

Robert B. Hallock II
Joseph E. Blanchard
Merritt H. Aurich IV
Steven B. Spencer
Douglas S. Neeb
David L. Walts
Paul J. Howard
Timothy C. Healey
Kirk A. Smith
Francis J. Sambor
Michael M. Matune,
Jr.
John J. Giglio
Glenn A. Gipson
Richard W. Fish
Dennis A. Sande
Dennis E. Oldacres
Frederick L. Johnson
Anthony Dupree, Jr.

The following named temporary officers of the Coast Guard to be permanent commis-

Ronald L. Endsley
Gary C. Rowland
John L. Congdon
Richard W. Tate
John C. Luther
Grover C. Brecken-
ridge
James D. Jones
James E. Andrews
William H. Bourland
Joseph A. Walker, Jr.
Norman K. McBride
Kenneth R. Grover
William J. Thrall
William E. Thibault
Robert E. Drake, Jr.
Robert G. Winter
Terrence J. Sherman

sioned officers in the grade of lieutenant (junior grade):

David L. Robinson
Charles R. Mumford
David M. Donaldson
Harrison F. Deitrick
Harry A. Vaughn
Joseph J. Fontana
Terry L. Lott
James D. Manclark
Barry E. Erickson
William A. Dickerson
III
James H. Williams
Edward G. Webb
Lawrence H. Walter
Alexandre Legault
James L. McClinton
Charles W. Belsky
Edward M. Howey
Michael J. Haucke

William H. Bourland
Joseph A. Walker, Jr.
Norman K. McBride
Kenneth R. Grover

William J. Thrall
William E. Thibault
Robert E. Drake, Jr.
Robert G. Winter

CONFIRMATION

Executive nomination confirmed by the Senate March 1, 1976:

AMERICAN REVOLUTION BICENTENNIAL ADMINISTRATION

Jean McKee, of New York, to be Deputy Administrator of the American Revolution Bicentennial Administration.

The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

HOUSE OF REPRESENTATIVES—Monday, March 1, 1976

The House met at 12 o'clock noon.
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*O praise the Lord, all ye nations;
praise Him all ye people, for His merciful
kindness is great toward us; and the
truth of the Lord endureth forever.
Praise ye the Lord.—Psalms 117.*

O God—
"We pray for this great land of ours
Founded by men who put their trust
in Thee;
Help us again to find the mighty powers
Of truth and faith and hope, to set
us free.
Inspire our leaders, give us grace to find
The people who can steer the ship of
state.
In troubled waters, men who are not
blind
Through pettiness, self-interest or
hate.
And may we pledge, as statesmen long
ago,
Our sacred honor, lives, and fortunes,
too,
To keep our country free—for well we
know
That freedom only comes through
serving Thee."
Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill and joint resolution of the House of the following titles:

H.R. 11665. An act to rescind certain budget authority recommended in the message of the President of January 23, 1976 (H. Doc. 94-342), transmitted pursuant to the Impoundment Control Act of 1974; and

H.J. Res. 801. Joint resolution making supplemental railroad appropriations for the fis-

cal year ending June 30, 1976, the period ending September 30, 1978, and the fiscal year ending September 30, 1979, and for other purposes.

The message also announced that the Senate insists upon its amendments to the joint resolution (H.J. Res. 801) entitled "Joint resolution making supplemental railroad appropriations for the fiscal year ending June 30, 1976, the period ending September 30, 1976, the fiscal year ending September 30, 1978, and the fiscal year ending September 30, 1979, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BAYH, Mr. McCLELLAN, Mr. ROBERT C. BYRD, Mr. STENNIS, Mr. MAGNUSON, Mr. PASTORE, Mr. EAGLETON, Mr. CASE, Mr. YOUNG, Mr. STEVENS, Mr. MATHIAS, and Mr. SCHWEIKER to be conferees on the part of the Senate.

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

S. 2255. An act for the general revision of the Patent Laws, title 35 of the United States Code, and for other purposes; and

S. 3028. An act to amend sections 5315 and 5316 of title 5, United States Code.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. There are two bills on the Consent Calendar. The Clerk will call the first bill.

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.

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

H.R. 11439

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8908 of title 5, United States Code, is amended—

(1) by inserting "(a)" immediately before "An employee";

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

"(b) A surviving spouse whose survivor annuity under this title was terminated because of remarriage and is later restored may, under such regulations as the Civil Service Commission may prescribe, enroll in a health benefits plan described by section 8903 of this title if such spouse was covered by any such plan immediately before such annuity was terminated."; and

(3) in the section caption, by striking out "employee" and inserting in lieu thereof "employee and survivor annuitants".

(b) The item relating to section 8908 appearing in the analysis of chapter 89 of title 5, United States Code, is amended to read as follows:

"8908. Coverage of restored employees and survivor annuitants."

SEC. 2. The amendments made by the first section of this Act shall take effect on October 1, 1976, or on the date of the enactment of this Act, whichever date is later. Such amendments shall apply with respect to individuals whose survivor annuities are restored before, on, or after such date.

With the following committee amendment:

Page 2, line 8, strike out "employee" and insert "employees".

The committee amendment was agreed to.

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

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.

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

H.R. 11462

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3304a(a) of title 5, United States Code, is amended by striking out the words "under an overseas limited appointment or".

SEC. 2. The amendment made by the first section of this Act shall take effect on Octo-

ber 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.

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

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON FOREIGN ASSISTANCE BILL

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the foreign assistance and related programs appropriation bill for fiscal year 1976 and the period ending September 30, 1976.

Mr. SHRIVER reserved all points of order on the bill.

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON HOUSE RESOLUTION 1058

Mr. SLACK. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on House Resolution 1058 disapproving the deferral of certain budget authority relating to the Juvenile Justice and Delinquency Prevention Program of the Law Enforcement Assistance Administration.

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

There was no objection.

THE LATE HONORABLE FLORENCE P. DWYER

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

Mr. RINALDO. Mr. Speaker, I am saddened to report the death of my distinguished predecessor and friend, the Honorable Florence P. Dwyer.

The former Member for New Jersey's 12th District, who retired in 1972 after serving for eight terms, died yesterday in the district she loved and represented so well.

Through more than 20 years of public service in the New Jersey Legislature and with the House of Representatives, Mrs. Dwyer excelled as a forceful and effective lawmaker. She was an accomplished advocate of consumer protection, a constant fighter for women's rights, an early and ardent opponent of U.S. military involvement in Vietnam, and a strong proponent of urban mass transit and urban renewal.

Her insistence on legislative action to protect consumer interests was particularly impressive and effective. Many still remember the day she dramatized her demand for a ban on the sale of

flammable children's clothes by displaying and setting fire to a child's dress during a debate in the New Jersey Assembly.

The way flames licked through that dress symbolized Flo Dwyer's burning desire to right obvious wrongs and to get good legislation enacted into law.

As a member of the New Jersey Legislature from 1950 through 1956, and as a Member of the House of Representatives from 1957 through 1972, Flo maintained an exceptionally high standard of service.

She was the ranking minority member of the House Banking and Currency Subcommittee, and as many of her former colleagues will remember, was one of the most active Members of the House.

Mrs. Dwyer was an outstanding Congresswoman. She proved this with the people who sent her to Congress for eight terms. They loved her.

Flo Dwyer set the style. She was incorruptible, and she listened to the people.

When Flo Dwyer retired she gave me every possible help she could in my campaign. She was my friend and adviser, and she always had sound advice to offer.

She will be greatly missed by me and by many others who knew and respected her dedicated public service.

Mr. Speaker, I ask unanimous consent that all Members may express their remarks on the life, character, and public service of the late Honorable Florence Price Dwyer.

GENERAL LEAVE

Mr. RINALDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of the late Honorable Florence P. Dwyer.

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

There was no objection.

THE LATE HONORABLE FLORENCE P. DWYER

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

Mrs. FENWICK. Mr. Speaker, I rise also to express my sorrow at the death of the Honorable Florence P. Dwyer, a woman who represented her district here so honorably and so well. Her constituents knew where she stood on any issue; she kept their interests at heart; she made Government real to the people of her district. They returned her in every election with an increasing majority. It did not matter how they changed the district, no one could beat Flo Dwyer in the 12th District. She was a remarkable woman, a great public servant, an earnest and dedicated legislator.

Mr. Speaker, I am confident that I express the feelings of all the New Jersey delegation in concurring in the remarks of the gentleman from New Jersey (Mr. RINALDO) who just preceded me.

CONGRESSMAN BURKE OF MASSACHUSETTS RETAINS HIS YOUTH

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

Mr. BURKE of Massachusetts. Mr. Speaker, I take this time to announce to the Members of the House that a little article appeared in the Boston Sunday Globe yesterday, a script that said I dyed my hair brown. Now, the fellow that wrote this story, I understand, is known as Prune Face and they do not call him Prune Face for nothing. He has more wrinkles than an unmade bed. He must be a little bit jealous of me because of my youthful appearance. I would like to give him a formula to regain his youth; that is, have oatmeal every morning and put a spoonful of molasses in that oatmeal about once a week. It is better than Geritol. No, I do not use any dye formula in my hair although it might help Prune Face. The years have not been too kind to him. He is a lot younger than I but his friend tells me he looks a lot older. Jealousy is an awful trait. However, I forgive old wrinkles. I know he did not intend to be this far removed from the truth.

Mr. HAYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. Mr. Speaker, what is the Boston Globe?

Mr. BURKE of Massachusetts. The Boston Globe is an outstanding and well-known newspaper up in my area. It has been known down through the years for its integrity.

Mr. HAYS of Ohio. Is it slipping a little?

Mr. BURKE of Massachusetts. I think in this particular case it slipped a little.

Maybe I should strike out that part about the gentleman being prune-faced, Mr. Speaker. I do not want to say that about him. It is an unkind remark to make about him, because he is not a bad fellow. He just has problems every time he looks at me. He is 20 years younger and he looks 10 years older. I am 65 years of age and I am proud of it, never denied it and everybody in my district knows it; but I can say one thing, I have never dyed my hair and I can tell him another thing and I do not know whether he can make the same statement; I still have my own teeth.

CRIMINAL JURISDICTION IN INDIAN COUNTRY

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

Mr. HUNGATE. Mr. Speaker, the Subcommittee on Criminal Justice will conduct a hearing on Tuesday, March 9, on legislation concerning criminal jurisdiction in Indian country. The bills we will have under consideration are S. 2129, which recently passed the Senate; H.R. 2470, sponsored by Mr. RHODES and Mr. STEIGER; and H.R. 7592, introduced by Mr. ROBINO and Mr. HUTCHINSON at the request of the Attorney General.

The hearing will be held in room 2237 of the Rayburn House Office Building and will begin at 10 a.m.

Persons wishing to testify are requested to notify the subcommittee by telephone, 202-225-0406, or in writing by that date.

WITHDRAWAL OF H.R. 8991 FROM SUSPENSION CALENDAR

Mr. PERKINS. Mr. Speaker, I request that the bill H.R. 8991 to amend the Community Services Act of 1974, to make certain technical amendments, be removed from the suspension calendar and that it come up on the next regular suspension date.

The SPEAKER. The bill will not be called at the request of the chairman.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
February 26, 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 3:25 p.m. on Thursday, February 26, 1976, and said to contain a message from the President on energy.

With kind regards, I am,

Sincerely,

EDMUND L. HENSHAW, JR.,
House of Representatives.

ENERGY NEEDS OF THE UNITED STATES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-385)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

A little over two years ago, the Arab embargo proved that our Nation had become excessively dependent upon others for our oil supplies. We now realize how critical energy is to the defense of our country, to the strength of our economy, and to the quality of our lives.

We must reduce our vulnerability to the economic disruption which a few foreign countries can cause by cutting off our energy supplies or by arbitrarily raising prices. We must regain our energy independence.

During the past year, we have made some progress toward achieving our energy independence goals, but the fact remains that we have a long way to go. However, we cannot take the steps required to solve our energy problems until the Congress provides the necessary additional authority that I have requested. If we do not take these steps, our vulnerability will increase dramatically.

In my first State of the Union Address last year, I pointed out that our vulnerability would continue to grow unless a comprehensive energy policy and pro-

gram were implemented. I outlined these goals for regaining our energy independence:

—First, to halt our growing dependence on imported oil during the next few critical years.

—Second, to attain energy independence by 1985 by achieving invulnerability to disruption caused by oil import embargoes. Specifically, we must reduce oil imports to between 3 and 5 million barrels a day, with an accompanying ability to offset any future embargo with stored petroleum reserves and emergency standby measures.

—Third, to mobilize our technology and resources to supply a significant share of the free world's energy needs beyond 1985.

In pursuing these goals, we have sought to provide energy at the lowest cost consistent with our need for adequate and secure supplies. We should rely upon the private sector and market forces since it is the most efficient means of achieving these goals. We must also achieve a balance between our environmental and energy objectives.

These goals were reasonable and sound a year ago and they remain so today.

Since January of 1975, this Administration has initiated the most comprehensive set of energy programs possible under current authority. This includes actions to conserve energy, to increase the production of domestic energy resources, and to develop technology necessary to produce energy from newer sources.

During this time, I have also placed before the Congress a major set of legislative proposals that would provide the additional authority that is needed to achieve our energy independence goals.

Thus far, the Congress has completed action on only one major piece of energy legislation—the Energy Policy and Conservation Act—which I signed into law on December 22, 1975. That law includes four of the original proposals I submitted to the Congress over a year ago. Eighteen other major legislative proposals still await final action by the Congress.

NATURAL GAS

The need for Congressional action is most critical in the area of natural gas. We must reverse the decline in natural gas production and deal effectively with the growing shortages that face us each winter.

Deregulating the price of new natural gas remains the most important action that can be taken by the Congress to improve our future gas supply situation. If the price of natural gas remains under current regulation, total domestic production will decline to less than 18 trillion cubic feet in 1985. However, if deregulation is enacted, production would be about 25 percent higher by 1985. Natural gas shortages mean higher costs for consumers who are forced to switch to more expensive alternative fuels and mean, inevitably, an increasing dependence on imported oil. Curtailment of natural gas to industrial users in the winters ahead means more unemployment and further economic hardships.

Therefore, I again urge the Congress

to approve legislation that will remove Federal price regulation from new natural gas supplies and will provide the added short-term authorities needed to deal with any severe shortages forecast for next winter.

I also urge prompt action by the Congress on a bill I will be submitting shortly which is designed to expedite the selection of a route and the construction of a transportation system to bring the vast supplies of natural gas from the North Slope of Alaska to the "lower 48" markets. This legislation would make possible production of about 1 trillion cubic feet of additional natural gas each year by the early 1980s.

We expect imports of liquefied natural gas (LNG) to grow in the next several years to supplement our declining domestic supply of natural gas. We must balance these supply needs against the risk of becoming overly dependent on any particular source of supply.

Recognizing these concerns, I have directed the Energy Resources Council to establish procedures for reviewing proposed contracts within the Executive Branch, balancing the need for supplies with the need to avoid excessive dependence, and encouraging new imports where this is appropriate. By 1985, we should be able to import 1 trillion cubic feet of LNG to help meet our needs without becoming overly dependent upon foreign sources.

NUCLEAR POWER

Greater utilization must be made of nuclear energy in order to achieve energy independence and maintain a strong economy. It is likewise vital that we continue our world leadership as a reliable supplier of nuclear technology in order to assure that worldwide growth in nuclear power is achieved with responsible and effective controls.

At present 57 commercial nuclear power plants are on line, providing more than 9 percent of our electrical requirements, and a total of 179 additional plants are planned or committed. If the electrical power supplied by the 57 existing nuclear power plants were supplied by oil-fired plants, an additional one million barrels of oil would be consumed each day.

On January 19, 1975, I activated the independent Nuclear Regulatory Commission (NRC) which has the responsibility for assuring the safety, reliability, and environmental acceptability of commercial nuclear power. The safety record for nuclear power plants is outstanding. Nevertheless, we must continue our efforts to assure that it will remain so in the years ahead. The NRC has taken a number of steps to reduce unnecessary regulatory delays and is continually alert to the need to review its policies and procedures for carrying out its assigned responsibilities.

I have requested greatly increased funding in my 1977 budget to accelerate research and development efforts that will meet our short-term needs to:

—make the safety of commercial nuclear power plants even more certain;

—develop further domestic safeguards technologies to assure against the

theft and misuse of nuclear materials as the use of nuclear-generated electric power grows;

- provide for safe and secure long-term storage of radioactive wastes;
- and encourage industry to improve the reliability and reduce the construction time of commercial nuclear power plants.

I have also requested additional funds to identify new uranium resources and have directed ERDA to work with private industry to determine what additional actions are needed to bring capacity on-line to reprocess and recycle nuclear fuels.

Internationally, the United States in consultation with other nations which supply nuclear technology has decided to follow stringent export principles to ensure that international sharing of the benefits of nuclear energy does not lead to the proliferation of nuclear weapons. I have also decided that the U.S. should make a special contribution of up to \$5 million in the next 5 years to strengthen the safeguards program of the International Atomic Energy Agency.

It is essential that the Congress act if we are to take timely advantage of our nuclear energy potential. I urge enactment of the Nuclear Licensing Act to streamline the licensing procedures for the construction of new powerplants.

I again strongly urge the Congress to give high priority to my Nuclear Assurance Act to provide enriched uranium needed for commercial nuclear powerplants here and abroad. This proposed legislation which I submitted in June 1975, would provide the basis for transition to a private competitive uranium enrichment industry and prevent the heavy drain on the Federal budget. If the Federal Government were required to finance the necessary additional uranium enrichment capacity, it would have to commit more than \$8 billion over the next 2 to 3 years and \$2 billion annually thereafter. The taxpayers would eventually be repaid for these expenditures but not until sometime in the 1990's. Federal expenditures are not necessary under the provisions of this act since industry is prepared to assume this responsibility with limited Government cooperation and some temporary assurances. Furthermore, a commitment to new Federal expenditures for uranium enrichment could interfere with efforts to increase funding for other critical energy programs.

COAL

Coal is the most abundant energy resource available in the United States, yet production is at the same level as in the 1920's and accounts for only about 17 percent of the Nation's energy consumption. Coal must be used increasingly as an alternative to scarce, expensive or insecure oil and natural gas supplies. We must act to remove unnecessary constraints on coal so that production can grow from the 1975 level of 640 million tons to over 1 billion tons by 1985 in order to help achieve energy independence.

We are moving ahead where legislative authority is available.

The Secretary of the Interior has recently adopted a new coal leasing policy for the leasing and development of

more coal on Federal lands. To implement this policy, regulations will be issued governing coal mining operations on Federal lands, providing for timely development, and requiring effective surface mining controls which will minimize adverse environmental impacts and require that mined lands be reclaimed. As a reflection of the States' interests, the Department proposes to allow application on Federal lands of State coal mine reclamation standards which are more stringent than Federal standards, unless overriding National interests are involved.

I have directed the Federal Energy Administration and the Environmental Protection Agency to work toward the conversion of the maximum number of utilities and major industrial facilities from gas or oil to coal as permitted under recently extended authorities.

We are also stepping up research and development efforts to find better ways of extracting, producing and using coal.

Again, however, the actions we can take are not enough to meet our goals. Action by the Congress is essential.

I urge the Congress to enact the Clean Air Act amendments I proposed which will provide the balance we need between air quality and energy goals. These amendments would permit greater use of coal without sacrificing the air quality standards necessary to protect public health.

OIL

We must reverse the decline in the Nation's oil production. I intend to implement the maximum production incentives that can be justified under the new Energy Policy and Conservation Act. In addition, the Department of the Interior will continue its aggressive Outer Continental Shelf development program while giving careful attention to environmental considerations.

But these actions are not enough. We need prompt action by the Congress on my proposals to allow production from the Naval Petroleum Reserves. This legislation is now awaiting action by a House-Senate Conference Committee.

Production from the reserves could provide almost 1 million barrels of oil per day by 1985 and will provide both the funding and the oil for our strategic oil reserves.

I also urge the Congress to act quickly on amending the Clean Air Act auto emission standards that I proposed last June to achieve a balance between objectives for improving air quality, increasing gasoline mileage, and avoiding unnecessary increases in costs to consumers.

BUILDING ENERGY FACILITIES

In order to attain energy independence for the United States, the construction of numerous nuclear power plants, coal-fired power plants, oil refineries, synthetic fuel plants, and other facilities will be required over the next two decades.

Again, action by the Congress is needed.

I urge Congress to approve my October 1975 proposal to create an Energy Independence Authority, a new Government corporation to assist private sector financing of new energy facilities.

This legislation will help assure that capital is available for the massive investment that must be made over the next few years in energy facilities, but will not be forthcoming otherwise. The legislation also provides for expediting the regulatory process at the Federal level for critical energy projects.

I also urge Congressional action on legislation needed to authorize loan guarantees to aid in the construction of commercial facilities to produce synthetic fuels so that they may make a significant contribution by 1985.

Commercial facilities eligible for funding under this program include those for synthetic gas, coal liquefaction and oil shale, which are not now economically competitive. Management of this program would initially reside with the Energy Research and Development Administration but would be transferred to the proposed Energy Independence Authority.

My proposed energy facilities siting legislation and utility rate reform legislation, as well as the Electric Utilities Construction Incentives Act complete the legislation which would provide the incentives, assistance and new procedures needed to assure that facilities are available to provide additional domestic energy supplies.

ENERGY DEVELOPMENT IMPACT ASSISTANCE

Some areas of the country will experience rapid growth and change because of the development of Federally-owned energy resources. We must provide special help to heavily impacted areas where this development will occur.

I urge the Congress to act quickly on my proposed new, comprehensive, Federal Energy Impact Assistance Act which was submitted to the Congress on February 4, 1976.

This legislation would establish a \$1 billion program of financial assistance to areas affected by new Federal energy resource development over the next 15 years. It would provide loans, loan guarantees and planning grants for energy-related public facilities. Funds would be repaid from future energy development. Repayment of loans could be forgiven if development did not occur as expected.

This legislation is the only approach which assures that communities that need assistance will get it where it is needed, when it is needed.

ENERGY CONSERVATION

The Nation has made major progress in reducing energy consumption in the last two years but greatly increased savings can yet be realized in all sectors.

I have directed that the Executive Branch continue a strong energy management program. This program has already reduced energy consumption by 24 percent in the past two years, saving the equivalent of over 250,000 barrels of oil per day.

We are moving to implement the conservation authorities of the new Energy Policy and Conservation Act, including those calling for State energy conservation programs, and labeling of appliances to provide consumers with energy efficiency information.

I have asked for a 63 percent increase in funding for energy conservation research and development in my 1977 budget.

If the Congress will provide needed legislation, we will make more progress. I urge the Congress to pass legislation to provide for thermal efficiency standards for new buildings, to enact my proposed \$55 million weatherization assistance program for low-income and elderly persons, and to provide a 15 percent tax credit for energy conservation improvements in existing residential buildings. Together, these conservation proposals can save 450,000 barrels of oil per day by 1985.

INTERNATIONAL ENERGY ACTIVITIES

We have also made significant progress in establishing an international energy policy. The U.S. and other major oil consuming nations have established a comprehensive long-term energy program through the International Energy Agency (IEA), committing ourselves to continuing cooperation to reduce dependence on imported oil. By reducing demand for imported oil, consuming nations can, over time, regain their influence over oil prices and end vulnerability to abrupt supply cut-offs and unilateral price increases.

The International Energy Agency has established a framework for cooperative efforts to accelerate the development of alternative energy sources. The Department of State, in cooperation with FEA, ERDA, and other Federal agencies, will continue to work closely with the IEA.

While domestic energy independence is an essential and attainable goal, we must recognize that this is an interdependent world. There is a link between economic growth and the availability of energy at reasonable prices. The United States will need some energy imports in the years ahead. Many of the other consuming nations will not be energy independent. Therefore, we must continue to search for solutions to the problems of both the world's energy producers and consumers.

The U.S. delegation to the new Energy Commission will pursue these solutions, including the U.S. proposal to create an International Energy Institute. This institute will mobilize the technical and financial resources of the industrialized and oil producing countries to assist developing countries in meeting their energy problems.

1985 AND BEYOND

As our easily recoverable domestic fuel reserves are depleted, the need for advancing the technologies of nuclear energy, synthetic fuels, solar energy, and geothermal energy will become paramount to sustaining our energy achievements beyond 1985. I have therefore proposed an increase in the Federal budget for energy research and development from \$2.2 billion in 1976 to \$2.9 billion in the proposed 1977 budget. This 30-percent increase represents a major expansion of activities directed at accelerating programs for achieving long-term energy independence.

These funds are slated for increased work on nuclear fusion and fission power development, particularly for demonstrating the commercial viability of breeder reactors; new technology development for coal mining and coal use; enhanced recovery of oil from current reserves; advanced power conversion systems; solar and geothermal energy devel-

opment; and conservation research and development.

It is only through greater research and development efforts today that we will be in a position beyond 1985 to supply a significant share of the free world's energy needs and technology.

SUMMARY

I envision an energy future for the United States free of the threat of embargoes and arbitrary price increases by foreign governments. I see a world in which all nations strengthen their cooperative efforts to solve critical energy problems. I envision a major expansion in the production and use of coal, aggressive exploration for domestic oil and gas, a strong commitment to nuclear power, significant technological breakthroughs in harnessing the unlimited potential of solar energy and fusion power, and a strengthened conservation ethic in our use of energy.

I am convinced that the United States has the ability to achieve energy independence.

I urge the Congress to provide the needed legislative authority without further delay.

GERALD R. FORD.

THE WHITE HOUSE, February 26, 1976.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
February 27, 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 12:28 P.M. on Friday, February 27, 1976, and said to contain a message from the President wherein he transmits the Sixth Annual Report of the Council on Environmental Quality.

With kind regards, I am,

Sincerely,

EDMUND L. HENSHAW, Jr.,
Clerk, House of Representatives.

SIXTH ANNUAL REPORT OF THE COUNCIL ON ENVIRONMENTAL QUALITY—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 Merchant Marine and Fisheries:

To the Congress of the United States:

It is a measure of our progress as a Nation that today, in the 200th year of American Independence, we are in the midst of a dynamic movement to restore, protect and preserve our environment and, at the same time, make the most effective use of our natural resources—with the objective of providing a better life for ourselves and for our children and grandchildren.

This society has come a long way since the time when the daily struggle with

climate and wilderness dominated our ancestors lives, challenged their spirit and energies, and shaped attitudes that served so well to forge a new Nation. We have learned that our past progress was often achieved without adequate regard for the longer term consequences to our air, water and land. Some have concluded from our past experiences that certain national objectives—such as a strong economy, an adequate supply of energy, and an improved environment—are in conflict and we must choose among them. Others are concluding—and I share their view—that we can make good progress toward all these objectives if our goals are realistic, our resolve is firm, and our steps are deliberate.

The Sixth Annual Report of the Council on Environmental Quality which I am forwarding to the Congress surveys our environmental accomplishments and indicates that we have made much progress indeed.

The Council's summary of environmental conditions and trends describes the encouraging results of our efforts to clean up the air and water. We are beginning to bring our most chronic sources of water pollution under control, and we are improving the quality of some of our most heavily polluted waterways. We have improved air quality significantly in the United States during the past five years.

The progress we have made so far is in large measure a reflection of the investment the Nation has made in cleaning up the environment. In 1975 government and industry spent more than \$15 billion in capital and operating expenditures to meet the requirements of Federal pollution control legislation. The Federal Government alone has increased its pollution control outlays from \$751 million in 1970 to an estimated \$4.5 billion in the current fiscal year. Over the next ten years the Nation will spend more than \$22 billion per year to meet Federal pollution control requirements.

We can be proud of the progress we have made in improving the Nation's environmental quality. Yet, we must meet additional challenges over the next few years. We must improve our understanding of the effects of pollutants and of the means and costs of reducing pollution. As we develop new energy sources and technologies we must assure that they meet environmental standards. We also must continue the job of cleaning up pollution from existing sources.

The Council has reviewed the environmental conditions of our coastal zone and on Federal public lands and describes the diverse purposes they serve and the variety of ways in which our people can use and enjoy them. Because of the competing demands upon these areas, we will face a continuing challenge in assuring their best uses and in providing protection of their environmental values.

