY.

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in three instances.

Mr. ANNUNZIO in six instances.

Mr. MADDEN.

Mr. TRAXLER.

Mr. RICHMOND.

Mr. MCCORMACK.

Mr. BENNETT in two instances.

Mr. MIKVA.

Mr. NATCHER.

Mr. EILBERG.

Mr. BROWN of California in five instances.

Mr. EVINS of Tennessee in two instances.

Mr. RANGEL in eight instances.

Mr. BLANCHARD.

Mr. MOAKLEY in two instances.

Mr. MORGAN.

Mr. BRINKLEY.

Mr. MAZZOLI.

Mr. DOMINICK V. DANIELS.

Mr. MINISH.

Mr. JONES of Oklahoma.

Mr. FORD of Michigan.

Mr. RIEGLE.

Mr. REES.

Ms. ABZUG in two instances.

Mr. RUSSO.

Mr. HAWKINS in three instances.

Mr. STOKES in two instances.

Mr. BADILLO in three instances.

Mr. HOWARD in two instances.

Mr. REUSS.

Mr. MILFORD.

Mr. ADAMS.

Mr. MATSUNAGA.

Mr. O'HARA.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2760. An act to amend the Indochina Migration and Refugee Assistance Act of 1975 to provide for the inclusion of refugees from Laos; to the Committee on the Judiciary.

ENROLLED JOINT RESOLUTION SIGNED

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a Joint Resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 784. Joint resolution to amend the effective date of certain provisions of the Defense Production Act Amendments of 1975.

ADJOURNMENT

Mr. MCHUGH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 18, 1976, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2556. Under clause 2 of rule XXIV, a letter from the President of the United States, transmitting his recommendation that the Federal Energy Administration be extended to September 30, 1979, pursuant to section 15(a) of Public Law 93–275 (H. Doc. No. 94–372), was taken from the Speaker's table, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ULLMAN (for himself and Mr. SCHNEEBELI):

H.R. 11893. A bill to increase the temporary debt limit until July 31, 1976; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 11894. A bill to provide for sound forest mangement practices in the national forests of the United States consistent with the principles of multiple use and sustained yield; to the Committee on Agriculture.

By Mr. CONTE:

H.R. 11895. A bill to amend title 38, United States Code, for purposes of entitling veterans to 45 months of educational assistance for all educational programs under chapter 34 of such title and to eliminate the 10-year time limitation within which educational assistance must be used; to the Committee on Veterans' Affairs.

By Mr. CRANE (for himself, Mr. ROBINSON, and Mr. GOLDWATER):

H.R. 11896. A bill to provide for the confidentiality of medical and/or dental records of patients not receiving assistance from the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CRANE (for himself, Mr. GUYER, Mr. ARCHER, Mr. GOLDWATER, Mr. CONLAN, and Ms. SCHROEDER):

H.R. 11897.A bill to amend title 39, United States Code, to eliminate certain provisions relating to private carriage of letters, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DOWNEY of New York:

H.R. 11898. A bill to provide for a 1-year moratorium on further control or acquisition of marketing outlets by petroleum producers and refiners, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ECKHARDT (for himself and Mr. RICHMOND):

H.R. 11899. A bill to amend the Fair Packaging and Labeling Act to provide for the regulation of oversized and excessive pack-

aging of consumer commodities; to the Committee on Interstate and Foreign Commerce.

By Mr. FREY (for himself and Mr. FITHIAN):

H.R. 11900. A bill to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to establish minimum mandatory sentences for persons convicted of offenses involving narcotic drugs, to provide emergency procedures to govern the pretrial and post trial release of persons charged with offenses involving certain narcotic drugs, to provide procedures to reach large sums of money used for narcotic trafficking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS (for himself, Mr. MIKVA, Mr. JAMES V. STANTON, and Mr. RICHMOND):

H.R. 11901. A bill to prohibit commercial flights by supersonic aircraft into and over the United States until certain findings are made by the Administrator of the Environmental Protection Agency and by the Secretary of Transportation, and for other purposes; to the Committee on Public Works and Transportation.

By Mrs. HECKLER of Massachusetts:

H.R. 11902. A bill to amend title II of the Social Security Act to provide that an individual over the age of 18 who is entitled to child's insurance benefits on the basis of disability shall not lose such entitlement by reason of marriage, regardless of the benefit status of the person such individual marries; to the Committee on Ways and Means.

By Mr. HELSTOSKI (for himself, Mr. DOMINICK V. DANIELS, and Mr. MAGUIRE):

H.R. 11903. A bill to extend as an emergency measure for 1 year the District of Columbia Medical and Dental Manpower Act of 1970; to the Committee on the District of Columbia.

By Mr. HILLIS (for himself, Mr. ABDNOR, Mr. BEARD of Rhode Island, Mr. FITHIAN, Mr. HAMMERSCHMIDT, Mr. HANNAFORD, Mrs. HECKLER of Massachusetts, Mr. HOWARD, Mr. HYDE, Mr. JENRETTE, Mr. MAZZOLI, Mr. MITCHELL of Maryland, Mr. MURPHY of New York, Mr. PEPPER, Mr. RANGEL, Mr. ROE, Mr. WALSH, Mr. BOB WILSON, Mr. WINN, Mr. WOLFF, and Mr. YATRON):

H.R. 11904. A bill to amend title 38 of the United States Code in order to authorize the Administrator of Veterans' Affairs to make scholarship grants to individuals attending medical schools on the condition that such individuals will serve in Veterans' Administration facilities for a certain period of time upon completion of professional training, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KAZEN:

H.R. 11905. A bill to amend the Internal Revenue Code of 1954 to increase the exemption for purpose of the Federal estate tax, to increase the estate tax marital deduction, and to provide an alternate method of valuing certain real property for estate tax purposes; to the Committee on Ways and Means.