International activities over the past year have provided a helpful perspective for understanding the global scope of many environmental issues. Our community of nations is beginning to come to grips with this reality and, through the United Nations Earthwatch Program, is making a major attempt to

monitor environmental conditions and trends throughout the world.

Our experience and our growing knowledge about the scientific, technical and economic aspects of environmental effects and controls has given us a basis for considering "mid-course corrections" in existing environmental laws. The attention now being given in the Congress and the Administration to a review of the requirements of the Clean Air Act and the Water Pollution Control Act are important examples of this new level of awareness.

In these and other efforts, we must set our goals carefully, pursue them vigorously, and maintain the balance among our national objectives. This is essential if we are to enjoy the continued public support for our environmental objectives that is necessary to future progress.

We have made an excellent start. I am confident we shall continue in this vital area.

GERALD R. FORD.

THE WHITE HOUSE, February 27, 1976.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
March 1, 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 11:35 A.M. on Saturday, February 28, 1976, and said to contain a message from the President wherein he transmits the Third Biennial Report on National Growth and Development.

With kind regards, I am,
Sincerely,

EDMUND L. HENSHAW, JR.,
Clerk, House of Representatives.

THIRD BIENNIAL REPORT ON NATIONAL GROWTH AND DEVELOPMENT—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 Banking, Currency and Housing:

To the Congress of the United States:

I am forwarding herewith the Third Biennial Report on National Growth and Development in accordance with Section 703(a) of the Housing and Urban Development Act of 1970.

GERALD R. FORD.

THE WHITE HOUSE, February 27, 1976.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. 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. 72]

Andrews, N.C.	Ford, Tenn.	Moakley
Archer	Fraser	Moffett
Badillo	Fuqua	Mollohan
Barrett	Goldwater	Moss
Beard, Tenn.	Gonzalez	Nix
Bell	Green	Nolan
Biaggi	Gude	O'Neill
Boland	Hammer-	Patman, Tex.
Bolling	schmidt	Pepper
Bonker	Harrington	Pettis
Bowen	Harsha	Rhodes
Brooks	Hayes, Ind.	Risenhoover
Brown, Calif.	Hébert	Rousselot
Brown, Ohio	Heckler, Mass.	Runnels
Burke, Calif.	Heinz	Ruppe
Burke, Fla.	Hinshaw	Ryan
Chappell	Holland	St Germain
Chisholm	Howard	Scheuer
Collins, Ill.	Hubbard	Shuster
Conlan	Jones, N.C.	Steiger, Ariz.
Conyers	Jones, Tenn.	Stephens
Corman	Kindness	Symington
Derwinski	Landrum	Thornton
Devine	Litton	Tsongas
Dingell	McCloskey	Udall
Dodd	McCollister	Ullman
du Pont	Macdonald	Vander Jagt
Eckhardt	Mann	Vigorito
Edgar	Matsunaga	Wampler
Esch	Melcher	Wiggins
Eshleman	Metcalfe	Wirth
Evans, Colo.	Michel	Wylder
Evins, Tenn.	Milford	Wylie
Flowers	Mills	Young, Ga.
Foley	Mitchell, Md.	Zerferetti

The SPEAKER. On this rolcall 328 Members have recorded their presence by electronic device, a quorum.

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

FIFTIETH WEDDING ANNIVERSARY OF THE CHAPLAIN, REV. EDWARD G. LATCH, AND HIS WIFE RIETA

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

Mr. MAHON. It is at the suggestion and encouragement of our distinguished Speaker of the House of Representatives, the gentleman from Oklahoma (Mr. ALBERT) that I take the floor today to announce a most memorable event. That event is the 50th wedding anniversary of Edward Gardner Latch and Rieta Latch. A lovelier and finer couple has never inhabited this Capital City. They are admired and beloved by all who know them.

About 10 years ago, the Speaker of the House asked Dr. Latch to become Chaplain of the House, and Dr. Latch was elected to that position. At that time Dr. Latch had completed more than 20 years as pastor of the Metropolitan Memorial United Methodist Church in Washington, a church my wife and I had attended throughout his pastorate.

I know that all Members of the House will want to join in a special salute to Dr. Edward Gardner Latch and Rieta upon this significant day, their 50th wedding anniversary.

Mr. MILLER of Ohio. Mr. Speaker, it is with a great deal of pride that I join my colleagues in the House of Representatives today in paying tribute to our distinguished Chaplain, Dr. Edward Latch and Mrs. Latch upon their 50th wedding anniversary.

Since coming to the Congress, I have

deeply admired the leadership and dedication exemplified by Dr. Latch. His prayer opening each session of the House has been a source of inspiration for all who have served in this Chamber. My admiration for Dr. Latch is coupled with equal admiration and respect for his devoted wife, Rieta, and their family.

Reverend and Mrs. Latch—now the proud grandparents of eight—were married on March 1, 1926. Throughout his many years of civic service in the Washington area, Dr. Latch has always drawn inspiration and support from his fine family. Prior to beginning his service in the House, Dr. Latch served as pastor of the Metropolitan Methodist Church in Washington for more than 25 years.

On this momentous occasion, I want to offer my sincerest congratulations to Dr. Latch and his lovely wife, and I want to extend to them my best wishes for many more years of happiness.

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the 1 minute speech just given by the gentleman from Texas (Mr. MAHON) on the 50th wedding anniversary of our Chaplain, Dr. Edward G. Latch and his wife Rieta.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

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.

AUTHORIZING PRESIDENT TO INVITE STATES OF THE UNION AND FOREIGN NATIONS TO PARTICIPATE IN INTERNATIONAL PETROLEUM EXPOSITION IN TULSA, OKLA., MAY 16 THROUGH MAY 22, 1976

Mr. DIGGS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 296) authorizing the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Okla., from May 16, 1976, through May 22, 1976.

The Clerk read as follows:

H.J. RES. 296

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Oklahoma, from May 16, 1976, through May 22, 1976, for the purpose of exhibiting machin-

ery, equipment, supplies, and other products used in the production and marketing of oil and gas, and bringing together buyers and sellers for the promotion of foreign and domestic trade and commerce in such products.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER. The gentleman from Michigan (Mr. DIGGS) will be recognized for 20 minutes, and the gentleman from New York (Mr. GILMAN) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. DIGGS).

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

Mr. Speaker, the joint resolution before us, House Joint Resolution 296, would authorize the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition in Tulsa May 17 through 21, 1976.

The Committee on International Relations approved this resolution without objection on February 24, 1975.

The Senate passed this resolution in May 1975 and similar resolutions authorizing this exposition were passed in 1965 and 1970.

The International Petroleum Exposition, aimed at expanding U.S. exports and technology in the energy field, has been held every 5 years since 1923. It is sponsored by a nonprofit organization, comprised of oil company representatives, trade associations, and oil trade publications' editors. Randolph Yost, vice president of Standard Oil of Indiana, is the current president of the IPE board of directors.

Only four foreign countries will have exhibits at the International Petroleum Exposition: Britain, France, Germany, and Canada. All others will merely be sending visiting delegations, potential purchasers of U.S. and other European equipment.

While the IPE organizers expect nearly 90 countries to send delegations, only 53 have thus far expressed an interest in attending.

The International Petroleum Exposition affords an unusual opportunity to United States and other European allies to exhibit and increase sales of their products and equipment in the petroleum extraction and energy field to foreign buyers. Selected as one of 17 trade shows endorsed by the Department of Commerce's Foreign Buyers Program, this exposition will require no funding authorization. Although it is difficult to assess the profits in terms of increased sales resulting from these trade shows, George Hines, the project director for IPE at the Commerce Department, suggests a ratio of \$500 to \$1.

In addition to the economic benefits, the symposium, on energy questions including the nonfossil fuels, which is held concurrently with the IPE, provides a vital forum for the exchange of information and new research in the field of energy.

The IPE will take place at a time when

the availability of petroleum products at reasonable prices has accelerated the quest for alternative energy sources.

While the OPEC countries control the oil resources, it is the United States and the West that commands the technology and equipment that make the exploitation of these resources possible. The International Petroleum Exposition can strengthen this symbolic relationship between the holders of petrol and the possessors of needed machinery.

The resolution would not involve any new budget authority and is noncontroversial in nature. I, therefore, urge its adoption.

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

Mr. JONES of Oklahoma. Mr. Speaker, I want to take this opportunity to thank the chairman and the members of the committee for moving on this resolution.

Mr. Speaker, the International Petroleum Exposition, held every 5 years in Tulsa, is of great importance to the economic and energy development of this Nation.

This resolution involves no dollar costs to the Federal Government, as the IPE is privately funded. This resolution only authorizes and requests the President to formally invite the States and foreign nations to participate in this event.

The International Petroleum Exposition has already been designated as "VIP Trade Show" by the Department of Commerce, and thus far 53 nations have indicated their participation. The countries are diverse, including such nations as France, Russia, Israel, Iraq, and Venezuela. IPE organizers expect up to 90 nations will eventually participate.

Let me share with you some information on the purpose of the IPE, and the educational dialog planned. The IPE focuses on the development and design of new equipment, new methodology, new materials, new technology, and new processes in the petroleum industry. The IPE is at once a trade show and an educational experience.

A vital element of the IPE is the Energy Technical Symposium. This 3-day program includes seminars on such topics as "Improvements in the Field and Petrochemical Processing of Hydrocarbons", "Drilling for Oil and Gas in Hostile Environments (Snow, Deserts, Tundra and Great Depths)", and "Development and Potential of Future Energy Sources."

Many companies will be exhibiting equipment and services used in several divisions of the industry. Exploration will be represented in 16 percent of the exhibits, drilling in 35 percent, production in 53 percent, pipelines in 50 percent, refining in 37 percent, and petrochemicals in 36 percent.

For the first time in the 53-year history of the IPE, there will be an Energy Science Panorama, with exhibits on oil shale, coal gasification, tar sands, geothermal, solar and wind energy.

The international energy picture has changed dramatically since the last IPE in 1971. It is the very nature of this change than enhances the importance of

this resolution. Foreign governments are playing a crucial role in petroleum exploration, and it is essential that we bring together experts from all over the world to share information and technology.

I not only urge my colleagues to support this important event, but I also invite each of you to visit Tulsa during the IPE. You will learn a great deal about energy, about new processes, and about future energy development, not only in America, but in some 90 other nations as well.

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

Mr. Speaker, I join my colleague from Michigan (Mr. DIGGS), the chairman of our Subcommittee on International Resource Food and Energy and the gentleman from Oklahoma (Mr. JONES) in support of House Joint Resolution 296, a joint resolution "authorizing and requesting the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Okla., from May 16, 1976, through May 22, 1976."

The International Petroleum Exposition, sponsored by a nonprofit organization, is held every 5 years in Tulsa, Okla., for the purpose of exhibiting machinery, equipment, supplies and other products used in the production and marketing of oil and natural gas. In addition, the exposition concentrates on bringing together buyers and sellers for the promotion of foreign and domestic commerce in oil and gas products.

This exposition, which is the oldest and largest in the world has been held continuously in Tulsa since 1923. The event has been certified since 1974 as one of only 17 expositions selected by the Department of Commerce's foreign buyers program for government promotion to match the interest of overseas buyers with American producers at U.S. exhibitions and trade shows.

In lending its full support to House Joint Resolution 296, the Department of Commerce cited "the current universal importance of the energy subject and the general excellence of the International Petroleum Exposition" as factors that will enable the Department to better accomplish its "mission of promoting industry and commerce to effect an improved balance of payments for the United States." In addition, it "will serve the public interest in increasing the awareness here and abroad of the critical nature of the world's energy supply problem."

This year's exposition is expected to draw some 50,000 qualified industrial buyers from 60 different nations and all 50 States of the Union. The 400 individual company exhibits of machinery and equipment are expected to be viewed by as many as 1,000,000 people.

The International Petroleum Exposition, which is a nonprofit organization made up of oil company representatives, trade associations, and oil trade publications editors, has planned the 1976 exposition in three phases: The first being the actual exhibitions to demonstrate new techniques and equipment. The second will feature technical symposiums on such major topics as "Development and

Potential of Future Energy Sources, Developments in the Transportation of Hydrocarbons, and Drilling for Oil and Gas in a Hostile Environment." The third and final phase will be an Energy Science Panorama featuring new and innovative technology representing all forms of energy, including nonfossil fuels and will occupy approximately 30,000 square feet of space.

Both in 1965 and 1970, the Congress passed similar joint resolutions recognizing this activity and authorizing the President to invite the States and foreign nations to participate in the exposition. As in the previous exposition resolutions, this measure does not involve any Federal expenditure for, or participation in, the exposition.

The United States remains the most important producer of machinery, new technology, and equipment for the petroleum industry. In light of the ever-increasing costs of imported fuels, it is in the interest of all Americans to provide an arena for as many foreign buyers as possible, thereby enhancing our balance of payments. In the past these expositions have generated millions of dollars in sales of American industrial products.

For these reasons, Mr. Speaker, I urge all my colleagues to join with me in support of House Joint Resolution 296, a noncontroversial and highly beneficial recognition of the International Petroleum Exposition.

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

The SPEAKER. The question is on the motion offered by the gentleman from Michigan (Mr. Diggs) that the House suspend the rules and pass the joint resolution (H.J. Res. 296).

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

A motion to reconsider was laid on the table.

Mr. DIGGS. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the Senate joint resolution (S.J. Res. 59), authorizing the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Okla., from May 16, 1976, through May 22, 1976, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 59

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and foreign nations to participate in the International Petroleum Exposition, to be held at Tulsa, Oklahoma, from May 16, 1976, through May 22, 1976, for the purpose of exhibiting machinery, equipment, supplies, and other products

used in the production and marketing of oil and gas, and bringing together buyers and sellers for the promotion of foreign and domestic trade and commerce in such products.

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

A similar House joint resolution (H.J. Res. 296) was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Marks, one of his secretaries.

RELATING TO TRANSACTIONS BY CERTAIN PUBLIC EMPLOYEE RETIREMENT SYSTEMS CREATED BY THE STATE OF NEW YORK OR ITS POLITICAL SUBDIVISIONS

Mr. ULLMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11700) relating to the application of certain provisions of the Internal Revenue Code of 1954 to specified transactions by certain public employee retirement systems created by the State of New York or any of its political subdivisions, as amended.

The Clerk read as follows:

H.R. 11700

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any pension plan or trust which, on December 5, 1975, was a party to the amended and restated agreement of November 26, 1975, set forth on pages 38906, 38912, and 38913 of the Congressional Record published on such date, and any trust forming a part of such a plan, shall not be considered to fail to satisfy the requirements of section 401 (a) of the Internal Revenue Code of 1954, and shall not be considered to have engaged in a prohibited transaction described in section 503(b) of such Code merely because such plan or trust does any or all of the following:

(1) (A) enters into such agreement or agrees to any amendment of such agreement;

(B) forebears from any act prohibited by such agreement;

(C) acquires or holds any obligation the acquisition or holding of which is provided for by such agreement;

(D) makes any election provided for by such agreement;

(E) executes a waiver of any requirement of such agreement;

(F) after the expiration of such agreement, holds any obligation acquired or held pursuant to such agreement; or

(G) performs any other act provided for by such agreement;

(2) on or after August 20, 1975, and before January 1, 1979, considers, for purposes

of determining investments to be made by the plan or trust, the extent to which such investments will—

(A) maintain the ability of the city of New York—

(i) to make future contributions to the plan or trust; and

(ii) to satisfy its future obligations to pay pension and retirement benefits to members and beneficiaries of such plan or trust; and

(B) protect the sources of funds to provide retirement benefits for members and beneficiaries of the plan or trust; or

(3) after December 31, 1978, considers, for purposes of determining whether to retain investments held on December 31, 1978, the factors enumerated in paragraph (2).

For purposes of paragraph (1), the acquisition or holding of any obligation of the Municipal Assistance Corporation for the city of New York on or after August 20, 1975, and before November 26, 1975, shall be considered an acquisition or holding provided for by such agreement.

(b) In the case of—

(1) any amendment to the agreement described in subsection (a) which relates to the application of the factors set forth in subsection (a) to the requirements of section 401(a) or 503(b) of the Internal Revenue Code of 1954 and which is adopted after December 5, 1975, and

(2) any waiver of any requirement of the agreement by a plan or trust after December 5, 1975,

such amendment or waiver shall take effect for purposes of subsection (a) on the date on which a copy of such amendment or waiver is submitted directly to the Secretary of the Treasury; except that, if the Secretary determines, not later than 30 days after such date of submission (or, if later, the date of the enactment of this Act) that the taking effect of such amendment or waiver for purposes of subsection (a) is inconsistent with the considerations set forth in subsection (a)(2), such amendment or waiver shall not be deemed to have been effective for any period for purposes of subsection (a). No amendment to the agreement which has the effect of extending the expiration date of the agreement to a date later than December 31, 1978, shall take effect for purposes of subsection (a).

(c) The trustees of each pension plan or trust described in subsection (a) shall furnish a copy of the annual report filed by such plan or trust with the New York State Insurance Department for each fiscal year of the plan or trust beginning after June 30, 1975, and ending with the first fiscal year in which there are no obligations with respect to which subsection (a) applies, to the Secretary of the Treasury not later than 30 days after the date such report is filed with the New York State Insurance Department, and shall furnish such additional reports and other information as the Secretary of the Treasury may reasonably require. A copy of each such report shall be furnished by the Secretary of the Treasury to the chairman of the Committee on Ways and Means of the House of Representatives and the chairman of the Committee on Finance of the Senate.

(d) The Secretary of the Treasury or his delegate is authorized to prescribe such regulations as may be necessary to carry out the purposes of this Act.

(e) This Act shall be effective on and after August 20, 1975.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER. The Chair recognizes

the gentleman from Oregon (Mr. ULLMAN).

Mr. ULLMAN. Mr. Speaker, H.R. 11700 is designed to complete the Federal Government's role in assisting the city of New York to achieve an orderly restructuring of its finances.

The bill allows five New York City pension funds to purchase securities from the city of New York, under the agreement worked out between the pension funds, certain sinking funds, commercial banks, and the Municipal Assistance Corporation on November 26, 1975. In that agreement, the pension funds, as part of their commitment to assist the city, agreed to purchase \$2.53 billion of New York City serial bonds at an agreed upon schedule.

The legislation is designed to permit the purchases by the pension funds of these bonds without violating the prohibited transactions rules of the Internal Revenue Code, or the requirement that pension plans be for the exclusive benefit of employees and their beneficiaries. If these provisions were violated, the employees covered by the plans could be taxed currently on their vested benefits, the employees would lose estate and gift tax exclusions, and they would not be entitled to special lump-sum distribution rules of the tax law. Under the agreement, the pension funds need not buy the bonds if this would violate either of these provisions of the tax laws. Then, the banks do not need to make their purchase if the pension funds do not, and this would mean an end to the whole plan for the sale of the New York City bonds.

The legislation permits the five pension plans to engage in the following transactions without endangering the tax status of the plans: First, to enter into the November 26, 1975, agreement; second, to acquire and hold securities under the agreement; third, to make elections and waivers under the agreement; and, fourth, to perform other acts provided by the agreement. Also, the legislation permits the plans to take the financial condition of the city into account in making investment decisions.

Amendments and waivers of provisions of the agreement which affect the tax status of the pension plans are to be disapproved by the Secretary of the Treasury if found to be inconsistent with the purposes of the legislation. The Secretary has 30 days after receipt of such proposed amendments or waivers and supporting material to make this determination. Also, reports to the Treasury and the Congress must be furnished periodically on the financial status of the plans.

In providing this exception for the pension plans involved in the November 26, 1975, agreement, the committee weighed the Federal interest in allowing the city of New York to achieve financial soundness again, against possible risks to the pension funds, and the possible precedent that this limited legislation might set. The legislation has been drafted as narrowly as possible to solve the immediate problem, and the committee wishes to be strongly on record that this bill should not be regarded as a precedent either for private pension

plans in financial distress or even for other governmental units which find themselves in financial distress.

Mr. Speaker, I know of no opposition to this legislation. It is absolutely essential in order to put into effect the agreement that has been worked out with respect to the financing of New York City. I urge adoption of H.R. 11700.

Mr. BAUMAN. Mr. Speaker, will the gentleman from Oregon yield for a question?

Mr. ULLMAN. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, as I understand it, this legislation waives the provisions of the Internal Revenue Code which requires all pension funds to be invested in a prudent manner with adequate security of return and this is being waived in the case of the city of New York. Is it felt by the officials of the city of New York or the pension fund managers that this investment is indeed of such a dubious character that it would fall within the prohibitions of the law as now written; that this is, in fact, a risky investment.

Mr. ULLMAN. The trustees of the pension funds themselves are asking for this legislation in order to make it crystal clear that the prudent man rule is not being violated. Their request makes it a moot question.

Mr. BAUMAN. Well, if the gentleman will yield further, he says it is a moot question. I think it is a rather pertinent question as to whether or not this legislation should be passed. I certainly am not, as a representative of the State of Maryland, primarily concerned with the welfare of the people paying into pension funds in New York, but it seems to me the legislation itself is an indictment of the entire New York aid bill which passed earlier this year.

That leads to my second question: I read in the report an estimate of the need for this bill based on New York's financial position up until December, but I see no discussion of the current status of how this bailout plan is working now. All the news stories I have seen indicate that this plan is going to fail even under its present terms with the \$2.3 billion this Congress voted to subsidize New York. Was there any testimony taken on this point?

Mr. ULLMAN. Mr. Speaker, let me say to my friend from Maryland that the Ways and Means Committee shares his concern with respect to this whole problem. But what we have before us here is an implementation of the original plan. In other words, the original agreement that was entered into by all of the various groups that I have mentioned contemplated this precise action as a part of the overall implementation of the plan. If we fail to pass this legislation, then we are not even giving the original plan an opportunity to work. For that reason, the committee feels very strongly that it is absolutely essential to pass this legislation in order to make it possible for the original agreement that was entered into to work.

Mr. BAUMAN. If the gentleman will yield further, I understand the gentleman's answer, and I can understand why he constantly restates that proposi-

tion. But my question to him was: Even if we allow this bill to pass and the bailout plan which was authorized 3 or 4 months ago goes into effect, has the gentleman's committee addressed itself to the very real possibility that the entire New York financing arrangement is going to fail anyway, whether or not these pension funds are used?

Mr. ULLMAN. Unless we pass this legislation, we have not even given the original worked-out plan the opportunity to work. And I think that the Congress owes it to the city of New York and to all of the participants in that agreement to pass this legislation, at least give it an opportunity to work. There may be problems ahead and there may have to be further tightening in the period ahead but I think that, if the economy continues to improve in the same manner it has for the past several months, the plan can be made to work, perhaps with some adjustments and New York will not have as serious a crisis as it has had in the past. Of course, I cannot be sure it will work. But I think we owe it to them to pass this legislation and at least give the plan an opportunity to work.

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

Mr. ULLMAN. I yield to the gentleman from New York (Mr. RANGEL), a member of the committee.

Mr. RANGEL. I thank the gentleman for yielding.

Mr. Speaker, in further response to the question of the gentleman from Maryland, the trustees of the five pension funds involved share the same concerns about the funds as the gentleman does. And, further, there is some question in their minds as to whether or not the purchase of the municipal obligations in fact violated the exclusive benefit rule and other provisions in the Internal Revenue Code.

The participation of the pension funds was made with the understanding that the purchase would not jeopardize their tax exempt status. The Internal Revenue Service issued letters of intent which the pension funds relied on as assurance that bond purchases would not constitute prohibited transactions. It was then determined that congressional action would be necessary to avert the loss of tax qualified status of the pension funds.

The Congress manifested its intent to assist the city of New York in December when we adopted H.R. 10481 providing up to \$2.3 billion in Federal loans to the city. H.R. 11700 is a necessary part of the total package of measures to save the city from default. We realize that it is now up to the city to effectively restructure its fiscal system to avert a default. Failure to pass this legislation, however, would be a detrimental retraction of the intent previously stated by Congress and would be certain to impede any future progress by the city.

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

Mr. Speaker, I rise in support of this bill, which will permit five New York City pension plans to purchase obligations of New York City and the Municipal Assistance Corporation—MAC—pursuant to an agreement dated

November 26, 1975—the agreement—worked out among those plans, a number of New York City banks and sinking funds, and MAC, without such action being considered in violation of the Internal Revenue Code provisions applicable to qualified pension plans. The agreement provides for the purchase by those pension plans of approximately \$2.5 billion in bonds of the city, under certain conditions.

Those conditions have included: First, enactment of direct Federal financial assistance to the city; second, enactment by the State of New York of legislation indemnifying the trustees of the pension plans and others from any financial loss arising from suits stemming from purchase by the funds of such city obligations, or from the sale of assets by the funds in order to make purchases; and third, receipt of either a favorable ruling from the Internal Revenue Service, or passage of appropriate legislation by the Congress, to the effect that such purchases would not constitute "prohibited transactions" or otherwise have an adverse impact upon the "qualified status" of the pension funds under the Internal Revenue Code. Participation of the other parties to the agreement, particularly the commercial banks, is conditional upon participation of the pension funds.

In early December 1975, the New York State Legislature passed the appropriate legislation indemnifying trustees and others, as required in the agreement. Also in December, Congress provided financial assistance to the city of New York to smooth out, by direct Federal loans, seasonal fluctuations in the city's budget receipts during the fiscal year. Last, the Internal Revenue Service provided restricted "letters of intent to rule" in December with respect to the acquisition by the funds of additional New York City debt securities.

This legislation is necessary in order to permit the funds to assist the city without endangering their tax qualified status. Specifically, a qualified plan under the Internal Revenue Code must be for the "exclusive benefit" of employees and their beneficiaries. If a plan breaches this requirement, it will be disqualified. Should the New York City pension plans become disqualified, their special tax treatment would end and employees would be taxed currently on the value of vested benefits, special estate and gift tax exclusions would not be available, and lump sum distributions would be accorded no special treatment.

Also, under rules applicable to government plans, a pension fund which engaged in a "prohibited transaction" would lose its tax exemption. Such prohibited transactions would include any in which the trust loaned any part of its income or its principal, without receiving adequate security or a reasonable rate of interest, to the creator of the trust, any person who had made a substantial contribution to the trust, and to certain other persons. A fund could also breach these rules by purchasing in substantial amounts securities or other property for more than adequate consideration, or by engaging in any action which resulted in substantial diversion of income or principal, to such a person.

Given the relationship between these funds and the city of New York, it is clear that performance under the agreement on the part of the pension funds would raise a number of very serious questions regarding whether or not the "exclusive benefit" or "prohibited transaction" rules of the Internal Revenue Code had been violated. In light of these questions, absent this legislation the trustees of the New York City pension funds are faced with possible legal difficulties in performing under the agreement, if they are to act in a prudent manner as fiduciaries. The State of New York has already adopted legislation which permits the trustees to take into account for investment purposes factors other than the exclusive benefit of the employees, including the extent to which investments pursuant to the agreement will maintain the ability of the city of New York to make future contributions to the retirement funds and systems and to satisfy the city's future obligations to pay pension and retirement benefits to members and beneficiaries of the systems and funds.

Under these exceptional circumstances, I believe that the Congress must adopt this legislation in order to permit the pension funds to contribute to the effort to improve New York City's financial situation. This legislation is required in order that the program of Federal aid to New York City which the Congress adopted in December 1975 may be implemented and New York City's financial affairs moved toward a fiscally responsible basis.

I would like to make clear to my fellow Members of the House that this bill applies in these specific circumstances only, and that the committee is not recommending any policy decision with regard to exemption of any other pension funds, public or private, from the "exclusive benefit" or the "prohibited transaction" rules of the Internal Revenue Code. More plainly, this bill should not be regarded as precedent for other situations. I urge its passage.

Mr. ULLMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Speaker, I rise in support of my bill, H.R. 11700, reported from the Ways and Means Committee to be voted on today.

The bill allows five New York City employee retirement systems to invest \$2.5 billion in bonds of the city and the Municipal Assistance Corporation without losing their tax-exempt status under the provisions of the Internal Revenue Code.

The obligation for the pension funds to make such purchases are expressly conditioned under a November 1975, agreement between the pension funds, certain New York City banks and sinking funds and the Municipal Assistance Corporation to secure financing to prevent default of the city while it is restructuring its fiscal system. The participation of the pension funds was made with the understanding that the purchase would not jeopardize their tax-exempt status. The Internal Revenue Service issued letters of intent which the pension funds

relied on as assurance that bond purchases would not constitute prohibited transactions. It was then determined that congressional action would be necessary to avert the loss of tax qualified status of the pension funds.

The Congress manifested its intent to assist the city of New York in December when we adopted H.R. 10481 providing up to \$2.3 billion in Federal loans to the city. H.R. 11700 is a necessary part of the total package of measures to save the city from default. The bill has the full support of the Treasury. I urge you to give it your support.

GENERAL LEAVE

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the legislation presently under consideration.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Oregon (Mr. ULLMAN) that the House suspend the rules and pass the bill H.R. 11700, as amended.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 298, nays 45, not voting 89, as follows:

[Roll No. 73]

YEAS—298

Abzug	Cederberg	Forsythe
Adams	Chisholm	Fountain
Addabbo	Clausen,	Frenzel
Alexander	Don H.	Frey
Allen	Clay	Gaydos
Ambro	Cleveland	Giulmo
Anderson, III.	Cohen	Gillman
Andrews,	Conable	Ginn
N. Dak.	Conte	Gonzalez
Annunzio	Corman	Gradison
Ashley	Cornell	Gude
Aspin	Cotter	Guyser
AuCoin	Coughlin	Hagedorn
Bafalis	D'Amours	Haey
Baldus	Daniel, Dan	Hall
Baucus	Daniel, R. W.	Hamilton
Beard, R.I.	Daniels, N.J.	Hanley
Bedell	Danielson	Hannaford
Bennett	Davis	Harkin
Bergland	de la Garza	Harris
Bevill	Delaney	Harsha
Blester	Dellums	Hays, Ohio
Bingham	Dent	Heck, er, Mass.
Blanchard	Derrick	Hefner
Blouin	Downey, N.Y.	Heistowski
Boggs	Downing, Va.	Henderson
Brademas	Drinan	Hicks
Breaux	Duncan, Oreg.	Hightower
Breckinridge	Early	Hillis
Brodhead	Edwards, Calif.	Holtzman
Brooks	Ellberg	Horton
Broomfield	Emery	Howard
Brown, Mich.	English	Howe
Brown, Ohio	Evans, Ind.	Hubbard
Broyhill	Evins, Tenn.	Hughes
Buchanan	Fary	Hungate
Burgener	Fascell	Hyde
Burke, Mass.	Fenwick	Ichord
Burleson, Tex.	Findley	Jacobs
Burlison, Mo.	Fish	Jarman
Burton, John	Fisher	Jeffords
Burton, Phillip	Fithian	Jenrette
Butler	Flood	Johnson, Calif.
Byron	Florio	Johnson, Pa.
Carney	Flynt	Jones, Ala.
Carr	Ford, Mich.	Jones, Okla.

Jordan
Karth
Kasten
Kastenmeier
Kazen
Kemp
Ketchum
Keys
Koch
Krebs
Krueger
LaFalce
Lagomarsino
Latta
Leggett
Lehman
Lent
Levitas
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Long, Md.
Lujan
McClary
McCormack
McDade
McFall
McKay
McKinney
Madden
Madigan
Maguire
Mahon
Martin
Mathis
Mazzoli
Meeds
Melcher
Meyner
Mezvinsky
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mineta
Minish
Mink
Mitchell, N.Y.
Montgomery
Moore
Moorhead, Pa.
Morgan
Mosher
Murphy, Ill.
Murphy, N.Y.

Murtha
Natcher
Neal
Nedzi
Nichols
Nowak
Oberstar
Obey
O'Brien
O'Hara
Ottinger
Passman
Patten, N.J.
Patterson,
Calif.
Pattison, N.Y.
Perkins
Peysers
Pickle
Pike
Poage
Preyer
Price
Pritchard
McCormack
Quillen
Rallsback
Randall
Rangel
Rees
Regula
Reuss
Richmond
Riegle
Rinaldo
Robinson
Rodino
Roe
Rogers
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Roybal
Russo
St Germain
Santini
Sarasin
Sarbanes
Scheuer
Schneebell
Schroeder
Sebelius
Seiberling

Sharp
Shipley
Shriver
Shuster
Sikes
Simon
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Solarz
Spellman
Staggers
Stanton,
J. William
Stanton,
James V.
Stark
Steed
Steelman
Steiger, Wis.
Stokes
Stratton
Stuckey
Studds
Sullivan
Talcott
Taylor, N.O.
Thompson
Thone
Traxler
Treen
Ullman
Van Deerin
Vander Jagt
Vander Veen
Vanik
Waggonner
Walsh
Waxman
Weaver
Whalen
White
Whitehurst
Whitten
Wilson, C. H.
Wilson, Tex.
Wolf
Wright
Yates
Yatron
Young, Alaska
Young, Tex.
Zablocki

NAYS—45

Abdnor
Anderson,
Calif.
Armstrong
Ashbrook
Bauman
Brinkley
Carter
Clancy
Clawson, Del.
Cochran
Collins, Tex.
Crane
Derwinski
Dickinson
Duncan, Tenn.

Edwards, Ala.
Erlenborn
Gibbons
Goldwater
Goodling
Grassley
Hansen
Hechler, W. Va.
Holt
Hutchinson
Johnson, Colo.
Kelly
Lott
McDonald
Moorhead,
Calif.

Mott
Myers, Ind.
Myers, Pa.
Pressler
Roberts
Satterfield
Schulze
Snyder
Spence
Symms
Taylor, Mo.
Teague
Wilson, Bob
Winn
Young, Fla.

NOT VOTING—89

Andrews, N.C.
Archer
Badillo
Barrett
Beard, Tenn.
Bell
Blaggi
Boland
Bolling
Bonker
Bowen
Brown, Calif.
Burke, Calif.
Burke, Fla.
Chappell
Collins, Ill.
Conlan
Conyers
Devine
Diggs
Dingell
Dodd
du Pont
Eckhardt
Edgar
Esch
Eshleman
Evans, Colo.
Flowers
Foley

Ford, Tenn.
Fraser
Fuqua
Green
Hammer-
schmidt
Harrington
Hawkins
Hayes, Ind.
Hébert
Heinz
Hinsaw
Holland
Jones, N.C.
Jones, Tenn.
Kindness
Landrum
Litton
McCloskey
McCollister
McEwen
McHugh
Macdonald
Mann
Matsunaga
Metcalfe
Michel
Mills
Mitchell, Md.
Moakley

Moffett
Mollohan
Moss
Nix
Nolan
O'Neill
Patman, Tex.
Pepper
Pettis
Rhodes
Risenhoover
Roncallo
Rousselot
Runnels
Ruppe
Ryan
Steiger, Ariz.
Stephens
Symington
Thornton
Tsongas
Udall
Vigorito
Wampler
Wiggins
Wirth
Wylder
Wylie
Young, Ga.
Zeferetti

The Clerk announced the following
pairs:

Mr. Chappell with Mr. Flowers.
Mr. Hawkins with Mr. Ford of Tennessee.
Mr. Pepper with Mr. Edgar.
Mr. O'Neill with Mr. Foley.
Mr. Patman with Mr. Fraser.
Mr. Hébert with Mr. Esch.
Mr. Runnels with Mr. Eshleman.
Mr. Zeferetti with Mrs. Collins of Illinois.
Mr. Mitchell of Maryland with Mr. Eck-
hardt.
Mr. Diggs with Mr. Beard of Tennessee.
Mr. Macdonald of Massachusetts with Mr.
Hammerschmidt.
Mr. Barrett with Mr. Andrews of North
Carolina.
Mr. Badillo with Mr. Brown of California.
Mr. Green with Mr. Hayes of Indiana.
Mr. Fuqua with Mr. Bell.
Mr. Nix with Mr. Harrington.
Mr. Symington with Mr. Archer.
Mr. All with Mr. Heinz.
Mr. Matsunaga with Mr. Conlan.
Mr. Vigorito with Mr. Jones of North Caro-
lina.
Mr. Wirth with Mr. Burke of Florida.
Mr. Dodd with Mr. Landrum.
Mr. Dingell with Mr. Kindness.
Mr. Bowen with Mr. McCloskey.
Mr. Jones of Tennessee with Mr. Devine.
Mr. Litton with Mr. McCollister.
Mr. Mann with Mr. Mills.
Mr. McHugh with Mr. Moffett.
Mr. Metcalfe with Mr. Boland.
Mr. Moakley with Mr. Mollohan.
Mr. Ryan with Mr. McEwen.
Mr. Roncallo with Mr. Moss.
Mr. Biaggi with Mr. Nolan.
Mrs. Burke of California with Mr. Holland.
Mr. Conyers with Mr. Bonker.
Mr. Evans of Colorado with Mr. Young of
Georgia.
Mr. Stephens with Mr. Thornton.
Mr. Risenhoover with Mrs. Pettis.
Mr. Rousselot with Mr. Tsongas.
Mr. Steiger of Arizona with Mr. Ruppe.
Mr. Wampler with Mr. Wiggins.
Mr. Wylder with Mr. Wylie.

Messrs. DANIELSON and HALEY
changed their vote from "nay" to "yea."
So (two-thirds having voted in favor
thereof) the rules were suspended and
the bill, as amended, was passed.

The result of the vote was announced
as above recorded.

A motion to reconsider was laid on the
table.

FINANCIAL ASSISTANCE FOR ELE- MENTARY AND SECONDARY EDU- CATION ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-386)

The SPEAKER laid before the House
the following message from the President
of the United States; which was read and
referred to the Committee on Education
and Labor and ordered to be printed:

To the Congress of the United States:

The education of our children is vital
to the future of the United States. From
the start, our Founding Fathers knew
that ignorance and free government
could not co-exist. Our nation has acted
from the beginning on the sound prin-
ciple that control over our schools should
remain at the State and local level.
Nothing could be more destructive of the
diversity of thought and opinion neces-
sary for national progress than an ex-
cess of control by the central govern-
ment.

In recent years, our national sense of
fairness and equity has led to an in-
creasing number of Federal programs of
aid to education. The Federal govern-
ment has recognized a responsibility to
help ensure adequate educational oppor-
tunities for those with special needs, such
as the educationally deprived and the
handicapped. We have appropriately
provided States and localities with added
resources to help them improve oppor-
tunities for such students. At the same
time, we have channeled our aid into too
many narrow and restrictive categorical
programs. As a result, we have made it
more difficult for the schools to educate.

It is time that we reconcile our good
intentions with the recognition that we
at the Federal level cannot know what is
best for every school child in every class-
room in the country.

In my State of the Union address, I
spoke of the need for a new realism and
a new balance in our system of Federal-
ism—a balance that favors greater re-
sponsibility and freedom for the leaders
of our State and local governments.

Our experience in education demon-
strates that those principles are not ab-
stract political philosophy, but guides to
the concrete action we must take to help
assure the survival of our system of free
government. We must continually guard
against Federal control over public
schools.

I am proposing today the Financial
Assistance for Elementary and Second-
ary Education Act which will consoli-
date 24 existing programs into one block
grant. The focus of this block grant will
be on improved educational opportu-
nities for those with special needs—the
handicapped and educationally deprived.
Federal funds will be provided with a
minimum of Federal regulation and a
maximum of local control. My proposal is
based on the conviction that education
needs can be most effectively and cre-
atively met by allowing States greater
flexibility in the use of Federal funds.

I am particularly pleased at the ex-
tent to which my proposal reflects ex-
tensive consultations with individuals,
organizations representing publicly elect-
ed officials and leaders in the education
community. The proposal has been
modified and strengthened since the
time of my State of the Union message
as a result of suggestions we received.
I am convinced it represents essential
changes in our system of providing aid
to education.

My proposals will consolidate programs
in the following areas:

- Elementary and Secondary Educa-
tion
- Education for the Handicapped
- Adult Education
- Vocational Education

To assure that students with special
needs receive proper attention the pro-
posed legislation provides that 75 per-
cent of a State's allocation be spent on
the educationally deprived and handi-
capped, and that vocational education
programs continue to be supported. The
same strong civil rights compliance pro-
cedures that exist in the programs to be
consolidated are included in this legis-
lation.

Under the proposed legislation, funds will be allocated to States based on a formula which takes into account the number of school-aged children and the number of children from low-income families. No State will receive less money than it did in Fiscal Year 1976 under the programs to be consolidated. Further, local education agencies will be assured that the funds will reach the local level, where children are taught and where control should be exercised.

Vocational education is an important part of our total education system. Here, too, my proposal seeks greater flexibility at the local level while maintaining Federal support. States would be required to spend a portion of the funds they receive on vocational education, giving special emphasis to the educationally deprived and the handicapped.

Non-public school and Indian tribal children would continue to be eligible for assistance under this proposal. Where States do not serve such children, the Commissioner of Education will arrange to provide funds directly, using the appropriate share of the State's funds.

The proposed legislation will require States to develop a plan, with public participation, for the use of Federal funds. All interested citizens, students, parents and appropriate public and private institutions will participate in the development of the plan. States will be required to develop procedures for independent monitoring of compliance with their plan. State progress will be measured against the plan, but the plan itself will not be subject to Federal approval.

For Fiscal Year 1977 I am requesting \$3.3 billion for the education block grant. For the next three fiscal years, I am proposing authorizations of \$3.5 billion, \$3.7 billion and \$3.9 billion. For too long the real issue in our education programs—Federal versus State and local control—has been obscured by endless bickering over funding levels. Hopefully, with these request levels, we can focus the attention where it belongs, on reform of our education support programs.

Enactment of this legislation will allow people at the State and local level to stop worrying about entangling Federal red tape and turn their full attention to educating our youth.

I urge prompt and favorable consideration of the Financial Assistance for Elementary and Secondary Education Act.

GERALD R. FORD.

THE WHITE HOUSE, March 1, 1976.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORT ON S. 1545

Mr. BERGLAND. Mr. Speaker, I ask unanimous consent that the House Committee on Agriculture have until midnight tonight, Monday, March 1, 1976, to file a report on the Senate bill (S. 1545) to amend the Agricultural Adjustment Act of 1938 with respect to peanuts.

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

There was no objection.

INCREASE IN THE DEBT CEILING AND FOREIGN AID

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

Mr. ALLEN. Mr. Speaker, last Wednesday, I voted against increasing the national debt limit.

One proposal was that of the President and his administration to increase the borrowing power and debt ceiling of the Federal Government by \$50 billion, from \$595 billion up to \$645 billion, between now and September 30. The other proposal, submitted by the House Ways and Means Committee, was to authorize an increase in the debt limit by \$32 billion between now and June 30.

Inasmuch as I was opposed to and did not vote for either proposal, I think a word of explanation is in order, that will reveal certain facts which the taxpayers are entitled to know.

I am informed there will be presented to the House, probably this week, a foreign aid bill calling on Uncle Sam to spend billions of dollars in the coming year for 406 new projects in more than 90 different foreign countries around the world.

This foreign aid bill, which I understand will have the support of the President and Secretary of State Henry Kissinger, will have to be paid for, as we all know, by the taxpayers of this Nation. Because of the already huge deficit spending of the Federal Government, this will mean that we will have to borrow the money by issuing still more bonds, and putting our Government still further in debt; thus explaining in part, at least, the huge increase proposed in the Federal debt ceiling.

By contrast with these 406 new foreign aid projects, which American taxpayers will be asked to finance—which constitutes a substantial increase in this Government's foreign giveaway program—I am informed that there is in the President's budget not one penny to start a single new public works project in any of the 50 States of our own country.

This, mind you, is at a time when there are millions of unemployed people right here at home, and while there are many worthwhile public projects already on the drawing board across the Nation which could give work to our people, reduce unemployment, and reduce unemployment compensation payments which are tremendous drains on the tax dollars of the Federal and all 50 State governments.

One other fact is of striking significance. As we have been informed, the national debt now stands at approximately \$595 billion. The total amount the United States has spent out of the Treasury in various forms of foreign aid programs, since its beginning, now approaches one-half trillion dollars—\$500 billion. It just so happens that this figure is almost the exact amount of the cumulative deficits and resulting debts of the U.S. Government since these foreign aid programs began.

Somehow, some way, we must put the brakes on this waste of billions of dollars

of the American taxpayers' money that is going into these foreign aid programs around the world. Indeed, if we would simply determine to cut back on some of these billions of dollars that are now being frittered away on foreign aid—and approve only worthwhile and deserving projects in those nations which are truly our friends—we could immediately cut billions of dollars from our deficit spending, and would have no need for increasing the debt ceiling and borrowing authority of the Treasury by anything like the amount proposed this past week.

Instead, we persist and continue to spend billions of dollars on nations which do not refer to us as Uncle Sam—but perhaps more appropriately as "Uncle Sap"—which indeed we are when by doing so we neglect the needs of our own people and so many of the worthwhile public works projects right here in our own country.

My vote against increasing the debt ceiling, therefore, was simply my way of registering at least one feeble protest against this policy of misplaced priorities, which must be brought to an end.

I think our own taxpayers must begin to receive the full benefits of their hard-earned dollars, and I shall continue to oppose proposals of this or any other administration that would divert money needed for Americans to foreign nations, many of which would not lift a little finger to help us if the situation were reversed.

THE SOCIETY OF FORMER SPECIAL AGENTS OF THE FBI

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

Mr. BURLESON of Texas. Mr. Speaker, the Society of Former Special Agents of the Federal Bureau of Investigation was incorporated in the State of New York on July 17, 1937. It has a membership of 6,483 members within the United States and 36 foreign countries. Membership is open exclusively to former FBI agents of good moral character who served with fidelity to their oaths of office, loyalty to the service and to their fellow agents.

Former FBI agents are proud of proven record of devotion and service to the United States. They are equally proud of efforts which earned for the FBI its reputation as the foremost law enforcement agency in the world. The preservation of the security and assuring this Nation's well-being and freedom are of paramount concern to this society and its members.

The society is deeply concerned with the unwarranted attacks and distorted reports of the operations of the FBI which are destroying the confidence and the respect the public has for the FBI at a time when crime is rampant and terrorist activity is increasing.

Mr. Speaker, the attached is the position statement of the society and I wholly endorse and subscribe to it.

**POSITION STATEMENT OF THE SOCIETY OF
FORMER SPECIAL AGENTS OF THE FEDERAL
BUREAU OF INVESTIGATION**

The massive volume of one sided adverse criticism of the FBI emanating through the news media at the hands of journalistic opportunists and irresponsible politicians is a threat to the security of the United States.

We urge that congressional hearings not be a forum for unwarranted, baseless attacks on the policies, procedures and personnel of the FBI.

We request the press and the other forms of media to report the proceedings of congressional committees factually and objectively, free of bias or personal opinion.

We recognize the value of constructive criticism of FBI activities and the necessity for clear, reasonable legislative guidelines. These guidelines must not arbitrarily restrict the FBI in discharging its investigative responsibilities as expected by the people under the Federal judicial system and in the best interests of the United States.

We therefore caution that Congress exercise great care in the design of the legislative guidelines and offer the experience of the members of this society as an assistance.

We believe the thinking American public demands a strong, effective intelligence gathering capability adequately manned and sufficiently aggressive to protect the security of this Nation against domestic and foreign threats.

We acknowledge the dedication and contributions to this Nation of John Edgar Hoover, Director of the FBI from 1924-1972, who, guided by the highest motives, created standards of excellence which are legend in all law enforcement.

We commend the leadership of the FBI under Director Clarence M. Kelley and assure our continued solid cooperation and support.

Unanimously adopted by board of directors as duly authorized representatives for the members of the society.

President: Ralph H. Jones, Utah.

President-elect: James L. McGovern, Georgia.

Foundation chairman: William A. Murphy, Texas.

Secretary: Lee O. Teague, Oklahoma.

Treasurer: William J. Hurley, California.

Members at large: John K. Burge, Missouri; Frank L. Price, California; Charles H. Stanley, Arkansas.

Northeast vice-president: Henry W. Anderson, New York.

Mid-Atlantic vice-president: Warren L. Love, Washington, D.C.

Southeast vice-president: Leo M. Nagle, Florida.

North Central vice-president: Joseph E. Thornton, Nebraska.

South Central vice-president: Manning C. Clements, Texas.

Western vice-president: Philip L. Schieder-mayer, California.

**"PRIVILEGE INDISCREETLY
STRETCHED"**

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

Mr. BROOKS. Mr. Speaker, an editorial from the Washington Star on Friday describes President Ford's effort to block an investigation by the House Government Operations Committee as the most extravagant extension of executive privilege in our history.

I agree. The Subcommittee on Government Information and Individual Rights efforts to learn more about the interception by Government agencies of

private overseas communications of American citizens is in full keeping with our oversight responsibilities.

But President Ford has instructed the Government employees who were subpoenaed by the Government Operations Committee not to comply with them, and in an unprecedented extension of the claim of executive privilege has even ordered private corporations to refuse to comply with their subpoenas.

Mr. Speaker, the Government Operations Committee has always dealt fairly and squarely with the issues before it. We cannot tolerate this unilateral attempt to ignore duly authorized congressional subpoenas.

As the Star editorial states:

Should this elaboration of privilege stand, the investigative powers of Congress will be curtailed to the vanishing point.

I ask unanimous consent to insert the editorial at this point in the RECORD.

[From the Washington Star, Feb. 27, 1976]

PRIVILEGE INDISCREETLY STRETCHED

When the President and Congress can find nothing more productive to fight over, someone can always pick an interesting scrap over what has been known for some 25 years as "executive privilege."

The doctrine that a President may draw a veil of confidentiality over certain executive proceedings, which is older than the label, has been traced to the first collision between an investigating Congress and a protective administration—the effort of a House select committee in 1792 to learn how and why Gen. Arthur St. Clair suffered a military disaster at the hands of the Indians. The committee demanded the records.

It was President Washington's wish, according to Secretary of State Thomas Jefferson, to assure that "so far as it should become a precedent it should be rightly conducted." The Cabinet unanimously concluded, in Jefferson's words, that "the executive ought to communicate such papers as the public good would permit, and ought to refuse those, the disclosure of which would endanger the public. Consequently they were to exercise a discretion." In the event, President Washington co-operated with the House; its report ultimately exonerated General St. Clair.

From that day to this, through the obscure twists and turns of the executive privilege controversy, including Richard Nixon's vain effort to sequester evidence of criminal acts, there has been no more extravagant use of the doctrine than President Ford's order barring a House subcommittee's access to information about telegraph cable interceptions.

Until about a year ago, the FBI and the National Security Agency were routinely obtaining and reading thousands of cables sent overseas by American citizens. The practice lasted for about three decades. It is the sort of thing Congress is certainly entitled to investigate, and for the life of us we cannot understand why "the public interest," in Mr. Ford's words, "requires that the records not be disclosed."

Not only have five present or past public officials accordingly defied the subcommittee's subpoenas; the officials of the private telegraph companies are also, at this writing, expected to decline to furnish the subpoenaed information.

"Not to my knowledge," says Rep. Bella Abzug, the subcommittee chairman, "has a corporation ever sought to claim that it could not produce documents because a President invoked executive privilege."

The briefest reflection on this sweeping new extension of the executive privilege doctrine suffices, we think, to suggest its absurdity. There may be a case for protecting the rec-

ords of the FBI or the National Security Agency in this matter. But what is the case for dropping the veil of "privilege" over the records of the telegraph companies? In co-operating, no doubt for public-spirited if unreflective reasons, with this violation of personal privacy they were certainly not functioning as executive agencies. Should this elaboration of privilege stand, the investigative powers of Congress will be curtailed to the vanishing point.

The courts have ruled on occasion that congressional investigations can't be mere fishing expeditions, that they must bear some reasonably clear legislative purpose. Fair enough. In this case, however, the legislative purpose is entirely clear. American citizens are entitled to expect that private communications, overseas cables no less than letters, will be protected by law against governmental snooping. Perhaps evidence of criminal behavior would justify exceptions, but only then under the proper legal warrant required by the Fourth Amendment for searches and seizures.

In limited doses, executive privilege remains a valuable safeguard of presidential confidentiality, as Justice Burger noted in his opinion in the Nixon tapes case. But a President ought to remember Jefferson's words and "exercise a discretion." The privilege has been most indiscreetly broadened in this case. Mr. Ford is the victim of bad advice.

**LEGISLATION TO AMEND FEDERAL
WATER POLLUTION CONTROL ACT**

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

Mr. JONES of Alabama. Mr. Speaker, I am introducing legislation today which will amend section 315(h) of the Federal Water Pollution Control Act to provide an additional authorization of \$250,000 for the study being conducted by the National Commission on Water Quality.

The Commission was established by the Congress for the purpose of making a full and complete investigation and study of all of the technological aspects of achieving, and all aspects of the total economic, social, and environmental effects of achieving or not achieving, the effluent limitations and goals of the act. A total of \$17,000,000 has been authorized for this effort and the Commission has recently published a draft report which has been available for public review and comment.

The additional authorization of \$250,000 will allow the Commission sufficient time to fully consider the public's comments in preparing its recommendations to the Congress. Approximately \$100,000 of this authorization will be used to replace Commission funds that lapsed before they could be utilized. If these additional funds are authorized, the Commission anticipates that its final report will be completed by April 15, 1976, and transmitted to the Congress by May 1, 1976. This legislation would authorize the necessary additional \$250,000.

The bill will be considered by the full Committee on Public Works and Transportation on Wednesday, March 3, 1976, and hopefully will be reported immediately. I intend to bring the bill to the floor as soon as possible thereafter.

PERSONAL EXPLANATION

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

Mr. BRECKINRIDGE. Mr. Speaker, due to the flu epidemic, I was unable to be here for the proceedings on the following days: Wednesday, February 18, Thursday, February 19, Monday, February 23, and Tuesday, February 24. I missed quorum calls Nos. 59, 61, 65, 66. Had I been here, I would have voted "yea" on rollcall No. 60, the House Joint Resolution 801 which made supplemental railroad appropriations for the fiscal year 1976, the transition period ending September 30, 1976, and the fiscal year 1978 and 1979.

I would have voted "nay" on rollcall No. 63, which would have referred House Resolution 1042 to the Committee on Rules.

I would have voted "yea" on rollcall No. 64, House Resolution 1042 requiring that the Committee on Standards of Official Conduct inquire into the circumstances leading to the public publication of a report containing classified material prepared for the House Select Committee on Intelligence.

I would have voted "yea" on rollcall No. 67, House Joint Resolution 811 which provides supplemental appropriations for the legislative branch for the fiscal year ending June 30, 1976.

THE FINANCIAL ASSISTANCE FOR ELEMENTARY AND SECONDARY EDUCATION ACT—A BETTER PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. QUIE) is recognized for 15 minutes.

Mr. QUIE. Mr. Speaker, I have introduced today the Financial Assistance for Elementary and Secondary Education Act. This bill is the President's proposal to consolidate 24 existing programs of assistance for elementary, secondary, handicapped, adult, and vocational education.

Following the release of the President's budget in January, a tentative description of the bill was included in briefings held on the fiscal year 1977 budget. As the result of what I heard at that time, I stated my view that the proposed legislation was not soundly conceived; and I therefore could not introduce it.

Since then I am happy to report there has been a long series of negotiations involving myself, HEW, OMB, and the White House which have resulted in a large number of significant modifications to the description conveyed with the 1977 budget. As a result of those changes, I am now prepared to give this bill my full support.

Among the most significant of those changes is the elimination of the public and college library programs from the bill, and the establishment of separate titles for handicapped and compensatory education on the one hand and vocational education on the other has assured the integrity of those major areas. In addition, the bill provides that States

may use funds in title II for the education of adults, for the support of school libraries, for the purchase of instructional equipment, for guidance and counseling services, and for programs of innovation.

Another major change relates to the fact that there are certain functions of a national impact nature which can best be performed by the Office of Education. These include, for example, the support of centers producing captioned films for the deaf and demonstration programs in areas such as vocational education. The bill which I introduced today retains five specific functions to be performed by the Commissioner on a national-service basis. These five programs are included in title IV of the bill for which \$69 million has been authorized, an amount equivalent to the fiscal year 1976 appropriation level. These areas include media and captioned films, deaf-blind centers, programs of innovation for the handicapped, regional resource centers, and programs innovation in vocational education.