By Mr. KETCHUM (for himself, Mr. COLLINS of Texas, and Mr. MCDONALD of Georgia):

H.R. 11906. A bill to amend the Fair Labor Standards Act of 1938 to require that employers be given notice of complaints alleging violations of that act, the identity of the complainant, and the basis for the complaint; to the Committee on Education and Labor.

By Mr. KETCHUM (for himself, Mr. ANDERSON of California, Mr. KREBS, Mr. LAGOMARSINO, Mr. REES, Mr. SISK, Mr. VAN DEERLIN, and Mr. BOB WILSON):

H.R. 11907. A bill to provide certain benefits to State meat and poultry inspectors who are transferred to the Federal service; to the Committee on Post Office and Civil Service.

By Mr. MATSUNAGA:

H.R. 11908. A bill to amend title 5, United States Code, to include as creditable service under the civil service retirement system periods of service as contract technicians by persons hired by private authority to perform work under Federal supervision pursuant to a contract between such private authority and the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MEEDS (for himself and Mr. YOUNG of Alaska):

H.R. 11909. A bill to authorize appropriations for the Indian Claims Commission for fiscal year 1977; to the Committee on Interior and Insular Affairs.

By Mr. MIKVA:

H.R. 11910. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. MIKVA (for himself, Mr. ROSTENKOWSKI, Mr. DERWINSKI, Mr. ERLENBORN, Mr. FARY, Mr. METCALFE, Mr. MURPHY of Illinois, Mr. RUSSO, and Mr. YATES):

H.R. 11911. A bill to provide for the free entry of certain operatic sets for the Lyric Opera of Chicago, Chicago, Ill.; to the Committee on Ways and Means.

By Mr. MITCHELL of Maryland:

H.R. 11912. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. MITCHELL of Maryland (for himself, Mr. BADILLO, and Mr. RANGEL):

H.R. 11913. A bill relating to collective bargaining representation of postal employees; to the Committee on Post Office and Civil Service.

By Mr. MOAKLEY:

H.R. 11914. A bill to amend title XVIII of the Social Security Act to provide payment under the supplementary medical insurance program for optometrists' services and eyeglasses; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 11915. A bill to abolish the office of member of the Federal Election Commission, to establish the office of member of the Federal Election Commission appointed by the President, by and with the advice and consent of the Senate, to provide public financing of primary elections and general elections to the Senate and House of Representatives, to amend title 39, United States Code, to increase to 60 days the period before an election during which a Member of Congress may not make a mass mailing as franked mail if such Member is a candidate in such election, and for other purposes; to the Committee on House Administration.

By Mr. PERKINS:

H.R. 11916. A bill to amend the Federal Nonnuclear Energy Research and Development Act of 1974 to establish a program of loan guarantees for commercial demonstration facilities involving synthetic fuels and energy conversion technologies; jointly to the Committees on Science and Technology, and Banking, Currency and Housing.

By Mr. SHIPLEY:

H.R. 11917. A bill to amend title XVIII of the Social Security Act to authorize payment under the medicare program for certain services performed by chiropractors; to the Committee on Ways and Means.

By Mrs. SULLIVAN:

H.R. 11918. A bill to authorize additional funds to the Secretary of the Interior for development of an existing unit of the national park system in St. Louis, Mo., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TAYLOR of North Carolina (for himself and Mr. NEAL):

H.R. 11919. A bill to authorize a study for the purpose of determining the feasibility and desirability of designating the Daniel Boone Trail as a national scenic trail; to the Committee on Interior and Insular Affairs.

By Mr. ULLMAN (for himself, Mr. CORMAN, Mr. SCHNEEBELI, Mr. CONABLE, Mr. MIKVA, Mr. GIBBONS, and Mr. STARK):

H.R. 11920. A bill to terminate the use of exchange funds as a means of escaping income taxes on realized capital gains; to the Committee on Ways and Means.

By Mr. YATRON:

H.R. 11921. A bill to extend as an emergency measure for 1 year the District of Columbia Medical and Dental Manpower Act of 1970; to the Committee on the District of Columbia.

By Mr. BEARD of Rhode Island:

H.R. 11922. A bill to authorize recomputation at age 60 of the retired pay of members and former members of the uniformed services whose retired pay is computed on the basis of pay scales in effect prior to January 1, 1972, and for other purposes; to the Committee on Armed Services.

By Mr. CLAY:

H.R. 11923. A bill to authorize additional funds to the Secretary of the Interior for development of an existing unit of the national park system in St. Louis, Mo., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. D'AMOURS (for himself, Mr. AMBRO, Mr. BRODHEAD, Mr. CONTE, Mr. HOWE, Mr. KINDNESS, Mr. LAFALCE, Mrs. LLOYD of Tennessee, Mr. LONG of Maryland, Mr. MITCHELL of Maryland, Mr. OTTINGER, Mr. RINALDO, Mr. ROSENTHAL, Mr. ST GERMAIN, Mr. SARASIN, Mr. SCHEUER, Mr. CHARLES WILSON of Texas, Mr. CHARLES H. WILSON of California, and Mr. WON PAT):

H.R. 11924. A bill to amend title 38 of the United States Code in order to extend the delimiting period for completing programs of education for veterans pursuing such programs at the close of such period; to the Committee on Veterans' Affairs.