As my colleagues know, this is not the first attempt to consolidate elementary and secondary education programs, thereby returning a good measure of decisionmaking power to the States which are, after all, constitutionally charged with the provision of education services. My own attempts to restore the balance between Washington and State capitals dates back 10 years. Some success in that area was achieved in 1974 in Public Law 93-380. The bill I introduce today fulfills many of my objectives related to Federal aid for elementary and secondary education. The Federal presence is there; but so, too, is a large degree of local autonomy and a healthy balance of respective roles and goals.

In 1972 consolidation legislation entitled "Education Special Revenue Sharing" was attempted. That legislation failed for a number of good and sufficient reasons, including the failure of the administration to pledge that consolidation would not be used to reduce the Federal commitment to education. One of the most significant things about the bill transmitted today is the fact that the President has agreed to a continued increase in the Federal level of funding if the consolidation legislation is adopted. That should put to rest once and for all the charge that any consolidation bill would only result in a decreased level of Federal support.

For the information of my colleagues, I am including at this point a factsheet on the bill. I commend this proposed legislation to my colleagues and urge them to join me in sponsorship:

FACT SHEET: FINANCIAL ASSISTANCE FOR ELEMENTARY AND SECONDARY EDUCATION ACT

I. BACKGROUND

The Federal Government supports about 7 percent of the total cost of elementary and secondary education. The bulk of that support is channeled through numerous narrow categorical programs. It is distributed through States to local educational agencies through mechanisms that take into account such factors as school age population and income levels of students' families.

The Federal effort has helped to assure that children with special needs receive an

equal educational opportunity, but it has also led to the promulgation of layers of rules and regulations and the imposition of administrative burdens at the local level which are unrelated to the development of programs of quality education.

In his State of the Union address the President announced his intention to propose consolidation of a number of education programs into one block grant in order to minimize the intrusiveness and burden of Federal regulations while continuing appropriate Federal support for education.

II. DESCRIPTION OF PROGRAM

This legislation will consolidate into a single block grant authority the following programs:

1. Titles I, II, III, IV, and V of the Elementary and Secondary Education Act of 1965,
2. The Education of the Handicapped Act,
3. The Vocational Education Act of 1963, and
4. The Adult Education Act.

The bill will have four titles. Title I—contains all the general provisions relating to appropriations, allotments to States, State planning requirements, and other provisions applicable to the entire bill.

Title II—sets forth minimum criteria for that portion of the funds which will be used for elementary and secondary, handicapped, and adult education programs.

Title III—sets forth minimum criteria for that portion of the funds which will be used for vocational education programs.

Title IV—continues a number of existing programs for research and innovation and certain special services relating to vocational education and education of the handicapped.

III. FUNDS

In fiscal year 1977 (school year 1977-1978) there would be authorized for the purposes of this Act \$3.3 billion. This authorization would be increased by \$200 million annually in fiscal years 1978, 1979, and 1980.

Of the \$3.3 billion available in fiscal year 1977, \$3.231 billion would be directly available to States under Titles II and III of the legislation. The \$200 million annual additional funding would also be directly available to the States in succeeding years. \$69 million would be authorized annually for Title IV for the use of the Commissioner of Education on national impact projects for vocational education and for the handicapped.

The legislation continues to assure, as now, that funds are available to the States and localities before the start of the school year.

IV. PROGRAMS CONSOLIDATED

Listed below are the presently existing programs which will be consolidated in Titles II, III and IV of this Act, together with the actual fiscal year 1975 and 1976 appropriations for those programs.

[In millions of dollars; fiscal years]

	Appropriations	
	1975	1976
Elementary and secondary education		
Title II—Elementary and secondary, handicapped, and adult education programs:		
Grants for disadvantaged.....	1,900	2,050
Support and innovation grants.....	173	185
Education for the handicapped:		
State grants (pt. B).....	100	110
Severely handicapped projects.....	3	3
Specific learning disabilities.....	3	5
Early childhood education.....	13	22
Regional vocational, adult, and postsecondary education.....	.6	2
Recruitment and information.....	.5	.5
Special education manpower development.....	38	40
Adult education.....	68	72
Library resources: School libraries and instructional resources.....	137	147

	Appropriations	
	1975	1976
Elementary and secondary education		
Title III—Vocational education:		
Basic vocational education	428	423
Programs for students with specific needs	20	20
Consumer and homemaking education	36	41
Work study	10	10
Cooperative education	20	20
State Advisory Council	4	4
Curriculum development	1	1
Research	18	18
Title IV—National impact projects:		
Vocational innovation	16	16
Innovation and development for handicapped	9	11
Deaf-blind centers	12	16
Media services and captioned films	13	16
Regional resource centers for handicapped	7	10
Total	3,030	3,242

The list of programs to be included in the consolidation reflects changes made subsequent to the time the President's fiscal year 1977 Budget was submitted to the Congress. These changes result from discussions which the President directed Administration officials to initiate with leaders in the education community and representatives of State and local officials. These discussions produced a number of helpful suggestions and the President believes they have led to a strengthening of the legislation.

Four programs which dealt with higher education and libraries were deleted from the proposal. They are:

	Appropriations	
	Fiscal year 1975	Fiscal year 1976
Public Libraries (Library Services & Construction Act)	52	52
College Libraries (Higher Education Act)	10	10
Training & Demonstrations for Libraries (Higher Education Act)	3	2
Undergraduate Instructional Equipment (Higher Education Act)	8	8

A later request will be made to the Congress by the Administration for one-year extension of authorities needed to fund the College Libraries Program. Authority will not be requested for the Training and Demonstration for Librarians or the Undergraduate Instructional Equipment programs. Additional authority is not needed for public libraries.

In the original budget proposal, the Deaf-Blind Centers Program was listed as a separate program. As the legislative proposal was developed, a Title IV, National Impact Program was created, and the Deaf-Blind Centers Program became a part of that Title. A total of 24 programs are now included in the Act.

V. DISTRIBUTION TO THE STATES

The formula for distribution of Federal funds to the States under this Act is based upon the number of children from families below the poverty level and the school-age population (ages five through 17 inclusive) of a State.

Each State would receive as a floor amount either \$5 million or the amount it received in fiscal year 1976 for the 24 programs to be consolidated, whichever is less.

Each State would then receive not less than 85 percent of the amount allotted to that State in the preceding fiscal year under the 24 programs now consolidated, less the initial sum referred to in the preceding paragraph.

After these allocations, the remaining

funds would be distributed on the basis of 60 percent, on the number of children from families below the poverty level and 40 percent on the basis of school-age population. The sum thus obtained is multiplied by the ratio of the State average per pupil expenditure to the national average per pupil expenditure—however, no State will be treated for purposes of this formula as being at less than 80 percent or more than 120 percent of the national average per pupil expenditure.

No State loses under this formula—all States gain.

In the accompanying detailed analysis, the actions which a State must undertake to receive Federal funding under this Act are described.

In general terms, the State is required to develop a plan for use of Federal funds. That plan must be developed in a public process with ample opportunity for public review and comment. The State plan, as such, is not subject to Federal review, but the progress the State makes as measured against its own plan is subject to Federal review.

The legislation retains in full force all relevant civil rights procedures. It requires service to non-public school children and to Indian tribal children.

The legislation requires that 75 percent of all Federal funds go to serve the needs of the educationally deprived and handicapped. It requires States to pass through Federal funds for use of local educational agencies. It also requires that Federal funds be spent on vocational education needs.

Funds not subject to the requirement for use to serve the educationally disadvantaged or not reserved for vocational education purposes could be used for educational activities such as school libraries, textbooks, educational materials and equipment, guidance, counseling, and testing, innovation and support or for any other educational purpose for which funds could have been used under the programs consolidated by this Act.

Where States do not comply with the requirements of the legislation or meet the commitments set forth in their own plan, the Commissioner of Education has a flexible penalty provision at his disposal.

Finally, Title IV of the legislation would continue the Commissioner's authority to fund certain special projects directly.

VI. STATE PLAN REQUIREMENTS

This legislation will require each State to establish as a matter of State law the structures and procedures of its own planning process. Within that broad flexible authority, each State would be required to:

- (1) designate the State agency or agencies to administer the program,
- (2) develop and publish a plan for use of the funds,
- (3) certify to the Commissioner that it has such a plan, and
- (4) certify annually that it has complied with the plan, or inform the Commissioner of any substantial failure to comply with the plan.

Further, States would be required to:

- (1) develop procedures for the independent monitoring within the State of compliance with the plan,
- (2) submit those procedures to the Commissioner for approval, and
- (3) meet certain independent audit, evaluation, and reporting requirements.

The Commissioner's approval authority described in number two above is a limited one. It is granted only to emphasize the importance to the Federal Government of the States establishing the means to comply with their own plans.

With regard to procedures, States would be required to establish means for obtaining the views of appropriate State and local agencies, units of local government, citizens, and private institutions; and establish

a means to ensure that the educational needs of all residents of the State are taken into account.

The proposed plan would have to be published at least ninety days prior to the beginning of the program year. Public comment would be accepted for at least forty-five days and the final plan would then have to be published prior to the beginning of the program year. The State would have to summarize and publish the comments received and the disposition thereof.

Finally, the State plan would have to:

- (1) set forth objectives of the plan;
- (2) provide for the allocation and use of funds within the State in accordance with requirements set forth in Titles II and III;
- (3) set forth the policies and procedures used by the State to distribute funds to LEA's (local educational agencies) so that such distribution takes into account the number of handicapped, educationally-deprived, and low-income children in each LEA, with adjustments to reflect the costs in each LEA and the resources available to each LEA for providing services to such children;

(4) set forth the amount of funds to be distributed to each LEA;

(5) describe the organizational structure through which the program will be administered;

(6) describe the process the State will use to ensure adequate planning by local educational agencies for use of these funds;

(7) describe the means by which non-public and Indian tribal school children will be served under the program;

(8) provide that at least 75 percent of the funds is passed through by the State to local educational agencies;

(9) provide that not less than 75 percent of the funds is used to meet the special educational needs of the educationally-deprived and the handicapped; and

(10) provide that the State will not use more than 5 percent of its allocation for administrative purposes, unless a larger percentage of funds under the programs consolidated was available to the State for administration in fiscal year 1976, in which case the State could use up to that amount of funds for administration.

If a State designates a separate State agency to administer its vocational education program under this Act, it could also develop a separate State plan for that purpose. However, that plan would be subject to the same due process provisions as the comprehensive State plan. It would have to be developed in coordination with the comprehensive plan, and be published at the same time and in the same manner as that plan.

VII. COMPLIANCE PROCEDURES

Where a State fails to comply with the above requirements or fails substantially to comply with the provisions of its own plan, the Commissioner has the authority, after notice and opportunity for a hearing, either to make no further payments to the State, or to reduce the amount otherwise payable to the State by up to 3 percent.

The Commissioner could also, after notice and opportunity for a hearing, terminate payments to a State which does not implement or comply with the self-monitoring procedures discussed above. Provision would be made for judicial review of any such determination by the Commissioner.

This provision of the legislation gives the Commissioner new flexibility in applying penalty provisions. Where a State is in substantial non-compliance or indicates refusal to comply, the Commissioner may cut off all funds. Where the non-compliance is of a minor nature and, particularly, where the State is making an effort to comply, the Commissioner will have at his disposal more reasonable penalty provisions.

VIII. CIVIL RIGHTS

If any local educational agency in the State is determined by the Secretary of Health, Education, and Welfare to be out of compliance with Title VI of the Civil Rights Act, Title IX of the Education Amendments of 1972 (relating to discrimination on the basis of sex), or Section 504 of the Rehabilitation Act of 1973 (relating to the discrimination against the handicapped), the State's allotment would be reduced by an amount equal to the percentage which the number of children in the local educational agency is of the total number of children in the State. No funds could be paid to any local educational agency which is out of compliance with those statutes.

IX. NON-PUBLIC SCHOOL CHILDREN

The requirements in this proposal for the participation of non-public school children are similar to those now contained in Title IV of the Elementary and Secondary Education Act. This provision would essentially require that children in non-public schools be given an equitable opportunity to participate in programs assisted by this Act to the extent that they reside in areas served by the programs and have the needs addressed by those programs.

The State would also be required to serve children in Indian tribal schools.

If the State is legally unable, or fails to provide for participation of children as required by the legislation, the Commissioner would arrange for services to such children by contract or otherwise, and deduct the cost thereof from the State's allocation.

X. TITLE II PROVISIONS (ELEMENTARY AND SECONDARY, HANDICAPPED, AND ADULT EDUCATION PROGRAMS)

Title II sets forth minimum requirements for the use of that portion of the funds provided under this Act which would be available for elementary and secondary, handicapped, and adult education purposes. The State's comprehensive plan would have to take into account the special educational needs of educationally-deprived and handicapped children, assess the resources available in the State to meet those needs, and demonstrate reasonable promise of substantial progress in meeting those needs. The plan would also set forth an adult education program.

Under Title II, the State would be required to allocate to each local educational agency in the first fiscal year after enactment at least 85 percent of the amount received by that agency in the preceding fiscal year under Title I of the Elementary and Secondary Education Act and Part B of the Education of the Handicapped Act. These funds must be used to meet the special educational needs of the educationally deprived and handicapped.

Funds not subject to the requirement for use to serve the educationally disadvantaged or not reserved for vocational education purposes could be used for educational activities such as school libraries, textbooks, educational materials and equipment, guidance, counseling, and testing, innovation and support or for any other educational purpose for which funds could have been used under the programs consolidated by this Act.

XI. TITLE III PROVISIONS—(VOCATIONAL EDUCATION)

Title III sets forth requirements for vocational education programs under this Act. Each State would be required to expend for the purposes of vocational education at least the same percentage of its Federal funds received under this Act as the percentage of the State's Federal vocational education funds were of its total Federal funds received under the programs consolidated under this Act in fiscal year 1976.

As an example, if a State received from the Federal Government \$30 million for the pur-

poses of vocational education in FY 1976, and this amount represented 10 percent of the total Federal funds received under the programs consolidated under this Act by that State, this proposal would require that henceforth that State can spend no less than 10 percent of the Federal funds it receives under this Act for the purposes of vocational education.

The State's vocational education program would be required to take into account the vocational education needs of the State, to assess the resources available to meet those needs, and to be designed to provide individuals with educational programs that will make substantial progress toward preparing persons for a career or for further advancement in their present employment. At least 25 percent of the amount the State uses for vocational education under this Act must be used to meet vocational education needs of persons with special needs (the educationally-deprived and the handicapped).

The Federal funds which a State uses for vocational education for persons with special needs count toward the 75 percent of Federal funds which Title II requires to be spent on persons with special needs.

XII. TITLE IV PROVISIONS (NATIONAL IMPACT PROJECTS)

Title IV would continue the Commissioner's authority to fund certain special projects and innovation and development activities relating to vocational education and the education of the handicapped. The Commissioner would be authorized to support innovation, development, and dissemination activities in vocational education and the education of the handicapped either directly or through grants or contracts. He would also be authorized to support centers and services for deaf-blind children, regional resource centers, and a loan service for captioned films and other educational media for the handicapped. A total appropriation of \$69 million would be authorized for these activities for fiscal year 1977 and each of the three succeeding fiscal years.

BAPTISTS IN RUSSIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas, Mr. COLLINS, is recognized for 15 minutes.

Mr. COLLINS of Texas. Mr. Speaker, I come before the House today to ask for the support of my colleagues in behalf of Georgi Vins. My concern is with religious freedom in Russia.

The Baptists in our country first spoke up through our Baptist leadership a year ago back on March 5, 1975. The executive director, James E. Wood, Jr., sent an official message to the Ambassador of the Union of Soviet Socialist Republics here in Washington. Mr. Wood is the executive director of the Baptist Joint Committee on Public Affairs and speaks for all Baptist groups including my own Southern Baptist Convention. However, our Joint Affairs Council speaks for all Baptists including: American Baptist Convention, Baptist Federation of Canada, Baptist General Conference, National Baptist Convention, National Baptist Convention, Inc., North American Baptist General Conference, Progressive National Baptist Convention, Inc., Seventh Day Baptist General Conference, Southern Baptist Convention. Within the nine Baptist bodies in Canada and the United States of America, we have a combined church membership of 31 million people. Baptists disagree

on minor issues but on the major concern of religious freedom we stand completely united.

Georgi Vins has been sentenced by the Soviet court to 5 years in prison followed by 5 years in exile. The Government of Russia took exception to his religious preaching. He was tried in a court in Kiev, after being held in jail for 1 year following his arrest.

His family had asked for a Norwegian Christian to be his defense lawyer. But no visa for the lawyer was ever granted. Since no Christian lawyer was available in the Soviet for Mr. Vins, he represented his own case.

History tells us that from 1922 to 1945 Christians suffered severely in Russia. But since 1945, we hear that most of the religious persecution has been in the form of limiting personal privileges and being excluded from higher institutions of learning. Christians have also suffered the loss of religious literature.

The Vins' case is pressing. He has already served a 3-year sentence and was released in 1969 in broken health. His father, also a pastor, died in prison camp. Let us all pray that our sick Baptist neighbor will not also die in prison.

This makes the Vins' case even more important because it is not typical of the broadening position of Russia.

Article 18 of the Universal Declaration of Human Rights is the expression of the General Assembly of the United Nations. This expresses the conviction which is accepted and supported by Baptists:

Article 18: Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Many times in this country we stand quietly by and see our fellow Christians suffer throughout the world. I have admired my Jewish colleagues who have spoken out so eloquently in behalf of persecuted Jews.

I call on all of my colleagues to unite and join with me in a voice of protest for my fellow Baptists in Russia. I ask that the Soviet authorities review this case so that this man can be back with his family and children and enjoy the full religious liberty and freedom which is so important in our world today.

PAY CASH AND SAVE MONEY

The SPEAKER pro tempore (Mr. HALL). Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, it is now possible for a consumer to walk into a restaurant or store and actually save money by paying cash.

The cash discounts are allowed by the Fair Credit Billing Act which went into effect in October but as yet, they have been largely overlooked by cash-paying consumers who do not know to request them.

As chairman of the Consumer Affairs Subcommittee under whose jurisdiction this act lies, I am concerned that a mechanism which could save consumers mil-

lions every year is not being taken advantage of and I am proposing that a public information campaign begin here to help solve this problem.

I want to make it clear that there is no way to force merchants to give cash discounts if they do not want to. However, if just a few restaurants or appliance stores in each community begin advertising that they offer the discounts, competition will automatically make other merchants want to offer the cash discounts for fear of losing the increased cash volume they can generate.

CONCEPT IS SIMPLE

The design of the cash discounts is simple. Say, for instance, a merchant sells a television set for \$100 to a consumer who pays with a credit card. All that merchant will receive in return from the credit card company is \$93. Seven dollars, or 7 percent, is the charge the merchant will pay to the credit card company for the service of being able to offer instant credit to the customer.

By offering a discount if the customer pays cash, the merchant can sell the \$100 television set for \$95 and still save \$2 for himself. An additional benefit to the merchant in such a case is his not having to worry about the paperwork associated with credit card purchases.

Therefore, both merchant and consumer benefit from cash discounts without jeopardizing the ability of that merchant to offer credit to anyone who still wants to pay with a credit card. It is very dismaying to me, however, that perhaps as much as \$5 could be saved on every \$100 cash purchase if consumers only knew to ask.

FORMER IMPEDIMENTS REMOVED

Part of the merchants' hesitation to offer cash discounts is due to the fact that until the Fair Credit Billing Act went into effect recently, the Truth in Lending Act required that any discount be disclosed on cumbersome forms. Most merchants simply were not willing to take the time, even if it meant a bolstered cash business volume. Now, however, that rule is exempted for all discounts of 5 percent or under by the Fair Credit Billing Act.

Another provision of this act states also that credit card companies cannot prohibit merchants affiliated with them from offering cash discounts. Now, merchants need not fear that offering the discounts will endanger their standing with the credit card company.

With these two major impediments removed, it appears that only consumer demand can jog the merchants out of their disinterested attitude about cash discounts. I have begun a grassroots level campaign of my own to get the word out about discounts but I would like to call on the aid of my colleagues in this effort. The leadership of the major consumer groups has wholeheartedly endorsed the cash discount idea and public information campaigns are being planned. Also, there are several local groups in various parts of the country who want to start discount campaigns of their own and I am in the process of providing information to them.

To my colleagues who regularly com-

municate with constituent groups via newsletters, speeches, and media interviews, I encourage you to remember that cash discounts—aside from their money-saving potential, are recent and tangible evidence that this Congress is a consumer-interested one.

Local efforts already begun to encourage cash discounts are promising. The success of organized discount groups such as "student discounts" and "buying clubs" has already demonstrated local merchant enthusiasm for any program which will encourage business, and rarely do merchants have as much vested interest to actually save money as they do in this case.

One citizen action group in Hartford, Conn., came up with the idea of producing a cash discount directory in which all local merchants who would agree to give discounts are listed. The directory will be used both to convince shoppers to go to listed businesses first and to create competition among the merchants for the increased cash business it will generate. Consumers Union has prepared a handbook which could be a great help to any local group interested in preparing such a directory. This guide is called "How to Compile a Directory of Merchants Offering Discounts for Cash," and can be obtained from the CU Book Department in Orangeburg, N.Y.

CREDIT CARDS NOT AFFECTED

Mr. Speaker, I would like to stress that I am not opposed to the use of credit cards. Being able to pay on credit is an important right for the millions of Americans who depend on their credit cards when they do not have enough cash on hand for necessary items. However, merchants who accept credit cards must pay a substantial service fee to the company and it is inevitable that these extra costs will turn up as higher prices. I am for the discounts primarily because they assure that consumers who do not qualify for credit cards or chose not to use them, do not have to subsidize those who do.

In short, cash discounts provide a unique opportunity for both consumers and merchants to save money without impinging on the rights of anyone to use or accept credit cards.

It is a shame that so simple a concept was overshadowed by other provisions of the Fair Credit Billing Act back in October. But I am confident from the enthusiasm I have encountered from consumers already receiving the discounts that very soon, next to the credit card decals on their doors, merchants will be proudly displaying their "We Offer Cash Discounts" signs also.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

[Mr. GONZALEZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

FOOD STAMPS: FACTS AND FABLES

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from California (Mr. PHILLIP BURTON) is recognized for 10 minutes.

Mr. PHILLIP BURTON. Mr. Speaker, I recently read a thoughtful paper prepared by Barbara Bode, president of the Children's Foundation and a member of the Food Policy Committee of the Woman's National Democratic Club. The paper, released in January of this year, carefully deals with the current charges against the food stamp program and offers facts that refute them. I am hopeful that it will be of interest and value to my colleagues.

The text of the paper follows:

FOOD STAMPS: FACTS AND FABLES

(By Barbara Bode, president, the Children's Foundation and member, Food Policy, Committee, Woman's National Democratic Club)

With new legislation pending before Congress, it is time to put the charges against food stamps in perspective. Here are some of the current fables about food stamps and the facts that refute them.*

Charge: Non-Needy Middle Class Families Are Getting Food Stamps

This claim is disproved by Department of Agriculture statistics reported to Congress in June, 1975, and by the August, 1974, "Current Population Survey" of the Bureau of the Census. The Department of Agriculture report states that only 13 percent of all families in the food stamp program have take-home pay of more than \$6,000 a year. Most of these (87 percent) are in families of five or more persons. The report goes on to show that 92 percent of participants are in households making less than \$7,000 a year; 95 percent make under \$8,000 a year; 97 percent make under \$9,000 a year, and 100 percent have incomes less than \$10,000 a year (the number above \$10,000 was reported as statistically insignificant).

Not only does the Census Bureau confirm the Department of Agriculture report but its figures show that 81 percent of program participants are from households with gross incomes below \$4,800 annually.

Charge: The Food Stamp Program Is "Out of Control"

Critics of the program claim it has ballooned by monumental proportions since its inception in 1962. The truth is that it was a pilot program in 1962 operating in only eight counties, and, following the passage of food stamp legislation in 1964, was available in only 110 counties in 1965.

Today it is a nationwide program administered in more than 3,000 counties. During the 1960's the "surplus food" program (commodity donations) was the main source of food assistance for the poor. This program served some 7.5 million persons in 1,741 counties. Poor people in 1,300 counties across the country, however, had no family food assistance program available to them at all.

Between 1965 and 1971, 1,100 counties started food assistance programs, so that by December, 1971, there were 14.9 million families being aided by food stamps or commodities. From the end of 1971 to August, 1974, there was virtually no growth in family food assistance despite increased eligibility levels and other improvements in the program.

With the nearly four-point rise in unemployment from August, 1974, to April, 1975, and under the impact of the recession, food stamp participation rose substantially to 19.5 million persons. Since then there has

*Much of the following data comes from materials produced by the National Food Stamp Information Committee and can also be found in "Who Gets Food Stamps," a committee print of the Senate Select Committee on Nutrition and Human Needs.

been a decline to 18.8 million persons in August, 1975. At present it is at about 18.5 million participants.

The food stamp program has grown because the counties which previously offered no family food assistance now participate; because the commodity counties nearly all have switched to food stamps; and because the recession forced millions of American out of work. Furthermore, Puerto Rico joined the program several months ago bringing in nearly a million new participants. Claims that the food stamp program has expanded because of mismanagement or overly liberal eligibility standards can only be a willful misinterpretation of these facts.

Moreover, in 1974 the Census Bureau reported that 24.3 million Americans were living below the poverty line. Consequently, far from being "out of control," the food stamp program has failed so far to reach all those most in need.

Charge: Food Stamps Are Costing The Taxpayers Nearly Seven Billion Dollars.

In fiscal year 1975 the food stamp program cost \$4.9 billion. Current Department of Agriculture predictions are that the program will cost \$5.8 billion in fiscal year 1976. This big increase is attributable primarily to the fact that unemployment, bringing with it increased participation, did not reach current levels until the end of fiscal 1975.

The estimated \$5.8 billion is indeed a substantial sum. However, food stamps represent directly spendable income which stimulates the economy. A study in Texas in 1972 of the economic impact of the food stamp program, by the Economic Research Service of the Department of Agriculture, shows that between \$1.1 and \$1.45 billion of the \$5.8 billion presently being spent on the program will be returned to the United States Government in tax money alone. The net cost of the program is therefore between \$4.35 and \$4.7 billion. State and local taxes (\$16.5 million in Texas in 1972) as well as the other important benefits such as new jobs and new business must also be considered if the cost of food stamps is a concern.

Again applying the findings of the Texas study, the program is presently generating at least \$27 billion in new business for the country as a whole and more than 425,000 new jobs nationwide.

Charge: The Food Stamp Program Is Riddled With Fraud—"A Haven for Chiselers and Rip-Off Artists."

Assistant Secretary of Agriculture Clayton Yettter testified in June, 1973, before the Senate Nutrition Committee that the food stamp program has been "remarkably free from fraud." At that time he reported the percentage of fraud for the first nine months of 1973 as 24/1000 of one percent.

In 1974 the Department of Agriculture reported to the Senate Agriculture Committee a fraud rate of 8/100 of one percent. Current estimates for 1975 are about one percent.

"Error rates" which are widely publicized by the Department of Agriculture are not fraud rates. In a recent report the Department stated that over 45 percent of all errors are caused by caseworkers, not participants. Most of the errors are not intentional but are simply a matter of carelessness or lack of understanding of the program.

It should be kept in mind that "errors" apply only to non-welfare households. Families on welfare are by law automatically eligible for food stamps.

The Department of Agriculture "error rate" report released in September, 1975, showed that 4.3 percent of all participating households were found to be ineligible. About half or 2 percent were improperly receiving stamps due to errors made by caseworkers, and 2-3 percent were errors made by participants. Participant errors are often such mistakes as not reporting an increase or decrease in

a rent or heat bill, and most, according to the Department, are inadvertent.

It should be remembered that error rates work both ways. Too often needy families receive smaller benefits than they are entitled to or are kept out of the program through case-workers' errors.

Charge: Able-bodied Adults Are Refusing Work and Still Getting Food Stamps.

All able-bodied applicants between 18 and 65 by law must register to work unless they are responsible for the care of children or incapacitated adults or unless they are students at least half-time at an accredited institution. If an adult member of a family refuses a job (paying at least \$1.30 an hour or the state or federal minimum wage, whichever is higher), then the entire family is denied food stamps.

Charge: The Food Stamp Program Is Full of Students and Hippies in Communes.

In December, 1974, Congress amended the Food Stamp Act to exclude all students being claimed by a household as a tax dependent if the household itself was not eligible for food stamps. This provision went into effect in September, 1975.

However, even prior to this amendment the Department of Agriculture Survey reported to Congress in June, 1975, that in 99 percent of food stamp households all the members were related. Of the remaining 1 percent many were elderly low-income persons sharing living quarters or mothers on welfare with one or two children sharing one roof. Therefore, only a fraction of one percent should possibly be commune-dwelling hippies or students.

It is possible for students to apply as single-person households but, according to Department of Agriculture statistics, less than one-tenth of one percent of participants are one-person households under the age of 22. Only six-tenths of one percent of the single-person households are between the ages of 22 and 44, most of them presumably too old to be students.

Charge: Families That Own Boats and Planes Are Getting Food Stamps.

For a family that frolics on sea or in the air, it is all but impossible to get food stamps. According to Department of Agriculture regulations a family cannot have more than \$1,500 in assets (unless one member of 60 or over and then the limit is \$3,000). Boats and planes are classed as assets unless the low-income wage earner is a fisherman or pilot who needs them for his or her work, a situation which happens seldom.

As for assets generally, the Department of Agriculture reports that 20 percent of all low-income families and 30 percent of all unemployed families are denied food stamps because their assets exceed the limitation.

Charge: People Driving Cadillacs Collect Food Stamps.

This charge has been around as long as there have been Federal food assistance programs. It has been shown repeatedly that it is the well-meaning volunteers who purchase stamps for elderly, disabled or house-bound participants who do at times indeed drive Cadillacs or other expensive cars. These same volunteers or others with similar cars often shop for participants as well.

Charge: Unions Can Sign Up Their Members En Masse.

Untrue. Union members must go through the same tedious and often harassing certification process as non-union applicants. Only an officially employed caseworker can certify an applicant for food stamps and then only one applicant at a time.

Regulations published in July, 1974, prohibit caseworkers from going to union halls or union facilities to interview program applicants during a strike. A union card certainly does nothing to help speed the application process.

Charge: Food Stamps Simply Go for Cig-

arettes and Liquor And So They Don't Do Any Good Anyway.

Untrue. Food stamps cannot be used for anything other than food (or seeds to produce food). They cannot be used for soap or paper products or anything needed for hygiene. If a store is found to be violating these prohibitions the owner may be fined and the certification revoked.

Furthermore, three different Department of Agriculture studies have shown that the food stamp program has a positive nutritional impact.

In its recent report to Congress, the Department noted specific nutritional improvement due to participation in the program. This finding was based on a study in rural Pennsylvania in 1969-71 and on a national study in 1973. A third study, conducted in 1974 by the University of California at Davis, concluded that "results indicate that diets of participants in the food stamp program appear to be nutritionally superior to those of comparable non-participating low-income households."

The facts, then, give the lie to charges about the food stamp program and the poor people who benefit from it. Nevertheless the legislative proposals before Congress all, to a greater or lesser extent, reflect these charges and the public biases which have been perpetrated against the program. The pending legislation should take these refutations of popular myths into account if the food stamp program is to be saved and improved.

LEGISLATION TO PROHIBIT USE OF FEDERAL FUNDS TO DEVELOP CIVILIAN AIRPORT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Ms. HOLTZMAN) is recognized for 10 minutes.

Ms. HOLTZMAN. Mr. Speaker, today I am introducing a bill to bar the use of any Federal airport and airway development funds to develop a civilian airport at Floyd Bennett Field in the Gateway National Recreation Area.

Gateway National Recreation Area was created by Congress in 1972 as the first national recreation area in an urban location. The 1,050 acres which make up Floyd Bennett Field, a former Navy airport, were included in the Gateway legislation. Floyd Bennett Field is the largest single land mass in Gateway and has an enormous potential for recreational use.

When plans for Gateway were first considered, a dispute arose over efforts by supporters of commercial aviation and the U.S. Department of Transportation to make Floyd Bennett Field an airport for private planes and other light aircraft. The intent of the legislation establishing Gateway was to forbid such commercial air traffic at Floyd Bennett Field. The language of the statute, however, is not sufficiently clear on this point. It needs to be made absolutely unequivocal. My bill will do that.

Commercial air traffic in Floyd Bennett Field would be inconsistent with enjoyment of Gateway as a park, and recreation facilities are desperately needed in New York City. Furthermore, most of the people in my district and the other areas surrounding Floyd Bennett Field oppose commercial aviation, because of the noise, pollution, and safety hazards that such use would pose.

Through my efforts, Floyd Bennett Field was finally officially transferred to the Department of Interior by the Navy in January 1975 and since that time planning for the field's use in Gateway has begun. It is vital that all talk of commercial air traffic to Floyd Bennett Field be put to rest so park planning may proceed promptly.

I urge passage of this bill.

The text follows:

H.R. 12191

A bill to prohibit use of Airway and Airport Development Act funds for a public airport at Floyd Bennett Field in the Gateway National Recreation Area

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the Airport and Airway Development Act of 1970 (49 U.S.C. 1701 et seq.) is amended by inserting immediately after Section 27 the following new section:

"SEC. 28. RESTRICTION ON AIRPORT DEVELOPMENT.

"Notwithstanding any other provisions of this title, no part of any of the funds authorized or authorized to be obligated under this title shall be obligated or expended for airport master planning, airport system planning, or airport development with respect to the development of a public airport at the site known as Floyd Bennett Field within the Gateway National Recreation Area as established in the Act approved October 27, 1972 (P.L. 92-592, 16 U.S.C. 460cc et seq.).

STATEMENT OF JOHN SHAFFER,
FORMER ADMINISTRATOR OF
THE FEDERAL AVIATION ADMINISTRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. DAVIS) is recognized for 15 minutes.

Mr. DAVIS. Mr. Speaker, I rise to address a situation that has generated clearly drawn battlelines in our Nation. A situation that seems to have no middle ground. On one hand, we have the people who are in favor of the trial flights of the British/French Concorde airplane. On the other hand we have those who are bitterly opposed. Vast amounts of words have been used by both sides to promote their cause and I feel certain that further verbiage is assured. Unfortunately, somewhere along the line I expect truth is surely to be trampled in the onrush to change the hearts and minds of men.

Let us for a moment, examine the almost hysterical outburst that followed Secretary of Transportation Coleman's announcement on the initiation of the Concorde flights. An outcry, by the way, that does not have incontrovertible facts and figures, an allegation that does not have enough merit to stand alone.

Frankly, I support the stand taken by the Transportation Secretary and I base that support on a timely and thoughtful document by a former Administrator of the Federal Aviation Administration Mr. John Shaffer. I feel his statement, made on January 5, 1976, is a pragmatic approach to an emotional issue. It is knowledge speaking out instead of whining halftruths and innuendo. It is a clear assessment of a very touchy issue and I

believe it sets aside the hysteria for a cold, hard look at the problem. I would like to commend it to the attention of my colleagues in this House:

STATEMENT OF JOHN H. SHAFFER, FORMER ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION

Thomas Jefferson, the principal architect of the Declaration of Independence frequently expressed his firm conviction that a properly informed public will make wise decisions. Prior to this opportunity the public simply hasn't been getting many straight facts on matters relating to ecology and the environment, especially about the airplane and its impact thereon.

In the short time I have I'll first talk to just one of the most frequently repeated myths about supersonic flight—the oxides of nitrogen contributed by aircraft engines—piston, turbo-prop and turbo-jet.

If the modest Concorde fleet be permitted to operate in the Earth's upper atmosphere, some contend we are "doomed" by NO_x and other atmospheric pollutants contributed. In the interest of stripping the emotional appeal from this frequent distortion, I invite all of those interested to ponder on a startling fact. If science could successfully provide the means to remove only the oxides of nitrogen contributed by combustion sources from this planet's atmosphere, the 99% produced by nature would remain. "Doubters" can confirm this if they are honestly interested in fact finding rather than supporting a particular "side" of the ecology debate.

At this point let's enter a further thought-provoking fact into this record—All oxides of nitrogen aren't villains lurking in ambush! The great saltpeter deposits of South America are a result of the perpetual thunder storms over the Andes. The oxides of nitrogen in the rain water react with the minerals and organic compounds in the soil with much of the slurry ending up as "saltpeter" when the water which transports the effluent down the mountains eventually evaporates and recycles to the atmosphere.

The foregoing is preamble to the main thrust of what I'm compelled to say on one of the most misunderstood, under appreciated and badly abused capabilities man has yet developed—flight. And more to the point—Supersonic Flight.

It really doesn't matter that Concorde is largely a British-French product and that the USA hasn't one to offer for sale. It's to the everlasting credit of these two great friendly Nations that they have managed to keep their project alive while they and the rest of the free world's aviation family strive to intelligently structure programs that will permit man and his environment to live in harmony at a cost he can afford.

The day-to-day driving need to increase productivity in the struggle to keep abreast or slightly ahead of our collective desire to maintain the life style and quality of life mankind has come to enjoy and too many take for granted is just one of the "trade-offs" which clearly must be made if we're to generate the necessary capital to finance other badly needed technical innovations for our society.

There are those who desperately want to see Concorde denied operational rights to two essential points of entry in North America—The Greater New York Region where the greatest concentration of people with strong ethnic ties to Europe reside; and Washington—this Nation's and the World's capital. They hope to accomplish this by insuring that Concorde doesn't get the chance to put its best foot forward because they are apprehensive that the public will, if given the opportunity, learn for themselves the true facts of Concorde's environmental impact. They will then lose much of their credibility.

And some significant share of whatever public support they've been able to muster—with their frequent warnings based largely on fear or misinformation—will suddenly erode.

Reasonable men are fully capable of insuring that should Concorde operations in and from "gateway" airports such as Dulles and JFK prove to be an onerous as some contend, these few operations could be further curtailed or even suspended. If to the contrary (and this is the view that I hold on this matter and the reason that I am speaking out as a man who understands elementary science and wanting to see "right" prevail for the good of all mankind) Concorde's adverse impacts prove acceptable, the public will quickly grasp that Concorde's benefits clearly outweigh the sum of her disbenefits.

Additionally, I would like to leave this thought for those who would concern themselves unnecessarily with the economic viability of this magnificent "experiment." Within 90 days of her entry into service on the North Atlantic, at least half of all first class travel on that route will be in Concorde and it really shouldn't be any concern of most U.S. citizens whether the \$2 billion-plus invested thus far in Concorde was money well spent. Let's reflect for a moment on the \$6 billion price tag presently estimated for Washington's Rapid Transit System which is a bird of quite similar plumage in that Concorde and Metro both are, among other things, social programs with considerable public benefit.

The two, however, differ in at least one important respect. Those airlines which operate Concorde on the trade routes of the world will see to it that those who buy the service pay what time saving is worth to the consumer (of their service). On the other hand, there doesn't seem to be the slightest chance that revenues from Washington's Metro will even service its substantial debt much less permit the system to operate at break-even. The foregoing remarks are not intended to convey the thought that Metro isn't either a worthwhile project or in the public interest, but it just an example or illustration from a long list of quite similar projects which have contributed significantly to the quality of life in America, without directly contributing a profit as an enterprise.

If for one embrace the principle that "time is money" and with the serious world shortage of talented managers growing daily the ability to transport these persons from their domicile to where they are needed in half the time, comfortably and safely is a capability that will sell and for which there is a sizable demand worldwide.

Admittedly, Concorde isn't as quiet as its first generation jet transport ancestors.

Importantly, the design also predates (the British-French agreement was consummated in 1962) the quieter wide body aircraft, this adds another dimension to the issue because of the degree of difficulty, and length of development cycle, for producing the ultimate airplane in Concorde's performance regime.

Before there was an Environmental Policy Act (1969) or a Clean Air Act (1970), the aircraft community was clearly doing things protective of the environment. Dulles which was opened in 1962 was built in a virtually unpopulated area on a 10,000 acre site with its runway system and flight line remote from the terminal or "living" areas, in a conscious effort to contain the sound of aviation within the boundary of the airport property in such a way that even the users of the airport would not find the sound level uncomfortable.

It therefore seems to me that the real failing is not that aircraft engineers haven't made the airplane as quiet as we would all like but rather that the job of enlightened land use planning and rigid enforcement of zoning covenants wasn't accomplished by the

public officials charged with these responsibilities. At both locations (JFK and Dulles) the photographic history shows the unrelenting encroachment of incompatible development up to the perimeter fences.

Stated differently, for emphasis, the airplane didn't invade these airport neighbors, the communities moved in on the airports in both instances/examples.

Repeating the words of Thomas Jefferson "Properly informed people will make wise decisions." This seems to me to be a once in a lifetime opportunity (in light of media coverage of this issue) for world citizens to decide for themselves what's best for them. I sincerely trust the record of your hearing will help the layman—Mr. Average guy like myself—develop rational perspectives necessary to make balanced judgments on important issues and, if you will on national direction.

I applaud you for providing a forum the record of which will most certainly provide the plain facts on the SST issue for the first time. Whatever conclusion is reached will now be made with the full knowledge of where and how this decision will affect the public interest.

FHA-FmHA TASK FORCE ON HOME APPRAISALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. McFALL) is recognized for 5 minutes.

Mr. McFALL. Mr. Speaker, I am today introducing legislation that is the first step towards establishing the interchangeability of home appraisals conducted by the Federal Housing Administration and the Farmers Home Administration.

As the situation stands today, a home buyer or seller who wants a particular home to be eligible for both FHA and FmHA loan guarantees or other programs must have an appraisal of that home conducted by both agencies. Not only must two appraisals be paid for, but additionally, this is an example of unnecessary duplication of work by two Federal agencies. I can see no reason why uniform appraisal procedures cannot be established between FHA and FmHA, and thereby allow each agency to accept and use the home appraisals conducted by the other.

The legislation I am introducing today provides for the establishment of a FHA-FmHA interagency task force. This task force would have 240 days after the enactment of this legislation to study current FHA and FmHA home appraisal and inspection procedures and to report back to the Congress. To be included in the task force's report to the Congress will be an analysis of the feasibility of: First, both agencies using the same home appraisal and inspection procedures; and second, both agencies accepting any home inspection or appraisal conducted by the other, and additionally, a statement of what legislative action would be needed to implement a policy of interchangeability between FHA and FmHA home inspections and appraisals.

Upon receiving the task force's report, Congress will be in a position to address through specific legislation the implementation of interchangeable FHA-FmHA home appraisals and inspections. I believe the need for such uniformity

in home appraisals and inspections is clear, and I hope that this legislation will receive prompt consideration.

HELEN KELLER NATIONAL CENTER FOR DEAF-BLIND ADULTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS) is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, on Monday, February 23, I introduced H.R. 12018, a bill which would provide that the National Center for Deaf-Blind Youths and Adults be renamed the Helen Keller National Center for Deaf-Blind Youths and Adults.

The center was created to provide a national program of rehabilitation services to handicapped people who are both deaf and blind. The programs at the national center also give training for professional staff and personnel working with deaf-blind people and conduct research into the problems and methods of rehabilitating individuals who are handicapped with deafness and blindness.

Mr. Speaker, in renaming the national center after Helen Keller, we will at once identify its work for deaf-blind persons and honor the remarkable woman whose life was an inspiration to the creation of the national center.

The story of Helen Keller is familiar to all of us—the courageous woman who, herself both deaf and blind, received an education from gifted instructors and graduated cum laude from Radcliffe College. She spent her life working for the betterment of deaf-blind persons everywhere.

Mr. Speaker, Helen Keller's dream was to create a national program which would provide rehabilitation services to deaf-blind people. She was still living during most of the planning for the National Center for Deaf-Blind Youths and Adults and its operation today represents the fulfillment of one of her greatest hopes.

Mr. Speaker, to give the name of Helen Keller to the national center is fitting recognition of her great example and inspiration. It is also timely in that construction work on the center in Sands Point, N.Y., is now completed and the facilities are ready to offer the program's important services. As the Helen Keller National Center for Deaf-Blind Youths and Adults, the center will stand as a model for services to the deaf-blind throughout the world.

FORD ADMINISTRATION BUGS THE IMPACT AID COMPUTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. HARRIS) is recognized for 5 minutes.

Mr. HARRIS. Mr. Speaker, an incredible final round in the administration's assault on the education program impact aid has come to light—1976 impact aid payments to local school districts will not be made until May, at the earliest, or possibly July.

The reason is ludicrous—and tragic. According to officials who administer the program, the data processing system which computes and processes the disbursement of funding under the program will not be ready for another 3 months or longer. Because the basic formula for computing impact aid allotments was substantially changed by Public Law 93-389, which became law on August 21, 1974, the computer for determining and disbursing allotments had to be completely revised. That reprogramming is not yet ready and will not be for another 3 to 5 months. In other words, funds approved by Congress last July are held up again by the administration's bungling of a computer. This means that 1976 impact aid money may not get to school districts for a full year after Congress approved them.

To put this in perspective: The 93d Congress enacted the Education Amendments of 1974 which revised and extended the basic impact aid authority. The 94th Congress in July 1975 approved fiscal year 1976 funds for the program in the 1976 education appropriations bill, H.R. 5901—a measure that we separated from the regular Labor-HEW appropriations in order to get needed funds to school districts before the school year began. Ford's answer was a veto, which the House overrode on September 9 and the Senate followed on September 10. Then, the President tried to withhold \$97.3 million in impact aid and we defeated that cut on February 10. This Congress has made its intent quite clear three times: Our school districts need these funds and they need them now. Actually, they needed them when school opened last fall.

Now we learn, after fighting and winning three times, that the administration is finagling and delaying once again, this time with the assistance of technology. The reason for the 3- to 5-month lag in sending this money on to our schools is that the computer is not ready. Why is it not ready? Because, the story goes, the new law—enacted 2 years ago—is so complicated that administration officials have not yet gotten the technological apparatus set up to handle the paperwork.

Frankly, Mr. Speaker, I find this to be a ridiculous situation. The administration has had 2 years to prepare for allocating these funds. I am alarmed that after waiting for 8 months, school districts will have to wait 2 to 5 more months because HEW is not ready to make these payments to local school districts. By the time the administration is ready to send these funds to local schools, the school year could be over.

What does this mean for our schools? School officials in my district are quite upset about this bungling and foot dragging. They say it could be "devastating." Most annual school budgets in my district are planned in anticipation of receiving impact aid by early February. They have told me that further delay will mean that local government will have to borrow temporary, supplemental money at high interest rates to make up

for the delayed impact aid. Or they will have to cut into their investments and lose interest payments. Or they will have to stop or curtail education programs. One official said, "We might have to close schools for awhile."

School budgets are facing the same strains of the economy as every other budget. Local and State funds are dwindling. Here funds are ready and waiting to be used, but they are snagged by the administration's mismanagement and ineptness. Our schools need the funds now.

To cut back school programs because HEW cannot set up the administrative machinery in a 2-year period would not only be ludicrous, it would be tragic. Schoolchildren should not be made the culprit of administrative mismanagement and poor planning. In my view, what is really going on goes a lot deeper than a computer that just is not ready. Given the administration's efforts to dismantle and underfund this vital program, I believe that this is but another round in the administration's never-ending assault on impact aid. The administration's "program" for impact aid is slow death.

I have written to the Secretary of the Department of Health, Education, and Welfare, David Mathews demanding action. I have urged him to act promptly to process all 1976 impact aid funds immediately, to get those funds out to our schools. I will not tolerate another administration attempt to undercut our schools.

**SARAH MILLER, RESERVE, MONT.,
WINNER IN VOICE OF DEMOCRACY
CONTEST**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana (Mr. MELCHER) is recognized for 5 minutes.

Mr. MELCHER. Mr. Speaker, I would like to share with my colleagues the following winning essay which was written by Sarah Miller of Reserve, Mont., as her entry into the VFW Voice of Democracy Contest. Her concept of a liberty tree which "shelters all of the American people" is a fresh concept and one which I know will be appreciated by the Members of this House.

Sarah is the Montana champion in this national contest and she speaks for all Americans in her forthright essay:
VOICE OF DEMOCRACY ESSAY BY SARAH MILLER,
RESERVE, MONT.

My bicentennial heritage can be represented in the figure of a tree . . . a liberty tree which has been growing nearly 200 years and shelters all of the American people.

The seed of liberty was formed the day man was created. As society was developing, it was sown in various types of soil and did not always flourish; yet the seed could not be destroyed because it was sown in fertile soil—the hearts of man. Here and there shoots were appearing, such as the Magna Carta in England. When the settlers came to the New World, they brought the seed with them, and upon finding fertile soil, the seed firmly embedded itself. Our tree of lib-

erty grew rapidly, and when the Revolutionary War was won, it became an undeniable reality—something which could not be stepped on, but must be recognized.

Although the trunk of our tree of liberty is now very sturdy, if we were to take a cross-section of the trunk and examine the rings, we would find that some years it underwent severe hardships. The Articles of Confederation provided little nourishment, and the tree did not make noticeable progress until the Constitution was ratified. Other hardships attacked our tree and severely slowed its growth, such as the Civil War and the Depression. Yet, in each of the 199 rings, some growth did occur, and today our mighty tree of liberty protects not only our country, but many people in other parts of the world.

The main components of the tree are the roots (which represent the government), the leaves (which represent the citizens), and the trunk (which can symbolize all communication between the government and the people). The roots, or government, consist of three major systems—the executive, legislative, and judicial bodies. Each of these three roots are powerful; yet by the system of separation of power as described in our Constitution, they balance each other and provide the most representative government yet put into effect by a nation. The leaves are the people which are represented in the government. These leaves do not represent only one segment of society, but all persons regardless of age, color, or religious beliefs. The trunk carries the communications between the roots and the leaves. The most obvious artery of the trunk is the press and media. However, this also includes direct contact through elections, letters, and campaigning.

Our tree of liberty, although it had been fed by the lifeline of patriotism, would never have survived without the protection of bark—the Constitution. It is the oldest written document of its kind still in effect. It is the foundation of my bicentennial heritage—the source of the family tree of liberty, and because of it, my bicentennial heritage is now a flourishing liberty tree.

The tree of liberty, when it began, was a lone tree. Never before had such a revolution succeeded. The time was right, the place was ideal, and the people were incomparable. This was not evident at the time, and few had faith in the early dream of a United States of America. Yet today we are one of the world super-powers. As Winston Churchill once said, "Solitary trees, if they grow at all, grow tall."

**STATUS OF THE FISCAL YEAR 1976
CONGRESSIONAL BUDGET**

(Mr. ADAMS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ADAMS. Mr. Speaker, I rise to inform the House on the status of the fiscal year 1976 congressional budget. As you know the Budget Committee has been notifying the House on a weekly basis about where Congress stands in relation to the ceilings on budget authority and outlays and the revenue floor adopted in House Concurrent Resolution 466.

As of close of business February 27, 1976, there has been no change in the current level of spending since our last notification to the Speaker on February 4, 1976. The status is as follows:

**STATUS OF THE FISCAL YEAR 1976 CONGRESSIONAL
BUDGET REFLECTING COMPLETED ACTION AS OF FEBRUARY 27, 1976**

(No change since February 4, 1976)
[In millions of dollars]

	Budget authority	Outlays	Revenues
Appropriate level	\$408,000	\$374,900	\$300,800
Current level	396,705	370,957	301,100
Amount remaining	11,295	3,943	300

Although current levels of funding remain below the ceilings, caution is in order. This week the House will be considering the foreign aid appropriation bill for fiscal year 1976, and in future weeks will be considering the District of Columbia appropriation bill. Soon we will consider the conference reports for the two recently passed House appropriations bills for ConRail and the Madison Library. As passed by the House, these bills contained the following amounts, which must be counted against the amounts remaining—as shown above.

[In millions of dollars]

	FY 1976	
	Budget authority	Outlays
Supplemental railroad appropriations (H.J. Res. 801)	404	404
Supplemental legislative appropriations (H.J. Res. 811)	33	

In addition to these pending bills, the total budget still remains very sensitive to economic trends and its resultant effect on spending.

In summary, Mr. Speaker, I must warn my colleagues in the House that the current spending level leaves little room for new spending legislation of either the President or Congress which was not contemplated in this year's budget resolution.

**COMMUNIST NORTH KOREA STILL
SEEKS THE CONQUEST OF SOUTH
KOREA**

(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, there is unwarranted but growing belief in the United States today that the so-called post-Indochina Korean crisis has safely passed and that the North Koreans are unlikely to renew aggression against the south. This is strange doctrine when examined in the context of their own flagrant boasts and hostile acts. It is even more unreal when related to their incessant attempts to foment social unrest in the Republic of Korea through subversive moves.

The North Koreans are encouraged in the belief that aggression will succeed by recalling the *Pueblo* and EC-121 incidents of 1968 and 1969 where Pyongyang

got away with direct military assaults on the Americans without suffering a scratch on its part.

They have noted the fall of Indochina and the withdrawal of most U.S. forces from Thailand. They have not fully evaluated the effect of the developments in Indochina on the global position of the United States. Unfortunately, the back-down on Angola directed by Congress, has not helped the U.S. posture even in Asia. However, they recognize the fact that approximately 40,000 U.S. servicemen in South Korea make up a substantial U.S. military presence on the Asian mainland. Despite a continuing clamor by some liberal elements of the news media, a careful study indicates to the North Koreans there is little sentiment in the United States for cutting back on U.S. forces in Korea.

Obviously, it is not a time to further weaken the U.S. military position overseas. The Korean Peninsula is one of the strategically important areas of the world, certainly the most important in Northeast Asia. Bounded on the north by China, on the northeast by the U.S.S.R., lying only 30 miles from the closest Japanese island, Tsushima, and 130 miles from Honshu, it is the one area where the interests of the four great powers—the United States, U.S.S.R., People's Republic of China, and Japan—converge. The fall of South Korea, either because of U.S. withdrawal or inadequate support of the ROK, would unhinge the delicate balance in that area. It could even lead to early cancellation of U.S. base rights in the Japanese home islands and Okinawa, and the Philippines, forcing us to fall back on a forward defense line centered on Guam and Saipan.

At the moment, neither the U.S.S.R. nor the PRC is encouraging Kim to invade the south. Although apparently he has sought help, particularly from Red China, each country is pursuing its own brand of détente with the United States and neither wants to upset its applecart by direct conflict with U.S. interests in the Far East. Thus, the reluctance of either to back Kim in an invasion of the south, coupled with the strength of ROK forces and a U.S. military presence in Korea, makes war in that area unlikely in the near future. However, we have no assurance that either the U.S.S.R. or China regards détente as more than a tactical maneuver. They can discard it at a moment's notice. U.S. armed strength plus a positive indication of support for South Korea is what makes the difference.

There are danger areas even today. Military observers believe the five Yellow Sea islands off the Korean coast would be the most likely places for Pyongyang's Kim to test American resolve to defend the Republic of Korea. North Korea insists that the waters around them are North Korean territorial waters. Their gunboats have attacked South Korean naval vessels and fishing boats in the area and their Mig's have flown over the islands. This is an invasion of South

Korea. To the South Korean these islands represent an intrinsic part of the Republic no less important than the Hawaiian Islands and Alaska are to the United States. The North Korean probes or offensive action against the islands may be the most immediate indicator of real danger of hostilities in the area.

Because the consequences of renewed conflict in Korea would be so serious, the United States must avoid actions that would weaken the deterrent to a North Korean attack. No U.S. forces should be withdrawn until there are more positive grounds for confidence that South Korean forces plus a credible U.S. determination to intervene militarily will continue to deter North Korean Premier Kim Il-sung as they have for over 20 years. An additional justification for maintaining the Army's Second Division and a U.S. tactical air wing in South Korea is to reassure Japan of the U.S. commitment to maintaining peace on the Korean peninsula. Withdrawals now would increase the risk of an attack on South Korea by North Korea and cause many more Japanese to seriously consider alternatives to reliance on the U.S. security commitment.