By Mr. D'AMOURS (for himself, Mr. AMBRO, Mr. BRODHEAD, Mr. FAUNTROY, Mr. HELSTOSKI, Mrs. LLOYD of Tennessee, Mr. MITCHELL of Maryland, Mr. NEDZI, Mr. OTTINGER, Mr. ROSENTHAL, Mr. ST GERMAIN, Mr. SCHEUER, Mr. CHARLES WILSON of Texas, and Mr. WON PAT):

H.R. 11925. A bill to amend title 38, United States Code, to eliminate the time period in which a veteran has to use his educational benefits and to extend the months of eligibility from 36 to 45 months; to the Committee on Veterans' Affairs.

By Mr. FASCELL (for himself and Mr. WINN) (by request):

H.R. 11926. A bill to amend the Board for International Broadcasting Act of 1973 and to authorize appropriations for fiscal years 1977 and 1978 for carrying out that act; to the Committee on International Relations.

By Mr. FORSYTHE (for himself, Mr. PRITCHARD, Mr. WHITEHURST, Mr. RODINO, Mr. EDGAR, Ms. HOLTZMAN, Mr. EILBERG, Mr. ANDERSON of California, Mr. ZEFERETTI, Mr. HUGHES, Mr. BONKER, Mr. HARRINGTON, Mr. LENT, Mrs. BOGGS, Mr. ADAMS, Mrs. SPELLMAN, Mr. MOSHER, Mr. AUCOIN, Mr. BADILLO, Mr. DE LUGO, Mr. DU PONT):

H.R. 11927. A bill to amend the Merchant Marine Act of 1936 in order to establish a national marine firefighting program; to the Committee on Merchant Marine and Fisheries.

By Mr. LITTON (for himself and Mr. MOSHER):

H.R. 11928. A bill to provide that the terms of office of the Director of Central Intelligence and the Director of the Federal Bureau of Investigation shall be 10 years and that no individual shall hold either such office more than once; jointly to the Committees on Armed Services, and the Judiciary.

By Mr. MURPHY of New York:

H.R. 11929. A bill to amend the Federal Aviation Act of 1958 to improve prevention of aircraft and airport violence, and for other purposes; to the Committee on Public Works and Transportation.

H.R. 11930. A bill to name the U.S. Customs Court and Federal Office Building at 1 Federal Plaza, New York, N.Y., the Paul P. Rao U.S. Customs Court and Federal Office Building; to the Committee on Public Works and Transportation.

By Mr. NEAL:

H.R. 11931. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to benefits thereunder shall continue through the month of his or her death (or of the insured individual's death in the case of a dependent), instead of terminating with the preceding month, unless the resulting delay in survivor eligibility would reduce total family benefits; to the Committee on Ways and Means.

By Mr. SCHEUER (for himself, Mr. BINGHAM, Mr. LEHMAN, Mr. MCCOLLISTER, Mr. NOWAK, Mr. OTTINGER, Mr. RIEGLE, Mr. ROSENTHAL, Mr. RUSSO, Ms. SPELLMAN, Mr. STOKES, Mr. WEAVER, Mr. WON PAT, Mr. YATRON, and Mr. HYDE):

H.R. 11932. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit with respect to housing senior citizens in the principal residence of the taxpayer; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin:

H.R. 11933. A bill to amend the Federal Election Campaign Act to provide for the constitutional reinstitution of the Federal Election Commission, to establish the Election Law Section in the Department of Justice, and for other purposes; jointly to the Committees on House Administration, and the Judiciary.

By Mr. SIKES:

H.R. 11934. A bill to prohibit exploratory or production drilling for energy resources on Outer Continental Shelf lands underlaying waters of the Gulf of Mexico which are reserved for defense training and testing; to the Committee on Interior and Insular Affairs.

By Mr. KAZEN:

H.J. Res. 810. Joint resolution authorizing and requesting the President to issue a proclamation designating the 7 calendar days commencing on April 30 of each year as National Beta Sigma Phi Week; to the Committee on Post Office and Civil Service.

By Mr. HALEY:

H. Res. 1034. Resolution providing for the expenses for the 2d session activities of the Committee on Interior and Insular Affairs; to the Committee on House Administration.

By Mr. GONZALEZ (for himself, Mr. BAUCUS, Mr. JOHN L. BURTON, Mr. CONYERS, Ms. HOLTZMAN, Mr. MCCLOSKEY, Mr. MOAKLEY, Mr. NIX, Mr. OBERSTAR, Mr. PEPPER, and Mr. SCHEUER):

H. Res. 1035. Resolution creating a select committee to conduct an investigation and study of the circumstances surrounding the deaths of John F. Kennedy, Robert F. Kennedy, and Martin Luther King, Jr., and the attempted assassination of George Wallace; to the Committee on Rules.

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 January 27, 1976—page 1072.

HOUSE BILLS

H.R. 11352. January 19, 1976. Merchant Marine and Fisheries. Directs the Secretary of the Interior to regulate the trapping and capture of mammals and birds on Federal lands. Establishes an advisory commission to recommend to the Secretary acceptable methods for trapping and capture of mammals and birds.