There have been futile attempts by representatives of the North and South Korean Red Cross to set the stage for peaceful reunification of the Korean peninsula. It is abundantly clear that, in the foreseeable future, reunion could take place only on Communist terms that are totally unacceptable to South Korea. Therefore, the Republic of Korea's national objective is to deter a North Korean attack by building superior economic strength and armed forces that ultimately will enable the country to defend itself without outside help.

Any lessening of U.S. support could encourage Pyongyang to believe there is less likelihood of U.S. involvement or retaliation. It is South Korea's obvious need that the United States provide in clear language the Communists fully understand, that any act against South Korea would be resolutely opposed by both South Korea and the United States under the 1953 Mutual Defense Treaty. To discourage Kim Il-sung from military ventures should be a common concern of all peace-loving nations, but the United States remains the key to peace in the area.

SOLAR ENERGY—HERE, NOW, AND FOR THE FUTURE

(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, today I am pleased to insert in the RECORD an excerpt from Dr. Barry Commoner's article in the February 9 issue of the New Yorker discussing the great potential of solar energy for the United States. Dr. Commoner examines the short-term and long-term utility of solar energy as a means to both supplement our present

energy needs and supplant expensive oil, gas, and nuclear resources in the future.

I commend the article to all of my colleagues who share my interest in the development of a viable alternative energy source program for the coming years.

The excerpt follows:

SOLAR ENERGY

There is a tendency in some quarters—perhaps in reaction to the sweeping denials of the usefulness of solar energy—to regard it as a panacea for the energy crisis. Enthusiasm for solar energy is understandable. In the long run, it does come close to being the perfect energy source. It is renewable; it is available everywhere; its environmental effects are negligible. (The only effect of any solar technology on the environment is that it changes the geographical pattern of the earth's absorption and reradiation of energy. The natural pattern is represented by the weather; this is itself so variable that the effect of any solar device is likely to be lost in the random meteorological fluctuations.) Most recent studies of long-range energy problems conclude that midway through the twenty-first century, or even somewhat sooner, we would obtain all, or nearly all, our energy from the sun.

But immediate use of solar energy by itself is not the solution to our present-day problems. Rather, solar energy now provides a valuable way to make more rational use—economically as well as thermodynamically—of existing energy resources, gaining time while the full development of solar energy gets under way. The need for the catalytic effect of solar energy is evident not only in the matter of producing hot water in St. Louis but also in the more weighty matters of national policy problems: the disastrous rate of inflation, largely impelled by the rising price of energy, which is eroding most families' earnings; unemployment in the automobile and other major industries, much of it worsened by the high cost and threatened shortage of energy; the feelings of frustration and impotence of the citizen or the community confronted with the concentrated wealth that is symbolized by billion-dollar nuclear-power plants; the still unmitigated curse of environmental degradation; the growing demand for capital, especially by energy industries—a demand that is outrunning the supply and that threatens industrial development.

None of these problems can be swept away in a flood of sunlight, but solar energy can play its special part in the effort to solve each of them. Solar energy could at once begin to supply a large part of the energy now used for space heat, hot water, and—with little further development—air-conditioning.

The householder not only would enjoy reduced bills now but also would be relieved of the spectre of constantly increasing ones. In effect, by purchasing a solar heater today the householder can establish a hedge against inflation—investment in goods that will retain their use into the inflated future. And if solar collectors were to be installed on a sufficiently large scale, the resultant decrease in the demand for fuels might, if the law of supply and demand retains any of its force, reduce the rapid escalation of energy prices and help to check the pace of inflation generally. Any major effect to install solar collectors in the nation's sixty million homes would require the construction of equipment costing up to two hundred billion dollars or so. Unlike oil refineries or nuclear-power plants, these systems would be simple to construct and would make an ample demand for diverse kinds of labor.

The devices could be built by automobile workers in idle auto plants or by plumbers, carpenters, and metalworkers in small, community-based shops. Such a program—based, for example, on government loans to support the manufacture and purchase of solar systems—could significantly reduce unemployment.

Nor is the manufacture of solar devices—not only simple collectors but solar steam plants—likely to contribute to the growing shortage of capital. The chief reason for the increasingly intense demand for capital to produce conventional sources of energy is that those sources are heavily affected by the law of diminishing returns. Every barrel of oil that is produced makes the production of the next barrel more difficult, and more costly in invested capital; every new environmental and safety problem that is uncovered in a nuclear-power plant makes the next one more complex, and more demanding of capital. In every conventional energy source, the productivity of capital—the energy produced per dollar of capital invested—has fallen sharply with increased production. By contrast, the capture of solar energy can be continuously expanded with no decrease in capital productivity, because the production of one unit of solar energy in no way makes it more difficult or costly to produce the next. Sunlight falls continuously all over the earth, and its use on one place does not diminish its availability elsewhere—any more than a corn crop growing in the Ukraine interferes with a corn crop growing in Iowa. And so, unlike conventional energy sources, solar energy will not become progressively more demanding of capital as its use expands. What is more, as solar energy replaces conventional sources, they can be gradually phased out, reducing the most intense demand for capital in American industry.

For all these reasons, solar energy is ideally suited to local or regional development. No giant monopoly can control its supply or dictate its uses. And since a large solar installation is not basically different from a smaller one (it is only a larger aggregate of collectors, mirrors, or photovoltaic cells), there are no significant economic advantages to be gained by size as there are in, say, nuclear-power plants. Economically and thermodynamically, solar energy can be effectively applied—at first in judicious combination with conventional sources and eventually alone—to the needs of a single home or a city.

THE NUCLEAR-POWER-TRUTH MAZE

(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, yesterday the New York Times carried an extremely thoughtful article by the Nobel Laureate George Wald, of Harvard University. In his article Professor Wald very ably sets out some of the most serious—and often disturbing—features of the current “nuclear, antinuclear” debate.

His plea that judgments leading to public policy should be disinterested, and his recognition that this is unfortunately rarely the case, are strong reasons for those of us in positions of public responsibility to give heightened attention to the ways in which we analyze information and how we reach “conclusions.”

His statement that “it helps to know that those opposed to nuclear power have

nothing to gain from their position but the public good, that they are indeed willing to sacrifice from their own pockets for the privilege of speaking out,” is exemplified by the three nuclear engineers from General Electric and the staffer from the Nuclear Regulatory Commission who quit their jobs because of their concerns about nuclear safety. Not only do these men have nothing to gain by leaving their jobs; they doubtless have lost job security, professional approbation in “establishment” quarters, and stable incomes.

I would like to commend the attention of my colleagues to Dr. Wald's article, “The Nuclear-Power-Truth Maze.”

The article follows:

[From the New York Times, Feb. 29, 1976]

THE NUCLEAR-POWER-TRUTH MAZE

(By George Wald)

CAMBRIDGE, MASS.—One of the prevalent myths of our time is that Government policy is based on the best obtainable information—that if the Government knows which policy will most promote the public welfare it will adopt that policy. It is this belief that fosters the constant call for more research.

In fact, almost the opposite is true. A policy having been decided on—usually for economic or political reasons—the information is sought that will support it. That is, information follows policy, rather than the other way around.

As for the information itself, one needs to distinguish advocacy from judgment. Advocacy is what a lawyer does for his client in making a case. It is one-sided; presumably another, perhaps equally able advocate, prepares the other side. But judgment is something else. It must weigh both sides, one hopes impartially. There must at least be no overt bias. A judgment must be disinterested.

These are important considerations in the present public debate involving nuclear power. A bewildered and uneasy public is faced with highly technical problems, far beyond its capacity to evaluate. Hence it is forced to rely upon the opinions of experts. But then it is crucial whether those experts are advocates or judges.

One of the main factors that undermined public confidence in the United States Atomic Energy Commission was the realization that the main thrust of this public agency was to promote the nuclear-power industry and that it was willing to compromise on standards of safety to achieve this end.

It was largely the work of persons outside both Government and industry—indeed, opposed all the way by Government and industry—that eventually forced tighter safety standards and controls.

A bewildered public seeking expert and unbiased opinion hopes to find that in the universities. And rightly so. The entire insistence on academic freedom rests on the assumption that the universities are engaged in an objective and impartial search for truth.

One looks to them for both expertise and disinterestedness; but if one had to make a choice, disinterestedness is the more important. For experts are all about us; industry and Government employ large numbers of them. Disinterestedness is the rare and precious quantity.

I make so much of this because at present the public, trying to reach a position on nuclear power, finds professors on both sides. Whom is one to believe?

It needs to be understood that, as in so many other instances, those professors do not face a symmetrical situation. They must find their way in a heavily biased context.

One outcome, favoring the rapid spread of nuclear power, the relaxation of safety standards, the optimization of benefits and minimization of the risks involved—those views enlist large political and financial support, and are greeted with official approval, eager acceptance and wide publicity.

The other viewpoint, concerned as it is with troubling problems of powerplant safety, control of nuclear pollution, plutonium 239 as a source both of high toxicity and fission bombs, and the still wholly unresolved burden of nuclear-waste disposal that promises to remain a problem for hundreds of thousands of years—that opposition viewpoint offers no reward but its own conviction. It has no client, unless society at large becomes its client.

Early in 1975 a group of 33 “notable scientists,” mainly physicists, issued a “Scientists' Statement on Energy Policy” that urged the rapid expansion of nuclear power as the only realistic solution of our coming energy needs. Recognizing potential dangers, it concluded that there exists no available alternative and that with proper care this expansion would involve benefits that far outweigh the risks.

Was this widely disseminated statement advocacy or judgment? One hopes the latter, since these are very distinguished scientists, widely respected by their colleagues. Twenty-six of them, including eleven Nobel Prize laureates, were identified only as professors in major universities.

Hence, it was with some dismay that I read an analysis by a fellow academic physicist that showed that 14 of the 26 academic signers are members of the boards of directors of major United States corporations, including corporations directly and indirectly involved in energy production. I would not question the integrity of any of these persons; yet it must be recognized that such an affiliation in this connection does not suggest—it defines conflict of interest.

The only reprehensible element I would plead in the relationships themselves is in the failure to disclose them. Imagine the difference in impact had these academic signers listed themselves as directors of Exxon, Nuclear Systems, Iowa Electric Light and Power, Detroit Edison and the like!

The business of the energy industry is not to make energy but to make money. In pursuit of that single-minded purpose it continuously lobbies, infiltrates Federal agencies, funds candidates in both major parties, devotes many millions of dollars to “educational” propaganda, and does everything it can to avoid regulation.

We scientists are often asked whether it might be possible eventually to produce nuclear-power safely. That is a technical question, and the answer to it may well be yes. But that is the wrong way to ask the question. The real question we face is whether nuclear power can be produced safely while maximizing profit. The answer to that question is no.

We had a nice instance of the real situation at a news conference in Washington on Aug. 6, 1975, when the Union of Concerned Scientists presented to the Administration and Congress a petition signed by 2,300 scientists and engineers asking restraint on the further construction of nuclear-power plants until problems involving their safety were under better control.

One of the speakers was Rear Adm. Ralph Weymouth, recently retired from the Navy. What had disturbed Admiral Weymouth was the great disparity between safety precautions observed by the Navy in its nuclear installations and those taken by the nuclear industry. The point is simple enough: The Navy operates without regard to profit, whereas the industry bends all its efforts to

maximize profit, and regularly cuts corners to achieve that end.

Everyone is an idealist, not just you and your friends but all those on the other side. Just ask them, and they will tell you.

Having to find my way through a maze of frequently conflicting ideals, I finally adopted a rough rule of thumb: If the ideal costs something—in money, privilege, status—that makes it a little more credible. If, on the contrary, it pays off in any or all of those ways, then I fall back on the principle of scientific parsimony: If you have one explanation for a phenomenon there is no need to seek a second explanation.

Those of us who oppose nuclear power in its present forms have nothing to gain thereby but our share in the common good. Our opposition brings us into conflict with all the centers of power. It costs us our own money. It threatens rather than raises our professional status. Lately, three General Electric engineers and a Federal safety supervisor resigned their management jobs in nuclear-power installations. One gets no medals for such behavior, only opprobrium from Government and industry, only the lasting stigma of not being a team player.

Whom is one to believe? One cannot be sure. But it helps to know that those opposed to nuclear power have nothing to gain from their position but the public good, that they are indeed willing to pay for the privilege of speaking out.

PUBLIC FINANCING FOR CONGRESSIONAL CAMPAIGNS—ESSENTIAL FOR EFFECTIVE 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, one of the major deficiencies in our political system is the excessive influence of money on the electoral process and the extent to which special monied interests receive special treatment as a result. Legislation to regulate the manner in which political campaigns are financed has largely been a piecemeal effort, beginning with the Federal Corrupt Practices Act of 1925.

Although the Revenue Act of 1971 and the Federal Election Campaign Act of 1971 authorized public funds to finance Presidential and Vice Presidential campaigns, nothing has been done to bring equity into the manner in which congressional and senatorial races are financed or of eliminating the corrupting influence of money on congressional elections. Thus, the vast majority of candidates must continue to depend on certain special interests and persons of wealth in order to finance their campaigns. This is especially true for candidates seeking to challenge incumbents. In the 1974 House elections, for example, Common Cause reported that incumbents outspent major-party challengers in about 80 percent of the races.

It is important to note that the Supreme Court has upheld the constitutionality of public financing for Presidential campaigns and held that public financing was the only permissible vehicle for limiting campaign expenditures. Affirmative steps must be taken to extend this procedure to House and Senate campaigns.

Last month Senators HUGH SCOTT and EDWARD KENNEDY prepared a very timely and perceptive article on congressional campaign financing for the New York Times Op-Ed page. This well-written article not only spells out the effects of the Supreme Court's decision but also makes the very vital point that—

If public financing was important for Presidential elections, it is even more important for Senate and House elections.

One of the major failings of the present system, as Senators SCOTT and KENNEDY observe, is that—

By outlawing spending limits, the Court leaves candidates of modest means in a deeper lurch than before against wealthy opponents.

Last Friday, the Court gave the Congress an additional 3 weeks in which to reconstitute the Federal Election Commission in order to meet the standards set by the Court. I am hopeful that our colleagues in both Houses will use this additional time wisely and that they will have the courage to include public financing for congressional elections along with the reestablishment of the FEC.

Mr. Speaker, I insert herewith, for inclusion in the RECORD, the very astute and thought-provoking article prepared by Senators SCOTT and KENNEDY:

FINANCING CONGRESSIONAL ELECTIONS (By HUGH SCOTT and EDWARD M. KENNEDY)

WASHINGTON.—Mark Twain is reported to have said that the United States has the finest Congress money can buy. A jest, perhaps, but it has the sting of truth, because of the way campaigns for the Senate and House of Representatives have been financed in the past.

Wealthy campaign contributors and their favored candidates created the appearance—and sometimes the reality—of corruption and conflict of interest, of bribery and extortion, as contributors vied for access, influence and even outright control over candidates for office.

The fund-raising abuses of the 1972 Presidential campaign created the pressures for reform that culminated in the Federal Election Campaign Act of 1974. For the first time, the 1976 Presidential elections are being paid for by the people, through the dollar check-off on the income tax form.

Virtually all the candidates of both parties in the primaries have qualified for matching grants of public funds. All the expenses of the Republican and Democratic nominees in the November election will be paid for completely by public funds. The fat cats are shut out.

But not completely. Congress refused to clean its own stables in 1974. Adopting a "holier than Watergate" attitude to election reform, it left a double standard in the law. It preached public financing for Presidential elections, but practiced only a patched-up version of private financing for itself. Now, opportunity is knocking a second time. Prompt legislation by Congress is required to revive the Federal Election Commission, struck down by the United States Supreme Court.

At the same time, the Court's solid endorsement of the constitutionality of public financing gives Congress a green light to reform its own elections as part of the legislation now being readied.

In fact, the Court's decision adds significant momentum to the drive for Congressional public financing.

By outlawing spending limits, the Court leaves candidates of modest means in a

deeper lurch than before against wealthy opponents. The recent ruling appears to give the wealthy candidate a constitutional right to bury an election by spending unlimited amounts from his own pocket, while others must raise funds under the applicable contribution limits—\$1,000 from individuals and \$5,000 from groups.

Some have suggested resolving this dilemma by raising or abolishing the contribution limits so that candidates may receive private funds in amounts larger than the modest levels now allowed. But the solution would be the antithesis of reform. It would return Congressional election financing to the dark ages of unacceptable influence and corruption. The better answer is public financing, on the model already applicable to Presidential elections and now widely accepted by taxpayers and candidates.

We have long felt that campaign financing abuses were more serious for Congress than for the Presidency. For years, going back in some cases over decades, there has been a connection between campaign contributions and the way Congress works its will. And the connection has become more pervasive and insidious as the role of Congress grows and as Federal laws affect more areas of the nation's life.

We know that even now, as 1976 unfolds, influential interest groups are all dressed up and waiting in the wings. Their campaign chests are the fattest in their history. The alarming proliferation of political-action committees is becoming the most notorious new loophole in the election laws, more notorious even than the spending loopholes opened up by the Supreme Court's decision for rich candidates and rich activists.

Abuses of campaign financing do not stop at the other end of Pennsylvania Avenue. If public financing was important for Presidential elections, it is even more important for Senate and House elections. This obvious reform is the wisest investment a taxpayer can make in the future of the country. It can help guarantee that the political influence of citizens and interest groups on Congress will be measured by their votes and voices, not the thickness of their bankrolls. There is still time to enact this reform for the 1976 Congressional elections. The present debate will tell whether Congress is prepared to make an honest legislature of itself, or whether Mark Twain's sarcastic aphorism still reigns on Capitol Hill.

THE NATIONAL HOUSING CRISIS

(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 no question that the housing situation in the United States, and particularly in urban areas, is desperate and that this bears directly on the long-standing unemployment crisis, particularly in the construction industry. What is most disconcerting is that it seems that nothing is being done to effectively cope with either of these problems.

Since 1970 there has been an annual increase in households on the average of 1.5 million. However, approximately 500,000 to 700,000 housing units are removed from the inventory each year. In order to simply maintain the inventory and accommodate growth, from 2 to 2.2 million additional units are required. Add to this the necessity to replace the several hundred thousand occupied substandard units and the average annual requirement increases to a range of 2.4

to 2.6 million units of housing. The sad fact is that total production of new housing in 1974 was in the range of 1.4 million units and, last year, this figure fell to a level of about 1.2 million units. Thus, there is presently a deficit of an estimated 1.2 to 1.4 million housing units.

The lack of adequate housing is further exacerbated by the high proportion of housing requiring substantial rehabilitation. Some measures of deficiency in housing units are lack of some or all plumbing facilities, lack of heat, exposed wiring, cracks in ceilings and walls, and roofs with water leakage. In 1973, for example, nearly 3.6 million housing units lacked some or all plumbing facilities. Of the more than 59 million occupied units with heating equipment in 1973, nearly 5 million—or 8.4 percent—were reported to have suffered breakdowns in heating. Further, some 3.3 million—or 5.5 percent—had some rooms closed due to inadequate heating systems. In addition, 2.7 million units had some or all wiring exposed and nearly 5.3 million units were reported to have roofs with water leakage.

Coupled with these urgent housing requirements and gross deficiencies, the Nation's construction industry has demonstrated consistently high levels of unemployment. As of January 1976, 652,000 construction workers were unemployed—reflecting a clearly unacceptable unemployment rate of 16 percent.

The conditions which exist in terms of joblessness in the building trades and longstanding housing needs can be accurately viewed in a microcosm in Westchester County, N.Y. Overall unemployment in the construction industry, for example, is over 50 percent. In certain sectors of this industry it is much higher—approximately 80 percent for operating engineers, 60 percent for bricklayers, and 55 percent for laborers. Unemployment among Westchester carpenters is 30 percent, 25 percent for painters, and 21 percent for electricians.

Consider these very disturbing figures along with the fact that almost 42 percent of the housing in Westchester County is over 40 years old and that an estimated 20,000 to 25,000 housing units in the county are considered deteriorated, that is, units in which the health, safety, and welfare of the inhabitants are jeopardized. Furthermore, between 1973 and 1975 there was a 65-percent decline in housing starts in Westchester and between 1974 and 1975 this figure rose to 73 percent.

Recently the legislative committee of the New York State Association of Renewal and Housing Officials—NYSARHO—has prepared interesting and useful data regarding decreases in community development grants to communities in New York State during the last 3 fiscal years of the program and some very timely and thought-provoking proposals pertaining to the community development program. As the NYSARHO's proposal so aptly notes:

The Community Development Program is not funded at a scale sufficient to make significant progress towards meeting the goals set forth in the preamble to the Housing and Community Development Act of 1974.

ing and Community Development Act of 1974.

Mr. Speaker, I believe the recommendations of the NYSARHO legislative committee warrant careful and serious consideration by our colleagues. I have already made them available to the able chairmen of the House Banking, Currency and Housing Committee and its Housing and Community Development Subcommittee and to the Secretary of Housing and Urban Development. I insert them herewith for inclusion in the RECORD and commend them to our colleagues' attention:

FEDERAL LEGISLATIVE PRIORITIES OF THE NEW YORK STATE ASSOCIATION OF RENEWAL AND HOUSING OFFICIALS, INC., FEBRUARY 1976

We note that the Congress will this week consider the overriding of the President's veto of the Public Works Employment Act of 1975. We support this important legislation and urge an affirmative vote by the Congress.

Many sections of our State are suffering from severe unemployment, particularly in the construction industry. The economy of the State and inaction have brought about this crisis situation. The failure to adequately fund and expeditiously administer the various federally assisted housing programs has contributed to the high incidence of unemployment. Our municipalities and the State are unable to adequately fund much needed public works improvement programs which would help to revitalize decaying sections of our older communities. This legislation would help to alleviate some of the most severe problems.

We have in the past year communicated with HUD, the Congressional Housing, Legislative, and Appropriations subcommittees, and individual members of our State's Congressional delegation, on many individual housing and community development needs. There are many technical and administrative problems that inhibit the ability of our municipalities to use these programs in an effective way.

Certainly, we do not have federal housing assistance programs that work in terms of new housing construction for low, moderate, and middle-income families. The Community Development Program is not funded at a scale sufficient to make significant progress towards meeting the goals set forth in the preamble to the Housing and Community Development Act of 1974.

Set forth below are our legislative priorities. We have not attempted to highlight all of the technical problems we face. We shall communicate the latter on a case-by-case basis to HUD officials and the Congress. We want to focus here on those items that require early and urgent attention in terms of major legislative actions.

I. Fiscal Year 1977 Community Development Funding Requirements.

For fiscal year 1977, we recommend a program level for the community development block grant program at least equal to the balance of the available authorization—3.148 billion dollars.

II. Fiscal Year 1978-80 Community Development Funding.

That during calendar year 1976, the program authorization level for fiscal years '78, '79, and '80 be established by Congress.

That the Community Development grant formulas under Section 106(g)(2) and 106(h) be adjusted so that no recipient receives less in fiscal years '77, '78, and '79 than was received during the prior three years. For those recipients who were to be phased into higher levels of funding, the formula should remain the same.

As the formula currently provides most

of the grant recipients in New York State would in the last three years receive only one-third of what they received in the prior three. This would mean a drop off of over \$200 million in grants to those New York State communities. We have prepared a separate report that documents this on a community-by-community basis.

That the amount of program discretionary funds to be made available be increased.

III. Public Housing; Sufficient funding for operating subsidies, modernization and rehabilitation.

Our housing authorities must have sufficient funding to meet increased costs of management and energy and to provide the necessary tenant social services assistance. They are restricted by law as to the rents they can charge and the income levels of tenants. There must be adequate subsidies to meet this gap.

It is far cheaper to modernize or rehabilitate an old unit than to build a new one. Providing substantial funding for this is the most fiscally prudent step that the Congress can take.

IV. The Section 8 New Housing Construction Program doesn't work.

Since the passage of the Act in August of 1974, we have not seen one unit of new Section 8 construction in New York State. Obviously, there are problems.

There are many devices HUD can use to make the program work. These include guaranteeing State and local housing finance agency bonds; a tandem plan for FHA insurance and GNMA purchase of mortgages; combinations of these; review of the allowable fair market rents; a new processing system, among others. We believe HUD knows what most of the problems are and is aware of the many alternatives for solving them. We have yet to see evidence that the program will soon be working.

Until there is evidence that the Section 8 new construction program works, we propose that there be a moratorium on its use on other than a pilot basis.

We propose that the emphasis be shifted back, at least temporarily, to a reliance on the conventional public housing and the 236 programs as the basic new construction tools for housing low and moderate-income families. As soon as the bugs in Section 8 are worked out these old programs can then be slowly phased out, and a viable Section 8 program then substituted for them.

V. The Section 312 Rehabilitation Loan Program.

We request that the Congress extend the 312 program through fiscal year 1977 and provide sufficient new funding authority at a level at least equal to 100 million dollars.

We recommend that, except in unusual cases, the early loan commitment procedures under the 312 program should be abandoned in favor of a system of loan commitments related to actual applications.

We strongly urge that additional HUD staff should be provided and adequately trained to administer the 312 program on a continuing basis.

VI. Orderly Completion of Urban Renewal Projects.

We propose that Congress authorize and appropriate, during the fiscal year 1977 to 1980 period, a minimum of 500 million dollars in Urgent Needs funds for completing urban renewal projects with not less than 100 million dollars available in any given fiscal year.

We propose that HUD, during 1976, require each community to prepare and transmit a study establishing what its needs are for completing urban renewal projects.

We propose that the results of the urban renewal completion survey be transmitted by HUD to the Congress, so that it might revise the authorization based upon hard information.

We propose that HUD institute a policy of making urban renewal-capital grant progress payments in the exact amount of dollars which have been expended locally.

VII. HUD Community Development policy determinations, regulations, and forms.

That HUD regularly issue policy letters to a formal distribution list including all community development recipients and interested community groups.

That HUD issue all new forms and regulations during the July 1st and December 1st period of each year.

VIII. Community Development—Housing Program Relationships.

That HUD restructure the Housing Assistance Plan so that its emphasis is on producing a well-thought-out achievable action program which will meet a broad spectrum of housing needs and will be coordinated in an action framework with the local Community Development Program.

That HUD review and revise all of the regulations and procedures of the various operating housing programs to assure that they give due priority to those related to Community Development and urban renewal programs.

That the existing Section 8 program be revised so as to permit these units to be used by a municipality in a focused program which specifically relates to other Community Development efforts.

IX. Loan Guarantees: A device for helping Community Development to focus on the elimination of slums and blight.

A local government or its designated entity may avail itself of federally guaranteed loans to finance up to 90 percent of payments for land and other major capital outlays eligible as community development activities.

Loans may be amortized over a period of up to 10 years, subject to extension by the Secretary in cases of hardship.

The Secretary of HUD is authorized to accept as the local guarantee a pledge of the local government's annual entitlement to future community development grants to the extent necessary to cover annual carrying charges on outstanding guaranteed loans and/or a locality may also use disposition proceeds of land acquired with Community Development grants or loans, and other revenues for loan amortization.

Where a local governing body so requests by resolution, HUD shall make a loan guarantee available directly to any other local agency empowered by state or local law to make such loans and carry out the purposes of the program.

X. Insuring State Housing Finance Agency Bonds.

These agencies have played a most important role in housing production. They are now effectively shut out of the market-place because of national economic trends.

Congress has enacted legislation which can be used by HUD to make these agencies operative and viable. We ask that these tools be used and that other steps be taken to infuse these agencies with the capital needed to finance Section 8 and middle-income construction.

XI. Expansion of the section 202-8 Senior Citizens Program.

There were applications for over 40,000 units in our region. We were allocated about 1,600 units.

We recommended that the authorization and appropriation be increased so that there are at least 10,000 units available on an annual basis in our region.

XII. The "New" Section 235 Program.

We desperately need a home ownership program for families who cannot afford to purchase decent homes at private market prices.

The "new" Section 235 program will not work in many areas of New York State because it is impossible to produce housing

within the permissible mortgage limits. These need to be raised to relate to actual land and construction costs in a given market.

The interest rate for the program is too high and results in a housing cost that is greater than the target market can afford to pay. We propose that the one percent (1%) rate originally set by Congress be reinstated.

XIII. Existing 236, 221-d-3, and Other Assisted Projects.

Many of these projects are encountering financial difficulties through no fault of their own. The original financial structure was not geared so as to be able to absorb the major increases in costs of energy and management. Because of the recession, the incomes of the tenants of these projects have not increased to the extent required for them to be able to absorb rent increases.

There are a number of tools available to HUD and possible steps Congress can take to restore the viability of these projects. These include: operating subsidies, refinancing of mortgages, a moratorium on debt service, an energy adjustment subsidy, among others.

Another step to be considered is a removal of project income limits, with all families paying not less than 25 percent of their incomes (except in hardship cases) for rent up to the necessary economic rent. This would increase rental income to the project and thus develop some subsidy funds for those families who cannot afford to pay the increased rents. It would also further the goals of economic integration and broaden the housing supply for those who cannot find housing on the open market.

NEW YORK STATE ASSOCIATION OF RENEWAL AND HOUSING OFFICIALS, INC., Albany, N.Y., February 12, 1976.

REPORT OF NYSARHO LEGISLATIVE COMMITTEE

Re Decreases in C.D. grants to New York State Communities over the last three fiscal years of the program (Fiscal years 1978-1980).

The attached table documents the decreases that will occur unless the C.D. funding formula is changed. They will total \$207,264,000 for the State.

NYSARHO is requesting that Congress change the law so that municipalities who would have suffered a decrease remain at the same level. For those few who will receive increases, we ask that they be allowed to receive these as their needs are great. To accomplish this, and to provide for adequate discretionary funds, Congress will have to increase the total authorization and appropriation.

(In thousands; fiscal years)

	Total CD grants		Total loss in grants over last 3 fiscal years
	1975-77	1978-80	
Albany-Schenectady-Troy SMSA:			
Albany	6,270	5,676	594
Amsterdam	3,582	1,194	2,388
Cohoes	10,701	2,583	8,118
Mechanicville	1,608	536	1,072
Saratoga Springs	4,365	1,455	2,910
Schenectady	4,431	3,469	861
Troy	4,242	3,382	860
Watervliet	1,227	409	818
Binghamton SMSA: Binghamton	15,888	6,635	9,253
Buffalo SMSA:			
Buffalo	33,540	24,188	9,352
Lancaster	1,308	436	872
Lockport	3,027	1,009	2,018
Niagara Falls	4,737	4,113	624
Tonawanda	2,217	739	1,478
Elmira SMSA:			
Elmira	4,827	2,971	1,856
Elmira Heights	2,595	865	1,730

	Total CD grants		Total loss in grants over last 3 fiscal years
	1975-77	1978-80	
Nassau-Suffolk SMSA:			
Freeport	4,017	1,339	2,678
Glen Cove	11,634	3,878	7,756
Hempstead Town	1,137	379	758
Hempstead Village	3,309	1,103	2,206
Huntington Town	1,029	343	686
Islip Town	1,308	436	872
Long Beach	4,338	1,446	2,892
North Hempstead	7,854	2,618	5,236
Rockville Centre	492	164	328
New York SMSA:			
Greenburgh	2,157	719	1,438
Lewisboro Town	18	6	12
Mount Kisco	1,167	389	778
Mount Vernon	7,618	4,378	3,240
North Tarrytown	33	11	22
Nyack	891	297	594
Ossining Village	2,325	775	1,550
Peekskill	8,916	2,972	5,944
Spring Valley	1,500	500	1,000
Tarrytown	1,821	607	1,214
Tuckahoe	999	333	666
White Plains	11,136	4,900	6,236
Yonkers	15,735	10,491	5,244
Yorktown	1,278	426	852
Poughkeepsie SMSA:			
Beacon	8,241	2,747	5,494
Poughkeepsie	31,936	11,005	20,931
Rochester SMSA:			
East Rochester	1,812	604	1,208
Fairport	1,707	569	1,138
Medina	1,866	622	1,244
Newark	3,441	1,147	2,294
Rochester	41,616	21,483	20,133
Syracuse SMSA:			
Fulton	2,907	969	1,938
Oswego	1,047	349	698
Syracuse	35,193	16,983	18,210
Utica-Rome SMSA:			
Ilion	738	246	492
Little Falls	471	157	314
Rome	4,569	2,815	1,754
Utica	4,653	4,367	286
Nonmetropolitan areas:			
Auburn	408	136	272
Batavia	2,805	935	1,870
Corning	1,302	434	868
Cortland	1,500	500	1,000
Dunkirk	3,177	1,059	2,118
Glens Falls	4,692	1,564	3,128
Gloversville	537	179	358
Hornell	2,616	872	1,744
Hudson	2,757	919	1,838
Ithaca	1,275	425	850
Jamestown	4,764	1,588	3,176
Kingston	4,077	1,359	2,718
Middletown	1,290	430	860
Monticello	2,811	937	1,874
Newburgh	6,438	2,146	4,292
Norwich	171	57	114
Ogdensburg	1,887	629	1,258
Olean	2,688	896	1,792
Oneonta	1,482	494	988
Penn Yan	87	29	58
Plattsburgh	2,481	827	1,654
Port Jervis	624	208	416
Potsdam	609	203	406
Salamanca	162	54	108
Watertown	999	333	666
Woodridge	117	39	78
Total losses in State			207,264

"NO-WIN" CDC?

(Mr. VAN DEERLIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VAN DEERLIN. Mr. Speaker, the California Democratic Council, a noted political volunteer organization in my home State, has completed its winter meeting in Los Angeles over the weekend with two remarkable endorsements: Fred Harris for President, and Tom Hayden for U.S. Senator.

Mr. Hayden, the former antiwar radical married to actress Jane Fonda, out-pollied incumbent Senator JOHN V. TUNNEY by a onesided 68.6 to 24 percent.

CDC members are obviously entitled to their opinions, but yesterday's action raises questions about the viability of this once highly regarded organization, founded in the late fifties.

If I did not know and respect individual CDC people as I do, I might harbor a suspicion that this ostensibly liberal Democratic group is in cahoots with the GOP.

Republicans would love to have Hayden win the Democratic nomination. They figure he would be a setup for any Republican nominee—an ideological purist who could not win in November.

Fortunately, rank-and-file Democrats of California do not feel the same way as the CDC. Results of the latest Field poll, coincidentally released this morning, show Senator TUNNEY ahead of Hayden by 55 to 15 percent, a margin of nearly 4 to 1.

These voters appreciate Senator TUNNEY's record of accomplishment on behalf of the State and Nation, and they know he is the man to beat. So do the Republicans.

As for CDC's support of the estimable Fred Harris, granted on a 2 to 1 vote, I think other contenders, such as our House colleague, Mo UDALL, have already demonstrated they are far more likely to win not only the Democratic nomination for President but also the Office itself.

The latest CDC endorsements are politically unreal. They show the CDC can safely be ignored by candidates as well as by the electorate.

WHY SOVIET EMIGRATION HAS DECLINED

(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, in the New York Times of Thursday, February 26, there is a letter written by four Soviet citizens now in Moscow who, at the risk of their lives, sent a letter for publication in the New York Times to tell what the facts are concerning the decline in Soviet emigration, and refuting an article written by Gen. Boris Shumilin, Soviet Deputy Minister of Internal Affairs. These four men, B. Levich, S. Alber, N. Meiman, and L. Korenfeld, are following the leadership of Solzhenitsyn and Sakharov in speaking the truth even while behind the bars of the U.S.S.R. which today is their prison. I am appending that letter:

[From the New York Times, Feb. 26, 1976]

WHY SOVIET EMIGRATION HAS DECLINED To the Editor:

The Feb. 3 Op-Ed article about Soviet emigration, written by Gen. Boris Shumilin, Soviet Deputy Minister of Internal Affairs, might have given your readers a distorted impression about the actual state of things.

The author mentions the considerable decrease of the number of emigrants. In particular, the number of Jews who left this country in 1975 turns out to be only about a third of the number that left in 1973. He acknowledged that some categories of people are kept in the country, even produced a figure: 1.6 percent of the total number of those having left the country within thirty years.

That figure evokes our strongest doubts: In 1975 about 2,000, or 14 percent of a total of 13,700 wishing to leave, were refused or the refusal was confirmed.

The procedure of considering applications for exit visas is in fact far from what the author endeavors to present. This is the reality: Persons unknown, guided by instructions unknown and proceeding from motivations unknown, return their verdicts in the absence of those applying. In case of refusal, one is deprived of the right to choose his place of residence, a right established in the General Declaration of Human Rights and solemnly confirmed in Helsinki.

This sentence is indefinite, and there is no appeal. The only right remaining is that of applying again for an exit visa in the hope that the sentence will be changed. But one has to wait at least a year. According to Shumilin, the main reason for refusal of an emigration visa is the knowledge of state secrets, but in the U.S.S.R. all secrets are state secrets. Therefore, any intellectual profession, including work in the most peaceful branch of industry or science, might entail the knowledge of "state secrets." To illustrate: If one goes to a public library and wants to read certain foreign publications, one has to present a permit allowing access to secret documents. Even reading The New York Times in the library requires special permission.

We were also amazed to read that "the fact of the application as a rule does not affect the social position or the official duties performed by an applicant apart from those being engaged in the military industry." In reality the very fact that an application has been submitted damages, immediately and in a most essential way, both the social position and the official function as well as the private life of the applicant and his family.

All this taken together—the uncertainty of one's fate, the hard life of those waiting for years for permission, the fear for the fate of one's children and, finally, disappointment and decreasing hope in the triumph of justice and humanity—these are the genuine causes of emigration decline.

B. LEVICH,
S. ALBER,
N. MEIMAN,
L. KORENFELD.

Moscow, February 6, 1976.

CORRESPONDENCE CONCERNING HUGO BLANCO

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, during the course of a year many Members of Congress receive requests from constituents and organizations seeking their aid in bringing individuals, who have been barred by the State Department, into the United States to lecture and engage in other organizational activities.

It is my practice to pursue these matters so as to ascertain whether the Department of State has proceeded in a reasonable manner. One such matter came to my attention in September 1975 concerning Hugo Blanco. I think the correspondence on this matter will be of interest to our colleagues:

U.S. COMMITTEE FOR JUSTICE TO
LATIN AMERICAN POLITICAL PRISONERS,
New York, N.Y., September 22, 1975.

Mr. Ed KOCH,
New York, N.Y.

DEAR MR. KOCH: Plans for the important tour of Hugo Blanco, author, internationally known Peruvian peasant-union leader and refugee of the Chile coup have been threatened by the U.S. State Department. For two

months the State Department has stalled issuing a visa to Mr. Blanco. Many prominent individuals (see Enclosures) have sent messages to the State Department urging that a visa be granted with no further delay.

In spite of these protests and the growing number of invitations for Mr. Blanco to speak at universities across the nation, the visa still has not been granted. Recently, we have been told that Secretary of State Kissinger has the visa application for review.

Your message protesting this anti-democratic harassment and calling on Mr. Kissinger to immediately issue the visa can be of substantial aid in assuring Mr. Blanco's right to enter and speak in this country.

Yours,

STEVE SCHMUGER,
NYC USLA.

[Newsletter of the U.S. Committee for Justice to Latin American Political Prisoners, September 1975]

STATE DEPARTMENT DELAYS BLANCO TOUR

The long awaited tour of Peruvian peasant leader Hugo Blanco, due to begin Sept. 25th, is being seriously threatened by delaying tactics of the U.S. State Dept. The facts of Mr. Blanco's application for a visa reveal a shockingly deliberate campaign by the State Dept. to prevent his views from being heard here. After receiving numerous invitations from academic depts. of leading universities Mr. Blanco applied in mid-July at the U.S. Embassy in Stockholm, Sweden, for a visa to enter the U.S. on Aug. 15th.

Mr. Blanco complied with all the formalities and was told he would receive an answer in early August. When he checked back in early August he was told that no decision would be made until late August because of unspecified "problems". On Sept. 4th he was told the decision was being put off for another three weeks, which would be the first day of his scheduled tour, Sept. 25th.

With these delays the right of many of the individuals and organizations who have invited him to speak is jeopardized. It also raises the possibility that they may deny him a visa altogether. When it became clear that delay was the policy of the State Dept. many of those who had originally invited Mr. Blanco to speak were joined by prominent individuals in addressing inquiries and protests to the State Dept. over the latter's harassment of the tour. Among those sending protest letters or telegrams were:

Thomas M. Davies, Jr., Chairman, Latin American Lecture Series, San Diego State.

Richard Fagan, Prof. of Political Science, Stanford University.

Richard Falk, Acting Director, Center of International Studies, Princeton Univ.

Rev. G. G. Grant, S.J., Loyola University of Chicago, Jesuit Community.

Congressman Michael Harrington (Massachusetts).

Yates Hofner, Dean, Monteith College, Wayne State University, Detroit.

Tom Hayden, Democratic Candidate for Senator, California.

Phyllis Kahn, State Representative, Minnesota.

Sidney Lens, author.

Froben Lozada, Chicago Studies Dept., Merit Community College.

Rev. David McGowan, AGAPE House, Univ. of Illinois.

Congressman Parren Mitchell (Maryland), Deen Peerman, Managing Editor, *Christian Century*.

Michael Fredmore, Professor, Univ. of Washington, Seattle.

Leland Rayson, State Representative, Illinois.

Ramona Ripston, Executive Director, ACLU, So. California.

Joining the campaign to defend Blanco's right to tour the U.S. is his U.S. publisher, Pathfinder Press of New York. In a letter to the State Dept. Pathfinder explains that they plan to meet with Mr. Blanco to discuss business matters and express concern over delays or a denial of his visa, pointing out that "continued delay or denial would violate the recent Helsinki Agreement ("The Conference on Security and Co-Operation in Europe, Final Act," issued by the U.S. State Dept., 1975). The Agreement is quite specific regarding the rights to cultural exchange. On page 123 of the Final Act, the first item discussed under the section on access to books we find twelve paragraphs outlining the rights of authors, publishing houses, and audiences to free access, co-operation, and exchange. We find that our rights and Mr. Blanco's have been abridged under seven of these paragraphs (See paragraphs 1, 3, 4, 5, 6, 7, and 10; Final Act, p. 123 and 124)." Pathfinder plans a big campaign in the publishing industry and media in general to defend the right of its author to enter the U.S.

WHY THE STATE DEPT FEARS BLANCO'S IDEAS

This shocking delay can probably be traced to the fact that Blanco's eyewitness accounts of the Chile coup with its brutal repression and the U.S.'s role in it would prove embarrassing to the government at a time when congressional investigations of the CIA machinations in Chile and other sources reveal an ever widening and sinister pattern of U.S. intervention in that country.

HOW TO WIN THE VISA FIGHT

The government must not be allowed to trample on the democratic right of Blanco to speak, or the right of those who invited him to hear him. We can and must defeat this anti-democratic harassment. USLA supporters and other defenders of civil liberties will want to increase the effort to mount pressure on the State Department to grant Blanco's visa. Here are some of the actions that can be undertaken:

Send a telegram or letter of protest to: Leonard F. Walentynowicz, Bureau of Security and Consular Affairs, Department of State, Washington, D.C. 20020

Get other prominent individuals and organizations to do the same. Be sure to send a copy to USLA!

Send a financial contribution to meet the ballooning expenses of the defense effort. Thousands of dollars are needed to mount this effort, in addition to the cost of actually touring Blanco, when the visa is approved.

Ask other supporters of civil liberties for contributions.

Help organize and build the meetings for Blanco in your area. Continue to build large meetings with broad co-sponsorship. This will do two things. First, it will generate more pressure on the State Department since that many more individuals and groups will be angered by the State Department harassment. Secondly it will assure that we will not be caught unprepared when the visa is approved.

Media work is quite important. A special effort to get a press release into the local media, including the campus and Spanish press, will generate much public support for the effort.

WHO SHOULD BE APPROACHED FOR THIS DEFENSE?

There are people from many walks of life who will want to know about Blanco's tour and who will protect efforts to delay granting him a visa. Latin American Studies professors, Chicano, Puerto Rican, and international student groups (especially those of Latin American students), student government and other student groups will have a natural interest. Farm Worker and other unions will be interested after learning of Blanco's extensive work in organizing peasant unions for land reform, or of his his-

tory as a trade union organizer in Argentina. Church groups, who often have affiliates in Latin America will prove receptive. Organizations of Native Americans should be approached since Blanco is well known for his work among the Quechua Indians of Peru. There are many who will simply be concerned about any violation of civil liberties who should be approached.

Visit your local Congressperson or their aides and seek their support. A number have already endorsed the campaign. They will often call the State Department right on the spot and register a protest.

With a quick response to the State Department's harassment and stalling by a broad range of individuals and groups we can assure Blanco's right to enter the country and speak.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., September 24, 1975.

STEVE SCHMUGER,
USLA Justice Committee,
New York, N.Y.

DEAR MR. SCHMUGER: I have your letter of September 22nd regarding Hugo Blanco.

I have written to the Secretary of State on this matter and as soon as I have any further information, I will be in touch with you again.

Sincerely,

EDWARD I. KOCH.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., September 24, 1975.

HON. HENRY A. KISSINGER,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I received the enclosed letter from the U.S. Committee for Justice to Latin American Political Prisoners regarding Hugo Blanco.

I have no knowledge concerning the facts in this case and would appreciate your supplying me with whatever background material is available so that I can become more familiar with this subject.

Sincerely,

EDWARD I. KOCH.

NEW YORK, N.Y.,
September 30, 1975.

Congressman ED KOCH,
U.S. House of Representatives,
Washington, D.C.

DEAR ED: I feel indignant about the State Department's denying admission to a speaker whom many want to hear, presumably because he will testify to the brutality of the repression in Chile, and to our government's complicity in bringing it into power.

Kissinger has all the instincts of a thug, coated over with professional pomposity.

Sincerely,

BENJAMIN SPOCK, M.D.

DEPARTMENT OF STATE,
Washington, D.C., October 9, 1975.

HON. EDWARD I. KOCH,
New York, N.Y.

DEAR MR. KOCH: Thank you for your letter of September 24 on behalf of the U.S. Committee for Justice to Latin American Political Prisoners regarding the nonimmigrant visa case of Mr. Hugo Blanco.

Mr. Blanco, a Peruvian citizen, presently residing in Sweden, is ineligible for a visa under Section 212(a)(28)(F) of the Immigration and Nationality Act which is quoted in the enclosed information sheet. A decision as to whether to recommend a waiver of his ineligibility to the Attorney General is receiving active consideration. I will write to you again as soon as a decision is reached.

Sincerely,

ROBERT J. McCLOSKEY,
Assistant Secretary for Congressional Relations.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., October 17, 1975.

STEVE SCHMUGER,
USLA Justice Committee,
New York, N.Y.

DEAR MR. SCHMUGER: Enclosed is the response I received from the Department of State regarding the problem with Hugo Blanco.

Apparently the matter is still being given consideration. When I receive the ultimate decision, I will send it on to you.

All the best.

Sincerely,

EDWARD I. KOCH.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., October 21, 1975.

DR. BENJAMIN SPOCK,
New York, N.Y.

DEAR BEN: I apologize for not answering your letter of September 30th until now, but it was not brought to my attention until today. As I understand the matter is still pending, I have sent a letter to the State Department urging that Mr. Blanco be permitted to come to this country.

I do want to note at this time a paradox. I get mail from those on the left supporting the admission into this country of speakers who are on the left and, in many cases, communist. Some of those same people who write me object when someone identified with right wing causes or, in a recent case, Italian facism seeks to come here. I take the position that with the exception of terrorists who publicly advocate murder in pursuit of their goals, those who want to have a full and free discussion of ideas should not be impeded in coming to this country for that purpose. I further believe that in the forum of discussion democratic ideals can establish their superiority over the totalitarian ones of the right or the left. What do you think?

All the best.

Sincerely,

EDWARD I. KOCH.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., October 21, 1975.

MR. ROBERT J. McCLOSKEY,
Assistant Secretary for Legislative Affairs,
Department of State, Washington, D.C.

DEAR MR. McCLOSKEY: I am writing with regard to Mr. Hugo Blanco, a Peruvian who I understand has encountered difficulty in obtaining a visa to enter this country because of his outspoken political beliefs. Though I have no personal knowledge of this case, I believe that, with the exception of terrorists who publicly advocate murder in pursuit of their goals, those who want to have a free discussion of ideas should not be impeded in coming to this country for that purpose. I would, therefore, urge you to allow Mr. Blanco to enter the United States without further delay.

I would appreciate any comments you might care to make regarding this matter.

Sincerely,

EDWARD I. KOCH.

DEPARTMENT OF STATE,
Washington, D.C., November 13, 1975.

HON. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: Thank you for your inquiry of October 21 about the visa application of Mr. Hugo Blanco.

Mr. Blanco applied for a nonimmigrant visa in order to visit the United States to conduct a lecture tour. He was found to be ineligible for a visa under Section 212(a)(28) of the Immigration and Nationality Act because of his previous terrorist activities and his affiliation with certain communist organizations. Consideration was given as to whether the circumstances of his case would justify the approval of a waiver of

his inadmissibility under Section 212(d) (3) (A) of the Act. The Immigration and Naturalization Service, with which ultimate authority rests, has concluded it would not be in the public interest to authorize his temporary admission into the United States. A waiver of his inadmissibility will not, therefore, be granted in his behalf.

Sincerely,

ROBERT J. McCLOSKEY,
Assistant Secretary for Congressional
Relations.

U.S. COMMITTEE FOR JUSTICE TO
LATIN AMERICAN POLITICAL PRISONERS,
New York, N.Y., November 18, 1975.

Representative Ed KOCH,
U.S. House of Representatives, Longworth
House Office Building, Washington, D.C.

DEAR CONGRESSMAN KOCH: On October 10 Hugo Blanco was scheduled to address students at the University of Minnesota in the first stop of a tour sponsored by the United States Committee for Justice to Latin American Political Prisoners (USLA). Instead, the audience listened to a taped message from the Peruvian peasant leader, author and revolutionist.

On the day before the tour was scheduled to start, a State Department spokesperson announced that Secretary of State Henry Kissinger had personally decided to bar Blanco from the United States.

Shortly after this decision, the State Department made a similar pronouncement on the visa of Sergio Segre, Italian Communist Party leader. At almost the same time the same State Department gave VIP treatment to Giorgio Almirante, a leader of the neofascist Movimento Sociale Italiano (MSI—Italian Social Movement).

There is an obvious question: how could one person, Hugo Blanco, so threaten the security of the United States that he is denied entrance? Blanco has just finished a tour of Sweden and Canada where no endangering of the public welfare of those countries was reported. The threat, instead, is what Blanco has to say.

Blanco was forced to flee the repressive regime of Chile following the coup there—a coup aided by the CIA as revealed, despite Kissinger's denials, in recent Congressional hearings. The subject of Blanco's tour is "Latin America, a Continent without Justice." Clearly he would have taken up the issue of CIA involvement not only in Chile, but in Argentina, Brazil and Peru.

Blanco's case has received front-page coverage in a Southern Black newspaper, the *Atlanta Voice*. Editorials and stories have appeared in the *St. Louis Post-Dispatch*, *St. Paul Dispatch* and *Pioneer Press*, *Atlanta Journal*, *Library Journal*, *San Antonio Light* and numerous campus papers.

Protests from prominent civil libertarians and organizations were directed at Kissinger's office. These protests include messages from Senator Hubert Humphrey; John Ervin, Jr., publisher of Aleksandr Solzhenitsyn's *Candle in the Wind*; Jules Feiffer; Congresswoman Bella Abzug and Dr. Benjamin Spock.

On November 11 we received word that we had won a victory. Kissinger was forced to reverse himself and recommend to the Justice Department that Blanco's visa be granted. Now it's the Attorney General, Edward Levi, who stands between the American people and our right to hear Hugo Blanco.

What is needed now is a large meeting to focus attention on the issue—that the American people have a "right to know" the full story about "Latin America, a Continent without Justice."

We would like to propose that this meeting take place the evening of Thursday, February 19 at Columbia University and that

you and your organization co-sponsor this meeting. Initial sponsors include Americans for Democratic Action; Father Kennedy of the Catholic Council of Churches; Michael Harrington, National Chairman, Democratic Socialist Organizing Committee; Ruth Gage-Colby and Kate Millett.

Clearly what's at stake here is not just one visa case. What's at stake is our right as Americans to hear and consider all views. What's at stake is our right to know—without government interference—the facts about Latin America. Watergate has shown that our right to know is being threatened. We must demonstrate the increasing unwillingness of Americans to accept this kind of censorship.

Sincerely,

JAN GANGEL,
USLA Staff.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., December 1, 1975.

ROBERT J. McCLOSKEY,
Assistant Secretary for Congressional Relations,
Department of State, Washington,
D.C.

DEAR MR. McCLOSKEY: I have your letter of November 13th concerning the visa application of Mr. Hugo Blanco.

I am particularly interested in knowing something about his "previous terrorist activities" so that I can refer to them when responding to the various letters that I am receiving which are initiated by groups and individuals espousing his cause.

All the best.

Sincerely,

EDWARD I. KOCH.

DECEMBER 5, 1975.

HON. THOMAS P. O'NEILL, JR.,
House of Representatives,
Washington, D.C.

DEAR MR. O'NEILL: Thank you for your inquiry of November 21 on behalf of Ms. Lorraine Lyman about the visa application of Mr. Hugo Blanco.

Mr. Blanco applied for a nonimmigrant visa in order to visit the United States to conduct a lecture tour. He was found to be ineligible for a visa under Section 212(a) (28) of the Immigration and Nationality Act because of his previous terrorist activities and his affiliation with certain communist organizations. Consideration was given as to whether the circumstances of his case would justify the approval of a waiver of his inadmissibility under Section 212(d) (3) (A) of the Act. The Immigration and Naturalization Service, with which ultimate authority rests, has concluded it would not be in the public interest to authorize his temporary admission into the United States. A waiver of his inadmissibility will not, therefore, be granted in his behalf.

Sincerely,

ROBERT J. McCLOSKEY,
Assistant Secretary for
Congressional Relations.

DEPARTMENT OF STATE,
Washington, D.C., December 11, 1975.

HON. EDWARD I. KOCH,
New York, N.Y.

DEAR MR. KOCH: Thank you for your letter of December 1 about your continued interest in the nonimmigrant visa case of Mr. Hugo Blanco.

The information which renders Mr. Blanco ineligible to receive a visa under Section 212 (a) (28) of the Immigration and Nationality Act is confidential. I regret therefore that the information you requested cannot be divulged.

Sincerely,

ROBERT J. McCLOSKEY,
Assistant Secretary for Congressional
Relations.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., December 22, 1975.

ROBERT J. McCLOSKEY,
Assistant Secretary for Congressional Relations,
Department of State, Washington,
D.C.

DEAR MR. McCLOSKEY: I have your letter of December 11th and I must say your response was unsatisfactory and leaves me in a position where I am not able to respond responsibly to those who have written to me concerning Hugo Blanco.

While I would oppose allowing an individual who has engaged in terrorist activities so as to make him suspect that his coming here will enhance those terrorist activities, I cannot in good conscience say to those writing that the nature of his terrorist activities cannot in any way be described and must be confidential. I think your actions and response give unnecessary support to those who criticize our system and make it unnecessarily difficult for those, like myself, who support our system to defend it in cases of this kind.

I urge you to reconsider this matter and provide me with the information bearing upon Mr. Blanco's alleged terrorist activities so that I, at least, can be better informed on the matter.

Sincerely,

EDWARD I. KOCH.

DEPARTMENT OF STATE,
Washington, D.C., January 29, 1976.

HON. EDWARD I. KOCH,
Longworth House Office Building,
Washington, D.C.

DEAR MR. KOCH: Thank you for your letter of December 22 about your desire to obtain more information in connection with the refusal of a visa to Mr. Hugo Blanco.

Much of the information available to the Department is classified for reasons of security and therefore cannot be divulged under the provisions of Executive Order 11652 dated March 8, 1973, a copy of which is enclosed.

A part of the public record, however, is his declaration that he took full and sole responsibility for the murders of three policemen which occurred during a raid he and his followers made on a police station in Peru during 1962. The *Congressional Record* of December 19, 1975, contains further information about his affiliation with the Fourth International and other groups, as well as quotations from his writings in which he has advocated the use of violence.