Prohibits use of unacceptable traps in interstate or foreign commerce. Prescribes regulations to prohibit the interstate shipment of hide, skin, feathers, or resulting products of the use of unacceptable traps.

H.R. 11353. January 19, 1976. Agriculture. Provides that 75 percent of all moneys received during any fiscal year from each national forest shall be paid by the Secretary of the Treasury to the State in which such national forest is located to be expended for the public schools and public roads of the county or counties in which such national forest is located.

H.R. 11354. January 19, 1976. Veterans' Affairs. Amends the present requirement under which the Administrator of Veterans' Affairs must certify flight school programs for attendance by eligible veterans.

H.R. 11355. January 19, 1976. Judiciary. Amends the Gun Control Act of 1968 to require certain minimum prison sentences for any individual who uses or carries a firearm during the commission of any felony for which such individual may be prosecuted in a Federal court.

H.R. 11356. January 19, 1976. Judiciary. Amends the Gun Control Act of 1968 to require certain minimum prison terms for any person who commits a rape, assault, robbery, burglary, kidnaping, or homicide (other than involuntary manslaughter) using a firearm which has been transported in interstate and foreign commerce.

H.R. 11357. January 19, 1976. Judiciary. Establishes an Office of Special Prosecution to be headed by a Special Prosecutor appointed by the President and having exclusive jurisdiction to investigate and prosecute in the name of the United States all offenses against the United States which the Special Prosecutor determines were committed by any Federal officer, employee or agent in connection with intelligence or counterintelligence activities or operations.

H.R. 11358. January 19, 1976. Rules. Amends the Impoundment Control Act of 1974 by requiring the President to transmit a special message to Congress before rescinding or reserving any part of any budget authority. Declares that no such rescission shall become effective until Congress has acted on a bill effecting such rescission.

H.R. 11359. January 19, 1976. Veterans' Affairs. Authorizes the Administrator of Veterans' Affairs to modify pension payment provisions applicable to eligible veterans of the Mexican border period, World War I, World War II, the Korean Conflict, and the Vietnam era.

Sets forth monthly payment schedules based upon specified factors including need and earned income.

H.R. 11360. January 19, 1976. Veterans' Affairs. Strikes certain time limitations relating to veterans' education assistance programs administered by the Administrator of Veterans' Affairs.

H.R. 11361. January 19, 1976. Ways and Means. Amends the Internal Revenue Code to allow corporations and individuals to defer for 1 month the second and third installments of their estimated income tax.

H.R. 11362. January 19, 1976. Ways and Means. Amends the Internal Revenue Code to allow a credit in an amount equal to 50 percent of the depressed urban area employment expenses incurred with respect to an eligible business facility.

H.R. 11363. January 19, 1976. Ways and Means. Amends the Internal Revenue Code to authorize real property to be valued for estate tax purposes at its value as farmland, woodland, or open land rather than at its fair market value.

Amends the estate tax provisions of the Internal Revenue Code to allow a limited deduction from the gross estate of the value of the decedent's interest in a family farming operation which passes to an individual related to him or his spouse.

H.R. 11364. January 19, 1976. Judiciary. Institutes the death penalty for specified destructive acts to airports, airplanes, and related things and places where death of any person results and prescribes a fine of not more than $100,000, or imprisonment for any term of years, or both, where no death results.

H.R. 11365. January 19, 1976. Judiciary. Sets forth penalties for unauthorized disclosure of information identifying any individual's association with the foreign intelligence operation of the United States.

H.R. 11366. January 19, 1976. Ways and Means. Amends the Internal Revenue Code to increase the personal income tax exemption from $750 to $1,000.

H.R. 11367. January 19, 1976. Interstate and Foreign Commerce. Amends the Public Health Service Act to revise the standards for licensing and regulation of clinical laboratories.

H.R. 11368. January 19, 1976. Ways and Means. Amends the Internal Revenue Code to exempt individuals who are 72 years of age or older from the social security taxes.

Entitles any employee to a refund or credit of any amount deducted from wages before the end of the taxable year in which such employee becomes 72 years of age or older.

H.R. 11369. January 19, 1976. Armed Services. Provides that no veteran may be denied care or treatment under the CHAMPUS program for any service-connected disability solely because care or treatment for such disability is available at Veterans' Administration medical facilities.

H.R. 11370. January 19, 1976. Judiciary. Imposes penalties for willful or malicious injury, destruction, or interference with communication lines, stations, or systems used, controlled, or licensed by the United States.

H.R. 11371. January 19, 1976. Banking, Currency and Housing. Authorizes emergency rent payments on behalf of persons who are temporarily unemployed or underemployed.

H.R. 11372. January 19, 1976. Judiciary. Amends the Voting Rights Act of 1965 to repeal the prohibitions against voting qualifications, prerequisites, tests, or devices which abridge the right of a citizen to vote who is a member of a language minority.

Repeals the requirement that States and other political subdivisions make available registration and voting materials, and voting assistance in languages other than English.

H.R. 11373. January 19, 1976. Ways and Means. Amends the Internal Revenue Code to allow a limited tax credit in an amount of $250 for each individual who is at least 61 years of age before the beginning of the taxable year, whose principal place of abode during the taxable year is the principal residence of the taxpayer, and who is not a lodger with the taxpayer.

H.R. 11374. January 19, 1976. Ways and Means. Amends the Social Security Act to provide that, under the old-age, survivors, and disability insurance program, the special minimum primary insurance amount bene-

fits shall be increased periodically to take account of increases in the cost of living.

H.R. 11375. January 19, 1976. Ways and Means. Amends the Internal Revenue Code to allow as a credit against the income tax the amount of the employment placement fees paid or incurred by the taxpayer during the taxable year to an employment agency.

H.R. 11376. January 19, 1976. Ways and Means. Amends the Social Security Act to maintain the inpatient hospital deductible under the medicare program at the level which was applicable during calendar year 1975.

H.R. 11377. January 19, 1976. Ways and Means. Amends the Internal Revenue Code to allow certain tax exempt organizations to elect to use a portion of their assets to influence legislation.

Prohibits the deduction of out-of-pocket expenditures made by any person on behalf of such eligible organization if the expenditure is made for the purpose of influencing legislation.

H.R. 11378. January 19, 1976. Ways and Means. Amends the Internal Revenue Code to allow an intemized deduction for a reasonable allowance paid for salaries or other compensation for personal services actually rendered by an individual who is not claimed as a personal exemption by the taxpayer.

H.R. 11379. January 19, 1976. Judiciary. Institutes the death penalty as punishment for the criminal destruction of aircraft or aircraft facilities where death results from such destruction.

H.R. 11380. January 19, 1976. Science and Technology; Small Business; Rules. Amends the Energy Reorganization Act of 1974 and the Energy Research and Development Act of 1974 to offer programs to small business concerns and individual investors. Places special emphasis on programs to develop solar energy technology.

Directs the Small Business Administration to cooperate with the Energy Research and Development Administration in the development of such opportunities. Establishes limits on the awarding of contracts to situations where non-Federal finances are inadequate and where the awarding of such contracts will not have an adverse impact on competition.

H.R. 11381. January 19, 1976. Ways and Means. Amends the Social Security Act to authorize payment under the medicare program for specified services performed by chiropracters, including x-rays, and physical examination; and related routine laboratory tests.

H.R. 11382. January 19, 1976. Judiciary. Specifies that the words "trade or commerce" as used in any provision of the Federal antitrust laws shall include the interstate business of any organized professional sport, including baseball.

H.R. 11383. January 19, 1976. Government Operations; Rules. Requires the President to report to the Congress yearly to make suggestions for the reform of independent regulatory bodies in order to decrease their inflationary effects and to increase competition.

H.R. 11384. January 19, 1976. Education and Labor. Amends the Randolph-Sheppard Act Amendments to redefine "Federal property" and "vending facility" for purposes of the blind vending stand program.

H.R. 11385. January 19, 1976. Ways and Means. Amends the Social Security Act to provide, under Title XX (Grants to States for Services) that no State shall be required to administer individual means tests for provision of education, nutrition, transportation, recreation, socialization, or associated services provided thereunder to individuals aged 60 or over.

H.R. 11386. January 19, 1976. Judiciary. Establishes criteria for the imposition of death penalty for specified explosive-related offenses.

H.R. 11387. January 19, 1976. Judiciary. Directs that certain individuals be lawfully admitted to the United States for permanent residence, under the immigration and Nationality Act.

H.R. 11388. January 19, 1976. Judiciary. Directs that a nonimmigrant visa be issued to a certain individual.

H.R. 11389. January 19, 1976. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 11390. January 20, 1976. Judiciary. Makes it a Federal crime to kill officers and employees of the Indian Health Services.

H.R. 11391. January 20, 1976. Post Office and Civil Service. Limits the rate of postage for letters of private individuals within any class of mail maintained for transmission of letters sealed against inspection to 10 cents per ounce per letter.

H.R. 11392. January 20, 1976. Ways and Means. Amends the Social Security Act to authorize payment under the medicare program for specified services performed by chiropractors, including X-rays, and physical examination, and related routine laboratory tests.

H.R. 11393. January 20, 1976. Interstate and Foreign Commerce. States that the purpose of this Act is to conserve natural resources and prevent the deception of consumers engendered by oversized and excessive packaging. Authorizes the making of regulations under the Fair Packaging and Labeling Act to prevent the utilization of packages which are larger or more extensive than necessary to enclose the commodity they contain.

H.R. 11394. January 20, 1976. Interstate and Foreign Commerce. Amends the Comprehensive Drug Abuse Prevention and Control Act of 1970 by establishing minimum mandatory sentences for persons convicted of offenses involving narcotic drugs. Details procedures to be used in determining whether to grant pretrial and posttrial release of persons, charged with offenses involving certain narcotic drugs. Makes all money used, or intended for use, in illegally manufacturing, distributing, dispensing or acquiring any controlled substances subject to forfeiture to the United States.

H.R. 11395. January 20, 1976. Public Works and Transportation. Provides that all sections of the officially designated National System of Interstate and Defense Highways shall become toll free.

H.R. 11396. January 20, 1976. District of Columbia. Amends the District of Columbia Medical and Dental Manpower Act to extend through fiscal year 1977 the authority of the Secretary of Health, Education, and Welfare to make grants to nonprofit medical and dental schools.

H.R. 11397. January 20, 1976. Government Operations. Terminates all Federal regulatory agencies three years after they are created unless extended by an Act of Congress.

H.R. 11398. January 20, 1976. Education and Labor. Amends the Domestic Volunteer Service Act of 1973 to stipulate that developmentally disabled children receiving services under the foster grandparent program may continue to receive such services without regard to age.