I can assure you that Mr. Blanco's case was carefully reviewed. The finding of ineligibility under Section 212(a) (28) (C) and (F) of the Immigration and Nationality Act is mandatory. Mr. Blanco may also be ineligible under Section 212(a) (9) of the Act, which is quoted in the enclosure, because of his conviction for murder.

I hope that this additional information will be helpful.

Sincerely,

ROBERT J. McCLOSKEY,
Assistant Secretary for Congressional
Relations.

U.S. HOUSE REPRESENTATIVES,
Washington, D.C.

DR. BENJAMIN SPOCK,
New York, N.Y.

DEAR BEN: Enclosed is the response I received from the State Department which, if accurate, would in my judgement be grounds for not allowing Hugo Blanco entry into the United States. Don't you agree that if, in fact, he admitted responsibility for the murder of three policemen and advocates the use of violence that those are grounds for rejection?

In your original letter to me your reference to Secretary Kissinger was "has all the in-

stincts of a thug, coated over with professional pomposity." My question is how would you now characterize Hugo Blanco? If I do not hear from you within two weeks, then I shall assume that the information provided me is correct.

All the best,
Sincerely,

EDWARD I. KOCH,

NEW YORK, N.Y.,
February 18, 1976.

Congressman EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR ED: Thank you for looking into the Hugo Blanco issue. I have no idea where the truth lies. The plea for his entry came from a responsible organization.

Sincerely,

BENJAMIN SPOCK, M.D.

CLOSING TAX SHELTER IN OPTION TRADING

(Mr. MIKVA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIKVA. Mr. Speaker, I am introducing legislation to deal with the situation in which certain taxpayers, trading in stock options or commodities, are enabled, in effect, to create tax benefits for themselves by converting ordinary income into capital gains. This situation results from a recent IRS ruling, privately issued, but widely publicized, to the effect that if a call option is the subject of a closing transaction, any gain or loss resulting from that transaction should be treated as ordinary income or loss. A closing transaction involves the purchase of a call to close out or offset a writer's obligation under an earlier call which he had written.

The tax shelter in this area works as follows. Suppose that a taxpayer buys 100 shares of stock at \$200 per share. He then writes a call, for a premium of \$2,500. The call, which expires within a definite time period, allows the purchaser to buy 100 shares of the stock at \$200 per share from the writer of the call before its expiration. Suppose the shares later go up to \$250 per share. The taxpayer buys back the call for \$5,000 in a closing transaction and is allowed an ordinary loss of \$2,500. He also sells the shares of stock and makes a capital gain of \$5,000. If he is in the 50-percent tax bracket, his ordinary loss saves him \$1,250 in tax savings, which completely offsets the \$1,250 tax on the \$5,000 long-term capital gain. Thus, the taxpayer pays no net tax on a transaction in which he has realized \$2,500 of economic gain.

The bill I am introducing deals with the problem by providing that in the case of any closing transaction, any gain or loss is to be treated as short-term capital gain or loss. It applies to closing transactions which occur after March 1, 1976.

This problem is potentially quite serious. As this device becomes more and more popular, it could substantially reduce tax revenues.

Accordingly, Mr. Speaker, the bill is intended to serve as public notice, as discussed in the Ways and Means Committee this morning, that Congress intends

to look into this situation, and I hope will remove, effective as of today, any unwarranted tax advantages in this kind of situation. Thus, taxpayers should engage in closing transactions only if such transactions make sense from an economic standpoint, and not in reliance on any supposed tax advantages.

I might also add, Mr. Speaker, that Chairman ULLMAN indicated that the committee will hold hearings on this matter in the very near future.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PATMAN (at the request of Mr. O'NEILL), for this week, on account of illness.

Mr. JONES of Tennessee (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. MATSUNAGA (at the request of Mr. O'NEILL), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SIKES, for 30 minutes, tomorrow, March 2, 1976.

(The following Members (at the request of Mr. HYDE) to revise and extend their remarks and include extraneous matter:)

Mr. QUIE, for 15 minutes, today.

Mr. COLLINS of Texas, for 15 minutes, today.

(The following Members (at the request of Mr. WEAVER) and to include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. PHILLIP BURTON, for 10 minutes, today.

Ms. HOLTZMAN, for 10 minutes, today.

Mr. DAVIS, for 15 minutes, today.

Mr. McFALL, for 5 minutes, today.

Mr. BRADEMAS, for 5 minutes, today.

Mr. HARRIS, for 5 minutes, today.

Mr. VAN DEERLIN, for 5 minutes, today.

Mr. MELCHER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BROOKS, and to include extraneous matter.

Mr. MELCHER, and to include extraneous matter.

Mr. MADDEN.

(The following Members (at the request of Mr. HYDE) and to include extraneous matter:)

Mr. JEFFORDS.

Mr. YOUNG of Florida in five instances.

Mr. WYDLER.

Mr. MADIGAN.

Mr. ERLNBORN.

Mr. WALSH.

Mr. BROWN of Michigan.

Mr. CRANE.

Mr. DERWINSKI in two instances.

Mr. FORSYTHE.

Mr. FINDLEY.

(The following Members (at the request of Mr. WEAVER) and to revise and extend their remarks:)

Mrs. LOYD of Tennessee in five instances.

Mr. SISK in two instances.

Mr. STARK in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in three instances.

Mr. ELBERG in 10 instances.

Mr. ULLMAN in 10 instances.

Mr. OBEY in 10 instances.

Mr. RANGEL in 10 instances.

Mr. ROSENTHAL.

Mr. DAVIS.

Mr. VANIK in two instances.

Mr. ROGERS.

Mr. KRUEGER.

Mr. GIAIMO in 10 instances.

Mr. DRINAN in 10 instances.

Mr. HOWARD.

Mr. DODD.

Mr. VAN DEERLIN in two instances.

Mr. PATTEN.

Mrs. SPELLMAN.

Mr. MOFFETT in two instances.

Mr. ROSE.

Mr. McDONALD of Georgia in four instances.

Ms. ABZUG.

Mr. CHARLES H. WILSON of California.

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. 2255. An act for the general revision of the Patent Laws, title 35 of the United States Code, and for other purposes, to the Committee on the Judiciary.

ADJOURNMENT

Mr. WEAVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 32 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 2, 1976, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2647. A letter from the President of the United States, transmitting a request for supplemental appropriations for fiscal year 1976 for the legislative branch (H. Doc. No. 94-387); to the Committee on Appropriations and ordered to be printed.

2648. A letter from the President of the United States, transmitting budget amendments for fiscal year 1976 and the transition quarter to meet the increased costs of the October 1975 Federal pay raise (H. Doc. No. 94-388); to the Committee on Appropriations and ordered to be printed.

2649. A letter from the President of the United States, transmitting notice of his intention to withdraw the designation of Laos as a beneficiary developing country for purposes of the Generalized System of Preferences, pursuant to section 520(a)(2) of the Trade Act of 1974 (H. Doc. No. 94-389); to the Committee on Ways and Means and ordered to be printed.

2650. A letter from the Architect of the Capitol, transmitting the semiannual report of the Architect of the Capitol for the period July 1 through December 31, 1975, pursuant to section 105(b) of Public Law 88-454; to the Committee on Appropriations.

2651. A letter from the Assistant Secretary of Defense (Manpower and Reserve Affairs), transmitting a report covering calendar year 1975 on special pay for duty subject to hostile fire, pursuant to 37 U.S.C. 310(d); to the Committee on Armed Services.

2652. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of construction projects to be undertaken by the Army National Guard, pursuant to 10 U.S.C. 2233a (1); to the Committee on Armed Services.

2653. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for increased participation by the United States in the Asian Development Fund; to the Committee on Banking, Currency and Housing.

2654. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for increased participation by the United States in the International Finance Corporation, and for other purposes; to the Committee on Banking, Currency and Housing.

2655. A letter from the Secretary of Housing and Urban Development, transmitting the second annual report on the HUD coin-surance program, pursuant to the provisions of section 244(f) of the National Housing Act; to the Committee on Banking, Currency and Housing.

2656. A letter from the Secretary of Housing and Urban Development, transmitting the fourth report on implementation of the Emergency Homeowners' Relief Act of 1975, pursuant to section 111 of the act (Public Law 94-50); to the Committee on Banking, Currency and Housing.

2657. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a draft of proposed legislation to amend the U.S. Housing Act of 1937 to increase the amounts of annual contributions which may be provided thereunder with respect to low-income public housing projects, to specify the manner in which annual contributions authority shall be subject to appropriation acts, to revise the definition of income under the low-income public housing program, and for other purposes; to the Committee on Banking, Currency and Housing.

2658. A letter from the Secretary of the Treasury, transmitting the third annual report on the operation and status of the State and Local Government Fiscal Assistance Trust Fund, pursuant to section 105 (a) (2) of Public Law 92-512; to the Committee on Government Operations.

2659. A letter from the Director of Communication, Department of Agriculture, transmitting a report on the Department's activities under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2660. A letter from the Executive Officer, U.S. Arms Control and Disarmament Agency transmitting a report on the activities of the Corporation under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2661. A letter from the General Counsel, Civil Aeronautics Board, transmitting a report on the activities of the Board under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552 (d); to the Committee on Government Operations.

2662. A letter from the Chairman, U.S. Civil Service Commission, transmitting a report on the activities of the Commission under

the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552 (d); to the Committee on Government Operations.

2663. A letter from the Governor, Farm Credit Administration, transmitting a report on the activities of the Administration under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552 (d); to the Committee on Government Operations.

2664. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a report on the activities of the Corporation under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. (d); to the Committee on Government Operations.

2665. A letter from the Executive Director Federal Labor Relations Council, transmitting a report on the activities of the Council under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2666. A letter from the Chairman, U.S. International Trade Commission, transmitting report on the activities of the Commission under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2667. A letter from the Secretary, Interstate Commerce Commission, transmitting a report on the activities of the Commission under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2668. A letter from the Acting Executive Director, National Capital Planning Commission, transmitting a report on the activities of the Commission under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2669. A letter from the Executive Secretary, Occupational Safety and Health Review Commission, transmitting a report on the activities of the Commission under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2670. A letter from the Executive Director Pension Benefit Guaranty Corporation, transmitting a report on the activities of the Corporation under the Freedom of Information Act during calendar year 1975, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2671. A letter from the Chairman, Federal Election Commission, transmitting notice that the Commission will continue not to promulgate certain pending regulations until reconstituted by Congress; to the Committee on House Administration.

2672. A letter from the Secretary of the Interior, transmitting a proposed plan for the use and distribution of the judgement funds awarded to the Yakima Tribes and to the Confederated Tribes of the Colville Reservation in dockets 161, 222, and 224 before the Indian Claims Commission, pursuant to 87 Stat. 466; to the Committee on Interior and Insular Affairs.

2673. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the intention of the Department of the Air Force to offer to sell certain defense articles to NATO, pursuant to section 36(b) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

2674. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to section 112(b) of Public Law 92-403; to the Committee on International Relations.

2675. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend chapter 23 of title 38, United States Code, to eliminate certain duplications in Federal burial benefits now payable for the same, or similar, purpose; to the Committee on Veterans' Affairs.

2676. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to terminate the authority for the pursuit of flight training programs by veterans and for the pursuit of correspondence training programs by veterans, wives, and widows, and for other purposes; to the Committee on Veterans' Affairs.

2677. A letter from the Fiscal Assistant Secretary of the Treasury, transmitting the 20th annual report on the financial condition and results of the operations of the Highway Trust Fund, pursuant to section 209(e) (1) of the Highway Revenue Act of 1956, as amended (H. Doc. No. 94-390); to the Committee on Ways and Means and ordered to be printed.

2678. A letter from the Fiscal Assistant Secretary of the Treasury, transmitting the fifth annual report on the financial condition and results of the operations of the Airport and Airway Trust Fund, pursuant to section 208(e) (1) of the Airport and Airway Revenue Act of 1970, as amended (H. Doc. No. 94-391); to the Committee on Ways and Means and ordered to be printed.

RECEIVED FROM THE COMPTROLLER GENERAL

2679. A letter from the Comptroller General of the United States, transmitting his review of the deferrals of budget authority and the supplementary reports revising a previously proposed rescission and four previously reported deferrals contained in the message from the President dated February 6, 1976 (H. Doc. No. 94-362), pursuant to subsections 1014(b) and (c) of Public Law 93-344 (H. Doc. No. 94-392); to the Committee on Appropriations and ordered to be printed.

2680. A letter from the Comptroller General of the United States, transmitting the annual report of the U.S. General Accounting Office for fiscal year 1975, pursuant to section 312(a) of the Budget and Accounting Act of 1921 (H. Doc. No. 94-369); to the Committee on Government Operations and ordered to be printed with illustrations.

2681. A letter from the Comptroller General of the United States, transmitting a report on the problems encountered by contractors due to the shortages of processed materials on programs of vital national interest; to the Committee on Government Operations.

2682. A letter from the Comptroller General of the United States, transmitting a report on the financial status of major acquisitions of the U.S. Government which were financed solely with Federal funds as well as those financed jointly with Federal, State, and other funds; jointly, to the Committees on Government Operations, and Armed Services.

2683. A letter from the Comptroller General of the United States, transmitting a report on recommendations to the Secretary of Transportation for improving the licensing of private pilots; jointly, to the Committees on Government Operations, and Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on Feb. 26, 1976, the following report was filed on Feb. 29, 1976]

Mr. STAGGERS: Committee on Interstate and Foreign Commerce, H.R. 11124. A bill to amend the Federal Food, Drug, and Cos-

metic Act to provide for the safety and effectiveness of medical devices intended for human use, and for other purposes; with amendment (Rept. No. 94-853). Referred to the Committee of the Whole House on the State of the Union.

[Submitted March 1, 1976]

Mr. DIGGS: Committee on International Relations. House Joint Resolution 296. Joint resolution authorizing the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Okla., from May 16, 1976, through May 22, 1976 (Rept. No. 94-854). Ordered to be printed.

Mr. FOLEY: Committee on Agriculture. S. 1545. An act to amend the Agricultural Adjustment Act of 1938 with respect to peanuts; with amendment (Rept. No. 94-855). Referred to the Committee of the Whole House on the State of the Union.

Mr. SLACK: Committee on Appropriations. House Resolution 1058. Resolution disapproving the deferral of certain budget authority (D76-98) relating to the Department of Justice, Law Enforcement Assistance Administration, Juvenile Justice and Delinquency Prevention program, proposed in the President's special message of January 23, 1976 (H. Doc. 94-342), transmitted under section 1013 of the Impoundment Control Act of 1974 (Rept. No. 94-856). Referred to the Committee of the Whole House on the State of the Union.

Mr. PASSMAN: Committee on Appropriations. H.R. 12203. A bill making appropriations for Foreign Assistance and related programs for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes (Rept. No. 94-857). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN (for himself, Mr. PATMAN, Mr. CHARLES H. WILSON of California, Mr. NIX, Mr. METCALFE, Mr. EDWARDS of California, Mr. DOMINICK V. DANIELS, Mr. HAWKINS, Mr. MCKINNEY, Mr. HARKIN, Mr. BLANCHARD, Mr. CORNELL, Mr. RICHMOND, Mr. RANGEL, Mr. MILLER of California, Mr. ZEPERETTI, Mr. WON PAT, Mrs. COLLINS of Illinois, Mr. HARRIS, Mr. HARSHA, and Mr. NEAL):

H.R. 12180. A bill to reform residential electric utility rates; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPIN:

H.R. 12181. 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. BROOKS (for himself and Mr. PAGE):

H.R. 12182. A bill to amend section 142 of title 28, United States Code, relating to the furnishing of accommodations to Judges of the courts of appeals of the United States; to the Committee on the Judiciary.

By Mr. BURLISON of Missouri:

H.R. 12183. A bill to provide that the President, or any other member of the executive branch of the Federal Government, shall limit or prohibit the export of agricultural tools, materials, and machinery as part of any limitation or prohibition of the export of any agricultural commodity; to the Committee on International Relations.

By Mr. COTTER:

H.R. 12184. A bill to require a speedy trial for criminal defendants charged with use of

a firearm in the commission of a Federal crime; to the Committee on the Judiciary.

By Mr. D'AMOURS (for himself, Mr. BAUCUS, Mr. PATTISON of New York, and Mr. SOLARZ):

H.R. 12185. 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. FORSYTHE (for himself, Mr. MCKINNEY, and Mr. EILBERG):

H.R. 12186. A bill to amend title 37, United States Code, so as to extend from 1 to 3 years the period that a member of the uniformed services has following his retirement to select his home for purposes of travel and transportation allowances under such title, and for other purposes; to the Committee on Armed Services.

By Mr. HARKIN (for himself and Mr. MEZVINSKY):

H.R. 12187. A bill to amend the Internal Revenue Code of 1954 to release the lien for the estate tax on property which is transferred by the executor to a purchaser or holder of a security interest; to the Committee on Ways and Means.

By Mr. HAWKINS (for himself, Mr. QUIE and Mr. PERKINS):

H.R. 12188. A bill to amend the Community Services Act of 1974 to make certain technical and conforming amendments; to the Committee on Education and Labor.

By Mrs. HECKLER of Massachusetts:

H.R. 12189. A bill to amend section 1951, title 18, United States Code, act of July 3, 1946; to the Committee on the Judiciary.

H.R. 12190. A bill to authorize the Secretary of the Treasury to reimburse State and local law enforcement agencies for assistance provided at the request of the U.S. Secret Service; to the Committee on the Judiciary.

By Ms. HOLTZMAN:

H.R. 12191. A bill to prohibit use of Airway and Airport Development Act funds for a public airport at Floyd Bennett Field in the Gateway National Recreation Area; to the Committee on Public Works and Transportation.

By Mr. HUNGATE:

H.R. 12192. A bill to amend the Internal Revenue Code of 1954 to increase the estate tax exemption and to increase the lifetime gift tax exemption; to the Committee on Ways and Means.

By Mr. JONES of Alabama (for himself and Mr. HARSHA):

H.R. 12193. A bill to amend the Federal Water Pollution Control Act to increase the authorization for the National Study Commission; to the Committee on Public Works and Transportation.

By Mr. McFALL:

H.R. 12194. A bill to establish a task force for the purpose of establishing similar procedures to be used by the Federal Housing Administration and the Farmers Home Administration in appraising and inspecting homes; to the Committee on Banking, Currency and Housing.

By Mr. MADIGAN:

H.R. 12195. A bill to amend the Rural Electrification Act of 1936, as amended, to correct unintended inequities in the determination of interest rates for borrowers from the Rural Electrification Administration and the Rural Telephone Bank, to make other technical amendments, and for other purposes; to the Committee on Agriculture.

By Mr. QUIE:

H.R. 12196. A bill to consolidate the administration of certain programs of financial assistance to States for educational purposes; to the Committee on Education and Labor.

By Mrs. SPELLMAN:

H.R. 12197. A bill to amend the Public Health Service Act to provide health care services for pregnant adolescents before and

after childbirth; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 12198. A bill to amend the Uniform Time Act of 1966 to change the period of observance of daylight saving time; to the Committee on Interstate and Foreign Commerce.

By Mr. THONE:

H.R. 12199. A bill to amend the Internal Revenue Code of 1954 to allow persons covered by certain other retirement plans to establish personal savings for retirement; to the Committee on Ways and Means.

H.R. 12200. A bill to amend the Internal Revenue Code of 1954 to provide for the tax-free rollover of certain amounts distributed from pension plans on account of terminations, partial terminations, and the complete discontinuance of contributions under such plans; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 12201. A bill to amend the Small Business Act to provide that determinations by the administration of the reasonable assurance of repayment of prospective loans be made on a case-by-case basis and to clarify the eligibility of small business homebuilding firms for assistance under the Small Business Act; to the Committee on Small Business.

By Mr. PASSMAN:

H.R. 12203. A bill making appropriations for Foreign Assistance and related programs for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes.

By Mr. BRADEMANS (for himself, Mr. PERKINS, Mr. BELL, Mr. DENT, Mr. PEYSER, Mr. DOMINICK V. DANIELS, Mr. JEFFORDS, Mr. HAWKINS, Ms. MINK, Mr. MEEDS, Mr. GAYDOS, Ms. CHISHOLM, Mr. BIAGGI, Mr. ANDREWS of North Carolina, Mr. LEHMAN, Mr. BENITEZ, Mr. BLOVIN, Mr. EISENHOOVER, Mr. BEARD of Rhode Island, Mr. ZEPERETTI, Mr. MILLER of California, Mr. MOYTL, Mr. HALL, Mr. PEPPER, and Mr. SARASIN):

H.J. Res. 833. Joint resolution to provide for the designation of the second full calendar week in March 1976 as National Employ the Older Workers Week; to the Committee on Post Office and Civil Service.

By Mr. PRESSLER:

H.J. Res. 834. Joint resolution proposing an amendment to the Constitution of the United States for the protection of unborn children and other persons; to the Committee on the Judiciary.

By Mr. ZABLOCKI (for himself, Mr. BINGHAM, Mr. FINDLEY, and Mr. SOLARZ):

H. Con. Res. 570. Concurrent resolution with respect to certain arms control and disarmament negotiations; to the Committee on International Relations.

By Mr. DIGGS:

H. Res. 1059. Resolution providing for funds for the expenses of investigations and studies to be conducted by the Committee on the District of Columbia; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, 306. The SPEAKER presented a memorial of the Legislature of the State of California, relative to increasing Federal child day care funds; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXIII, Mr. HEFNER introduced a bill (H.R. 12202) for the relief of Tamas and Julia Oberbauer, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, 405. The SPEAKER presented a petition of town board, Attica, N.Y., relative to welfare, which was referred to the Committee on Ways and Means.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 10760

By Mr. HAYES of Indiana:
Page 39, immediately after line 12, insert the following new subsection:
(c) Section 402(d) of the Act (30 U.S.C. 902(d)) is amended by inserting immediately before the period at the end thereof the following: ", including any individual who is or was employed in any aboveground mining operation".

H.R. 11963

By Mrs. MEYNER:
Page 6, line 3, immediately after the semi-colon insert "and"; in line 5, strike out "

and" and insert in lieu thereof a period and a closing quotation mark; and strike out lines 6 and 7.

Page 12, beginning in line 4, strike out "to international military training provided under chapter 5 of this part,"; and in line 7, strike out the comma.

Page 13, strike out line 22 and all that follows thereafter through line 24 on page 17.

Page 51, beginning in line 17, strike out "or education and training under chapter 5,".

EXTENSIONS OF REMARKS

JOHN J. PECORARO: A GREAT UNION LEADER

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES
Monday, March 1, 1976

Mr. PATTEN. Mr. Speaker, last Friday, John J. Pecoraro, a great union leader, retired from the important post of director, department of legislation, International Brotherhood of Painters and Allied Trades—PAT.

John served in that responsible position with real distinction, but that is no revelation, because he has distinguished himself in everything he has done.

His record of action, leadership, and achievement is not only long, but honorable and remarkable. Part of that amazing—and inspiring—record follows in chronological order:

RECORD OF ACHIEVEMENTS

EDUCATION

1929: Graduated Peter Stuyvesant High School.
1950: Enrolled in Rutgers University Extension Division for courses in Economics and Public Speaking, and course in Labor Relations.
1952: Appointed by Dr. Lewis Webster Jones, President of Rutgers University, as labor member of joint Management-Labor School Committee in connection with Rutgers' participation in Marshall Plan.

UNION EMPLOYMENT EXPERIENCE

1939: First Union Membership.
1940-62: Delegate to National Conventions of Brotherhood of Painters, 1940-1945, 1949, 1953, 1958, 1962.
1945-48: Secretary of Local Union 834.
1945-63: Delegate to Building Trades Dept.
1948-58: Delegate to Central Labor Body.
1948-63: Business Manager of Local Union 834.
1949: Cited by City of New Brunswick when under my direction members of L.U. 834 broke world's record by painting a home in 2 minutes and 23 seconds.
1950-62: Chairman, Middlesex County Council Negotiating Comm.
1951-53: Secretary to State Conference Board of Painters.
1954-63: Chairman and Administrator, Welfare Fund L.U. 834.
1955: Elected to Executive Council of N.J. State Federation of Labor, serving until 1962.
1959-62: Chairman of Middlesex County Council of Painters.
1960-64: Chairman, Garden State Labor Management Comm.
1968-69: Administrator, Manpower Development and Training Act—PAT.
1969: National Co-ordinator Jobs Corps—PAT.

1970-76: Director, Dept. of Legislation—PAT.

1976: National Director—Concerned Seniors for Better Government.

1972: Appointed Labor Advisory Comm. on Industrial Safety—U.S. Dept. of Labor.

1974: Reappointed to Advisory Comm.

CIVIC ACTIVITIES

1948-49: Member Board of Directors, Community Chest.
1949-53: Charter member, and member, Board of Directors, United Fund.
1955-62: Member Board of Directors, Cerebral Palsy, Middlesex County.
1958-62: Member Executive Committee, March of Dimes, Middlesex County.
1959-62: Chairman of March of Dimes Drive each year in South Brunswick.
1963: General Chairman of Cerebral Palsy Drive for Middlesex County.
1957: Founder of the Columbine of Middlesex County, and President to date.
1957: Proclaimed "Man of the Year" by the Columbine.

POLITICAL

1960: Elected Municipal Chairman of the South Brunswick Democratic Party, and re-elected in each successive year including 1963.
1960: Delegate to Democratic National Convention, Los Angeles.
1962: Appointed as Secretary to Assistant Majority Leader, New Jersey State Assembly.
1963: Appointed Legislative Aide to Majority Leader, New Jersey State Assembly.
1963: Appointed Confidential Secretary to County Clerk of Middlesex County.

Mr. Speaker, for the past 36 years—since 1940—John Pecoraro has dedicated his life to helping people—especially members of the Painters and Allied Trades. Except for his wife and five children, one union is closest to that warm heart of his—a heart full of compassion and love for people. His fine record shows this.

Since 1970, he has provided dynamic leadership as director of the International Brotherhood's department of legislation—from testifying before House and Senate committees on bills, to speaking all over the country on legislation with rare eloquence. I have heard thousands of speakers during my public career, but John Pecoraro ranks in the top 10 best. He speaks with strong conviction because he cares deeply about people—their needs, their problems, and their hopes.

John Pecoraro has accomplished plenty for his union members—and for his country, yet knows that much more must be done before America can truly be called a nation "with liberty and justice for all." But, like Lincoln, John has "a

patient confidence in the ultimate justice of the people."

Mr. Speaker, the greatest union leader of them all, Samuel Gompers, spoke of "the necessity of workers to protect and defend themselves from encroachment, injustice, and wrong—to protect the workers in the inalienable rights to a higher and better life; to protect them, not only as equals before the law, but also in their health, their homes, their firesides, their liberties as men, as workers, and as citizens. The attainment of these is the glorious mission of the trade union," Gompers said in his speech in 1898.

Mr. Speaker, for the past 36 years John J. Pecoraro has been on that "glorious mission," and because of his superb leadership, members of the Painters and Allied Trades have attained that "higher and better life—as workers, and as citizens," envisioned by Samuel Gompers. John, who is a former constituent of mine, has helped convert that dream to reality.

I thank him for his magnificent leadership and congratulate him on being appointed to his new post: national director of the Concerned Seniors for Better Government. John Pecoraro will be 65 on November 13, 1976, and I hope he will live at least 65 more years, for he has enriched the lives of so many members and citizens with his rare and talented mind, heart, and spirit.

TOLLESTON JUNIOR HIGH SCHOOL
INDIANA STATE CHAMPIONS

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES
Monday, March 1, 1976

Mr. MADDEN. Mr. Speaker, the 263-member band of the Tolleston Junior High School of Gary, Ind., was honored at a banquet and mass meeting in the city of Gary on the 3d of February, for having won the Indiana State championship of all high school bands in 1975.

Mayor Richard Gordon Hatcher was the master of ceremonies and principal speaker at the banquet honoring the junior high school organization. Dignitaries as well as band enthusiasts from all over the Calumet Region of northwest Indiana and the student body of Tolleston Junior High School were present for the occasion.