H.R. 11399. January 20, 1976. Post Office and Civil Service. Directs the Secretary of Commerce, in making agricultural censuses, to use the statistical method known as sampling.

H.R. 11400. January 20, 1976. Post Office and Civil Service. Abolishes the Postal Rate Commission. Requires that postal rates and fees and mail classifications be established by law. Sets the postage rates for fist-class mail. Entitles specified publications to be mailed as second-class mail.

H.R. 11401. January 20, 1976. Judiciary. Authorizes the Law Enforcement Assistance Administration, under the Omnibus Crime Control and Safe Streets Act, to make grants to States for development of plans and projects for the improvement of the State court system. Directs the National Center for State courts to maintain the capability to render technical, research, and coordination assistance upon the request of such States.

H.R. 11402. January 20, 1976. Government Operations; Rules. Requires the President to report to the Congress yearly to make suggestions for the reform of independent regulatory bodies in order to decrease their inflationary effects and to increase competition.

H.R. 11403. January 20, 1976. Veterans' Affairs. Strikes the present authority of the Secretary of Labor to approve the diversion of funds specified for State programs in employment counseling and placement of veterans.

Requires local employment service office to post openings for which private contractors have provided special emphasis for the employment of disabled veterans.

H.R. 11404. January 20, 1976. Education and Labor. Amends the Higher Education Act of 1965 to require recipients of Federal aid to higher education to give senior citizens access, on a space-available basis, to scheduled courses and programs.

H.R. 11405. January 20, 1976. Ways and Means. Amends the Internal Revenue Code to allow a tax deduction for State and local taxes paid on amounts paid or incurred for the rental of a dwelling unit.

H.R. 11406. January 20, 1976. Merchant Marine and Fisheries. Amends the Intervention on the High Seas Act to implement the Protocol Relating to Intervention of the High Seas in Cases of Marine Pollution by Substances Other than Oil, 1973.

H.R. 11407. January 20, 1976. Merchant Marine and Fisheries. Amends the statutory limitation upon the number of foreign nationals who may qualify for admission to the U.S. Coast Guard Academy.

H.R. 11408. January 20, 1976. Merchant Marine and Fisheries. Permits the leasing for military purposes of foreign structures and real property upon authority of a Secretary other than the Secretaries of the military departments.

H.R. 11409. January 20, 1976. Post Office and Civil Service. Authorizes the President to proclaim annually the 7-day period beginning June 1 as "National Safe Boating Week".

H.R. 11410. January 20, 1976. Merchant Marine and Fisheries. Transfers responsibility for measuring vessels from the Secretary of the Treasury to the Secretary of the department in which the Coast Guard is operating. Sets forth requirements for the measurement and remeasurement of vessels.

H.R. 11411. January 20, 1976. Merchant Marine and Fisheries. Repeals and revises specified provisions of law governing Federal documentation of pleasure vessels. Eliminates documentation under any law of the United States and provides for certification of pleasure vessels for the purpose of identifying a vessel to a foreign government as a vessel owned by a United States citizen.

H.R. 11412. January 20, 1976. Merchant Marine and Fisheries. Establishes a system for the documentation of vessels to be administered by the Secretary of the department in which the Coast Guard is operating. Sets forth requirements for the issuance of a registry, coastwise license, Great Lakes license, and fishery license.

H.R. 11413. January 20, 1976 Judiciary. Directs the Secretary of the Treasury to pay to a certain individual a specified sum in satisfaction of such individual's claim against the United States for the loss of personal property.

H.R. 11414. January 20, 1976. Judiciary. Relieves a certain individual of liability to the United States for overpayment by the

United States of specified expenses incident to reassignment by the United States.

H.R. 11415. January 21, 1976. Ways and Means. Amends the Tariff Schedules of the United States to repeal the duty imposed on articles assembled abroad with components produced in the United States.

H.R. 11416. January 21, 1976. Ways and Means. Amends the Tariff Schedules of the United States to exempt specified textile, leather, rubber, and plastic products and wearing apparel from the duty imposed on articles assembled abroad from components produced in the United States.

H.R. 11417. January 21, 1976. House Administration. Establishes six regional Presidential primary election districts and sets dates for primary elections to be held in such districts for the purpose of electing delegates to the national political conventions. Prohibits any State from conducting a Presidential primary election except in accordance with this Act.

H.R. 11418. January 21, 1976. Judiciary. Amends the Gun Control Act of 1968 to require certain minimum prison sentences for any individual who uses or carries a firearm during the commission of any felony for which such individual may be prosecuted in a Federal Court.

H.R. 11419. January 21, 1976. Public Works and Transportation. Increases the national maximum speed limit from 55 to 60 miles per hour.

H.R. 11420. January 21, 1976. Ways and Means. Amends the Tariff Schedules of the United States to repeal the duty imposed on (1) articles assembled abroad with components produced in the United States, and (2) certain metal articles manufactured in the United States and exported for further processing.

H.R. 11421. January 21, 1976. Government Operations. Requires, under the Office of Federal Procurement Policy Act, that Federal agenceis pay interest at an annual rate of at least 12 percent on any payment which is overdue by more than two weeks on a contract with a small-business concern.

H.R. 11422. January 21, 1976. Ways and Means. Amends the Internal Revenue Code to increase the estate tax exemption, and to increase the estate tax marital deduction.

Permits the executor of an estate to elect an alternate valuation of certain lands used for farming, woodland or scenic open space.

H.R. 11423. January 21, 1976. Ways and Means. Amends the Tariff Schedules of the United States to repeal the duty imposed on articles assembled abroad with components produced in the United States.

H.R. 11424. January 21, 1976. Government Operations. Establises an executive department to be known as the Department of Education and transfers the education functions of the Department of Health, Education, and Welfare to such Department. Creates a Federal Interagency Committee on Education to study and recommend actions intended to assure effective coordination of Federal education programs. Establishes a National Advisory Commission to review and make recommendations on the administration, regulation, and operation of Federal education programs.

H.R. 11425. January 21, 1976. Ways and Means. Amends the Internal Revenue Code to provide that in the case of an individual whose income tax prepayments exceed such individual's liability for the income tax with respect to any taxable year, interest shall be allowed and paid at a rate of five percent upon the excess portion of each such tax prepayment.

H.R. 11426. January 21, 1976. Ways and Means. Amends the Tariff Schedules of the United States to repeal the duty imposed on articles assembled abroad with components produced in the United States.

H.R. 11427. January 21, 1976. Ways and Means. Amends the Internal Revenue Code to increase the estate tax exemption, and to increase the estate tax marital deduction.

Permits the executor of an estate to elect an alternate valuation of certain lands used for farming, woodland or scenic open space.

H.R. 11428. January 21, 1976. Education and Labor. Amends the Education Amendments of 1972 to exempt Boys State, Boys Nation, Girls State and Girls Nation conferences, from the sex discrimination provisions of such Act.

H.R. 11429. January 21, 1976. Interior and Insular Affairs. Directs the Secretary of Agriculture to acquire specified lands to be added to the Coronado National Forest, Arizona.

H.R. 11430. January 21, 1976. Judiciary. Permits any person otherwise eligible to become a naturalized citizen during the year 1977 to become a naturalized citizen during the calendar year 1976.

H.R. 11431. January 21, 1976. Banking, Currency and Housing. Establishes pilot homestead programs whereby publicly owned structures will be made available to tenant cooperatives for use in providing low and moderate income housing.

Permits localities establishing such a program with a ten-year property tax abatement to participant cooperatives to credit tax losses to the required non-Federal share of Federal grant-in-aid programs.

Requires the Secretary of Housing and Urban Development to promulgate regulations for the administration of this program and submit them to certain House committees.

H.R. 11432. January 21, 1976. Ways and Means. Increases, under the Social Security Act and the Internal Revenue Code, the ceiling on the amount of earnings which may be counted for social security benefit and tax purposes.

H.R. 11433. January 21, 1976. Ways and Means. Amends the Internal Revenue Code to allow the exclusion from gross income of interest on industrial development bonds the proceeds of which are for the tax exempt activity of providing hospital facilities.

H.R. 11434. January 21, 1976. Judiciary. Excludes from admission into and provides for the deportation from the United States under the Immigration and Nationality Act all aliens who engaged in or directed or incited others to engage in the persecution of others on the basis of religion, race, or national origin under the direction of the Nazi government of Germany between March 23, 1933 and May 8, 1945.

HOUSE JOINT RESOLUTIONS

H.J. Res. 766. January 19, 1976. Post Office and Civil Service. Designates the square dance as the national dance of the United States.

H.J. Res. 767. January 19, 1976. Post Office and Civil Service. Designates March 16, 1976, as "James Madison Day".

H.J. Res. 768. January 20, 1976. Post Office and Civil Service. Designates 1976 as "National Bicentennial Highway Safety Year".

H.J. Res. 769. January 20, 1976. Government Operations. Establishes as a national policy the stabilization of the population of the United States.

H.J. Res. 770. January 20, 1976. Judiciary. Proposes a constitutional amendment which gives the States and Congress authority to impose the death penalty for specified crimes.

H.J. Res. 771. January 21, 1976. Judiciary. Confers honorary United States citizenship upon Thaddeus Kosciusko.

HOUSE CONCURRENT RESOLUTIONS

H. Con. Res. 524. January 19, 1976. Directs the two Houses of Congress to assemble on January 19, 1976, to receive a communication from the President of the United States.

H. Con. Res. 525. January 19, 1976. Rules; Post Office and Civil Service. Calls for the presentation of the patriotic production "America, O America, the Beautiful" to a joint meeting of the Congress as a celebration of the Bicentennial Year.

H. Con. Res. 526. January 19, 1976. Education and Labor; Veterans' Affairs. Requires the Congress and executive agencies administering educational and Veterans' programs to treat vocational education equally with other forms of education.

H. Con. Res. 527. January 20, 1976. Rescinds the signing of the enrolled bill (S. 2718) by the Speaker of the House and the President of the Senate. Vacates specified actions of the Senate and House concerning such bill.

H. Con. Res. 528. January 20, 1976. Interior and Insular Affairs. Expresses the sense of the Congress that the Federal, State, county, and local governments of this country should recognize "the Washington-Rochambeau National Historic Route".

HOME RESOLUTIONS

H. Res. 953. January 19, 1976. Creates a committee of the House of Representatives to join with a committee on the part of the Senate to notify the President that a quorum of each House has assembled.

H. Res. 954. January 19, 1976. Directs the Clerk of the House to inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

H. Res. 955. January 19, 1976. Provides that the daily hour of meeting of the House of Representatives shall be 12 o'clock meridian.

H. Res. 956. January 19, 1976. Authorizes Representative Charles E. Wiggins to appear in response to a subpena in a certain judicial proceeding.

H. Res. 957. January 19, 1976. Post Office and Civil Service. Designates January 22, of each year as Ukrainian Independence Day.

H. Res. 958. January 19, 1976. Post Office and Civil Service. Designates the week beginning April 4, 1976, as "National Rural Health Week." Urges that health services and dissemination of health information be improved in rural America.

H. Res. 959. January 19, 1976. Rules. Creates a House Select Committee on the Fiscal Problems of Cities which shall identify the nature and cause of problems afflicting large cities which face severe fiscal imbalance.

H. Res. 960. January 19, 1976. House Administration. Amends the Supplemental Appropriations Act of 1974 to make individuals attending or teaching at vocational schools eligible to serve as congressional interns in the House of Representatives.

H. Res. 961. January 19, 1976. International Relations. Declares it the sense of the House of Representatives that the United States should retain sovereignty and jurisdiction over the Panama Canal Zone.

H. Res. 962. January 19, 1976. Post Office and Civil Service. Designates January 22 of each year as Ukrainian Independence Day.

H. Res. 963. January 20, 1976. Rules. Amends clause 1 of rule 2 to the Rules of the House of Representatives to establish the Committee on Internal Security which shall investigate subversive activities affecting the internal security of the United States.

H. Res. 964. January 20, 1976. Post Office and Civil Service. Designates January 22 of each year as Ukrainian Independence Day.

H. Res. 965. January 20, 1976. Sets forth the rule for the consideration of H.R. 6721.

H. Res. 966. January 20, 1976. Sets forth the rule for consideration of H.R. 10680.

H. Res. 967. January 29, 1976. Sets forth the rule for consideration of H.R. 10807.

H. Res. 968. January 21, 1976. Rules. Directs the House Committee on Education and Labor to initiate an investigation designed to evaluate the impact of imported garments and textiles, upon unemployment in the United States.

H. Res. 969. January 21, 1976. Ways and Means. Directs the Special Representatives for Trade Negotiations and other Federal officials to initiate negotiations to develop an appropriate code of conduct and specific trading obligations among governments, together with suitable procedures for the settlement of disputes.

H. Res. 970. January 21, 1976. House Administration. Provides funds for the expenses of the House Committee on Ways and Means.

SENATE—*Tuesday, February 17, 1976*

The Senate met at 9:30 a.m. and was called to order by the Acting President pro tempore (Mr. CLARK).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

We lift our hearts to Thee, O Lord, with thanksgiving for Thy care over this Nation in times past, and for the promise set before us in Thy Word, that the nation which remembers Thy commandments to do them is blessed by Thee. Show us what the past has to say to the present for guidance in the future. Amid all the uncertainties and ambiguities of the world today keep our vision high, our minds clear, our mood expectant. Redeem, renew, and refine our lives that as we work here and elsewhere, we may so order the life of this Nation as to advance Thy kingdom of justice and peace and brotherhood.

Through Him whose life began Thy kingdom on earth. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 17, 1976.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. DICK CLARK, a Senator from the State of Iowa, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. CLARK 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 Monday, February 16, 1976, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Does the acting minority leader seek recognition?

Mr. HELMS. Mr. President, on behalf of the minority leader, I yield back his time.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business, not to extend beyond 10 a.m., with statements therein limited to 5 minutes each.

Is there morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR ROBERT C. BYRD URGES HALT ON NEW SOVIET EMBASSY

Mr. ROBERT C. BYRD. Mr. President, in light of the recent information that the U.S. Embassy is being subjected to high levels of radiation from Soviet bugging devices, I urge that immediate diplomatic action be taken to halt plans underway permitting the Soviets to open a new embassy in Washington, unless the radiation bombardment on our Embassy in Moscow ceases. Unless this radiation ceases, the health and welfare of hundreds of American officials and their families are in danger.

Under the cloak of détente, the Soviets are placing American lives in jeopardy with their nefarious spying techniques. Such wanton disregard for human safety cannot be permitted. Immediate action is demanded.

The Soviet's reprehensible actions concerning the radiation episode is cause for serious reconsideration over this country's policy of détente. Any nation which willingly subjects American officials and their families to the threat of possibly virulent radiation exposure does deserve special consideration under the loosely defined terms of détente.

Due to Soviet callousness, détente is in danger of becoming politically extinct.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

APPROVAL OF BILL

A message from the President of the United States announced that on February 6, 1976, he approved and signed the bill (S. 1847) to authorize the One Hundred and First Airborne Division Association to erect a memorial in the District of Columbia or its environs.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore (Mr. CLARK) laid before the Senate a message from the President of the United States submitting the nomination of Edward W. Mulcahy, of Arizona, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Tunisia.

REPORT OF THE SECRETARY OF TRANSPORTATION—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. CLARK) laid before the Senate the following message from the President of the United States which was referred to the Committee on Commerce:

To the Congress of the United States:

I transmit herewith the annual report by the Secretary of Transportation on the operations and activities of the Alaska Railroad, as required by the Alaska Railroad Act of March 12, 1914.

GERALD R. FORD.

THE WHITE HOUSE, *February 17, 1976.*

REPORT OF THE OFFICE OF ALIEN PROPERTY, DEPARTMENT OF JUSTICE—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. CLARK) laid before the Senate the following message from the President of the United States which was referred to the Committee on the Judiciary:

To the Congress of the United States:

I herewith transmit the annual report of the Office of Alien Property, Depart-